

FARIBAULT COUNTY
BOARD OF COMMISSIONERS
OFFICIAL PROCEEDINGS
DRAINAGE AUTHORITY MEETING
FEBRUARY 4, 2020

The Faribault County Board of Commissioners met at the Courthouse in the City of Blue Earth as the Faribault County Drainage Authority pursuant to the recess of the regular session on February 4, 2020. The following members were present: Bill Groskreutz, Tom Loveall, John Roper, Tom Warmka, and Greg Young Commissioners. Auditor/Treasurer/Coordinator Darren Esser, Drainage Manager Merissa Lore, Drainage Project Manager Dustin Anderson, and Acting Clerk to the Board Clara Vereide also attended.

The meeting was called to order by Chair Warmka.

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Loveall/Roper motion carried unanimously to approve the agenda of February 4, 2020.

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Loveall/Roper motion carried unanimously to approve projects as shown below:

System	Repair #	Branch	Comm	Twp	Sec	Landowner	Problem/Proposed Work
CD55	19-018	Main	1	Emerald	24	Palmer Midthun Disclmr Trust	Remove Beaver dams
JD13F	20-003	Lat 1	1	Rome	19	Gary & Sandra Ehrich	Tile intake repair
CD514	20-002	Br S	2	Pilot Grove	10	Michael Krosch	Televis Branch S
CD10	20-005	Main	4	Barber	23	John F & Luella M Becker	3 tile holes, sandy soils, 7-8 feet deep
JD9FBE	20-004	County Tile	4	Lura	18	Thomas R Jones Revoc Trust	Jet old county tile associated with wetland restoration

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Young/Groskreutz motion carried unanimously to approve payment totaling \$ 41,777.41:

System	Repair #	Order	Branch	Comm	Twp	Sec	Landowner	Repair Type	Vendor	Contractor	%	Cost
CD13	19-173	1	Main tile	1	Rome	36	Mary Pratt ET AL	Blowout, Surface Intake	6701	Trevor Leland	100	\$ 393.96
CD35	19-186	1	Br 48	1	Rome	24	Wertjes Family Trust	Blowout	6701	Trevor Leland	100	\$ 575.38
CD42	19-151	2	Main Open	1	Rome	5	Gerald Frandle Trust	Tile Outlet	481	Faribault Co. Public Works	100	\$ 798.85
CD55	19-018	1	Main	1	Emerald	24	Palmer Midthun Disclmr Trust	Beaver Dam	6701	Trevor Leland	100	\$ 700.00
CD8	19-184	1	Main	1	Blue Earth	35	Paula Nuessmeier	Beaver Dam	867	Moore Construction Co.	100	\$ 300.00
JD13F	19-174	1	626+50	1	Rome	36	D J L Amundson Inc	Surface Intake	6701	Trevor Leland	100	\$ 233.18
JD13F	20-003	1	Lat 1	1	Rome	19	Gary & Sandra Ehrich	Surface Intake	3908	Hodgman Drainage Co.	100	\$ 2,820.05
CD9	20-001	1	Main Trunk	4	Delavan	24	Charles W Schaible	Tree removal	7630	Goodfellow Construction LLC	100	\$ 2,300.00
JD9FBE	20-004	1	Public Tile	4	Lura	18	Thomas R Jones Revoc Trust	Surface Intake	6943	Shortys Plumbing and Sewer	100	\$ 250.00
CD102	19-157	1	Open ditch	5	Seely	31	Jacob Fretty Jr Revoc Trust	Tile Outlet	6701	Trevor Leland	100	\$ 225.00
CD13	19-175	1	Main	5	Seely	30	Lawrence & Edith Langsev	Blowout, Surface Intake	6701	Trevor Leland	100	\$ 958.55
CD25	19-237	1	Main	5	Brush Creek	7	Darlene Legred	Tree Clearing	7598	Albert Lea Tree Service	100	\$ 24,150.00
CD25A	19-046	1	A82	5	Walnut Lake	30	Gene P Borris Disclaimer Trust	Soil Borings	2850	Braun Intertec Corporation	46	\$ 7,367.50
CD34	19-123	1	Main & 46	5	Kiester	32	Loren Bidne	Blowout	6701	Trevor Leland	100	\$ 704.94
											Total:	\$ 41,777.41

02-04-20

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Tabled approval of CD12 findings and order.

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Young/Groskreutz motion carried unanimously to accept staff inspection reports on JD2MF, JD19F, and CD 15.

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Young/Loveall motion carried unanimously to approve Resolution 20-DA09-17 an order to redetermine the CD514 benefits and damages. Commissioners Groskreutz, Loveall, Roper, Warmka and Young voted yes.

RESOLUTION

BE IT RESOLVED that the County Board of Commissioners approves the following findings and order to redetermine benefits for County Ditch 514 and appoint viewers.

Findings:

1. The Faribault County Board of Commissioners is the drainage authority for County Ditch 514.
2. County Ditch 514 was originally established as part of Martin County and Faribault Judicial Ditch 14 in 1911. In 1975 the drainage authority established the ditch as Martin County and Faribault County Joint County Ditch 204. In 2007 the drainage authority divided the system into four systems. The outlet system was established as Faribault County Ditch 514.
3. The current benefits roll reflects the benefited properties, benefited areas, and benefit values as determined by viewers based on assumptions regarding the future use and drainage of said properties.
4. Since the 2007 County Ditch 514 redetermination of benefits and damages, land uses have changed in the benefitted area.
5. In the 2007 redetermination of benefits and damages outlet fees were assigned to several systems utilizing County Ditch 514 as an outlet. The outlet fees are disproportionate to the watershed areas draining into County Ditch 514.
6. Since the 2007 redetermination of benefits and damages, the benefited area of County Ditch 514 has changed.
7. The drainage authority held a public meeting on February 4, 2020 to discuss the need for a redetermination of benefits.

8. The drainage authority finds that the conditions required for the initiation of a redetermination of benefits exist, that the current benefits and damages do not reflect the current land uses, the outlet fees are disproportionate, and the benefited areas have changed.

Order:

Based on the foregoing Findings and the entire record of proceedings before the Board, the Board, acting as the drainage authority for County Ditch 514, hereby orders as follows:

- A. The Board shall follow the procedures of Minn. Stat. §103E.351 to conduct a redetermination of benefits for County Ditch 514.
- B. That Mark Behrends, Dennis Distad, Bruce Ness, John Thompson, Robert Hansen, and Kendall Langseth are hereby appointed as viewers to redetermination and report the benefits and damages for County Ditch 514.
- C. The County Auditor-Treasurer shall execute an order designating a time and location for the first meeting of the viewers and mail to the viewers a copy of the Auditor-Treasurer's order along with a certified copy of this order.

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Loveall/Young motion carried unanimously to approve the scope of work and solicit quotes for repairs on CD43 waterway repair.

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Loveall/Young motion carried unanimously to approve the scope of work and solicit quotes for repairs on CD9 open ditch.

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Staff report was presented. GBERBA report by Commissioner Warmka. BWSR report by Loveall. Drainage work group report by Loveall.

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The Faribault County Drainage Authority was adjourned for February 2020.

Tom Warmka, Chair

Clara Vereide, Acting Clerk to the Board