

FARIBAULT COUNTY  
BOARD OF COMMISSIONERS  
OFFICIAL PROCEEDINGS  
DRAINAGE AUTHORITY MEETING  
NOVEMBER 21, 2023

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 November 21<sup>st</sup>, 2023. The following members were present: Tom Loveall, Bruce Anderson, Bill Groskreutz, John Roper, and Greg Young Commissioners. County Coordinator Brian Hov, Drainage Manager Merissa Lore, Drainage Project Manager Dustin Anderson, Acting Clerk to the Board Sarah Van Moer, and members of the public K. Mertens, S. Luker, and D. Behrends also attended. Participating virtually were Faribault County employees B. Rauenhurst, A. Wachlin, C. Davis, T. Hanevik, M. Lore, L. Mehrhof, L. Frommie, E. Skaden, S. Hauskins, M. Sonnek, and B. Douglas.

The meeting was called to order by Chair Anderson.

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Young/Roper motion carried unanimously to approve the agenda of November 21<sup>st</sup>, 2023.

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Roper/Groskreutz motion carried unanimously to approve payment of drainage voucher bills totaling \$13,336.74.

\* \* \* \* \*

Loveall/Young motion carried unanimously to approve JD19F open ditch repair pay application #2 in the amount of \$21,890.75 to Mensing Construction; CD64 Leland Crossing change order #1 in the amount of \$9,339.36 to Leland Drainage & Excavating; and CD64 Leland Crossing pay application #1 in the amount of \$82,115.49 to Leland Drainage & Excavating.

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Roper/Groskreutz motion carried unanimously to approve Resolution 23-DA42-93, an order to accept the CD41 Lateral 162 Repair Petition and appoint Bolton & Menk, Inc. as the project engineer to prepare a repair report. Commissioners Groskreutz, Roper, Young, Loveall, and Anderson voted yes.

## R E S O L U T I O N

### Findings:

1. A petition was received by the Faribault County Auditor on November 9<sup>th</sup>, 2023, requesting repair of County Ditch #41 Lateral 162 pursuant to Minn. Stat. § 103E.715.

2. The Faribault County Drainage Manager confirmed that County Ditch #41 Lateral has had several tile holes and erosion concerns at the outlet as well as a lack of cover due to soil subsidence. Televising of Lateral 162 has occurred due to landowner reported concerns.
3. The drainage authority finds that it has jurisdiction over these proceedings and pursuant to Minn. Stat. § 103E.715, subd. 2 desires to appoint an engineer to make a Repair Report and estimate costs of the proposed project.

**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 #41, hereby orders as follows:

- A. The Repair Petition is hereby accepted.
- B. That Shaun Luker of Bolton & Menk, Inc. is hereby appointed as the project engineer for these proceedings and shall make a Repair Report pursuant to Minn. Stat. § 103E.715.
- C. Prior to commencing any work, the engineer must subscribe to an oath to faithfully perform the assigned duties in the best manner possible and file a certificate of liability insurance with Faribault County listed as the certificate holder within ten days after being appointed.
- D. The engineer may appoint assistant engineers and hire help necessary to complete the engineer's duties. The engineer shall be responsible for the assistant engineers and may remove them.
- E. The engineer shall make an expense report every two weeks after the beginning of the engineer's work until the construction of the contract is awarded. The report must show costs incurred by the engineer and expenses incurred under the engineer's direction relating to the proceeding, and include the names of the engineer, engineer assistants, and employees and the time each was employed, and every item of expense incurred by the engineer. The engineer must file this report with the auditor.
- F. Upon the filing of the Repair Report, the Auditor shall promptly notify the Board which will, in consultation with the Auditor, set a time, by order, not more than 30 days after the date of the order, for a hearing on the Engineer's Repair Report. The Auditor's shall provide notice of the public hearing on the report of findings in accordance with Minn. Stat. § 103E.715, subd. 3.

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Young/Groskreutz motion carried unanimously to approve Resolution 23-DA43-94 to levy 2024 drainage assessments. Commissioners Groskreutz, Roper, Young, Loveall, and Anderson voted yes.

**R E S O L U T I O N**

**WHEREAS,** Minnesota Statute 103E.705 subdivision 6, authorizes the County Board to levy assessments to meet the cost of drainage system repair on county, judicial, and joint county ditches;

**WHEREAS,** the County Board has reviewed the assessments prepared by the County Drainage Manager and County Auditor-Treasurer,

**THEREFORE, BE IT RESOLVED** that the assessments for more than one year be due and payable by December 31, 2023 and that unpaid balances at that time be charged a 4.0% annual rate of interest.

**THEREFORE, BE IT resolved** that the following assessments be applied to the listed drainage systems as follows:

IFS Dept	System Name	Levy Amount	Years to Spread
527	CD3	\$ 51,000.00	1
529	CD5	\$ 25,000.00	1
542	CD9	\$ 16,000.00	1
550	CD14	\$ 80,000.00	1
555	CD16	\$ 15,000.00	1
557	CD17	\$ 25,000.00	1
560	CD18	\$ 10,000.00	1
562	CD20	\$ 48,000.00	1
569	JCD23FM	\$ 7,500.00	1
570	CD24 (land only)	\$ 16,000.00	5
571	CD25	\$ 58,500.00	2
578	CD27	\$ 27,000.00	3
581	CD29	\$ 7,500.00	1
582	CD30	\$ 8,000.00	1
586	CD34	\$ 6,000.00	1
588	CD36	\$ 17,500.00	1
589	CD37	\$ 62,500.00	1
591	CD38	\$ 5,000.00	1
595	CD40	\$ 7,000.00	1
597	CD42	\$ 16,000.00	1
598	CD43	\$ 15,000.00	1
599	CD44	\$ 30,000.00	1
629	CD46	\$ 6,500.00	1
630	CD47	\$ 6,000.00	2
631	CD49	\$ 3,000.00	1
632	CD50	\$ 18,000.00	1
635	CD53	\$ 6,600.00	1
636	CD54	\$ 12,000.00	5
640	CD58	\$ 5,500.00	1
643	CD60	\$ 22,000.00	2

646	CD64	\$ 250,000.00	20
647	CD65	\$ 13,000.00	1
649	CD68	\$ 6,000.00	1
651	CD70	\$ 4,000.00	1
654	CD74	\$ 5,500.00	1
657	CD78	\$ 130,000.00	10
659	CD80	\$ 360,000.00	5
667	CD89	\$ 2,000.00	1
669	CD92	\$ 100,000.00	5
672	CD94	\$ 10,000.00	1
673	CD102	\$ 130,000.00	15
674	JD1F	\$ 35,000.00	1
677	JD2F	\$ 26,000.00	1
681	JD2MF	\$ 4,000.00	1
689	JD7FM	\$ 50,000.00	1
696	JD10F	\$ 15,000.00	1
697	JD11FBE	\$ 10,000.00	1
738	JD19F	\$ 100,000.00	7
739	JD20F	\$ 3,000.00	1
740	JD21F	\$ 10,000.00	1
741	JD22F	\$ 10,000.00	1
749	JCD1BEF	\$ 38,000.00	7
766	JCD414MF	\$ 20,000.00	1
779	JD113F	\$ 500,000.00	5
780	JD213F	\$ 110,000.00	3
781	JD313F	\$ 250,000.00	3
782	JD413F	\$ 200,000.00	4
<b>Total</b>		<b>\$ 3,024,600.00</b>	

**THEREFORE, BE IT RESOLVED** The County Auditor-Treasurer, or designee, is directed to make the account transfers and distributions as indicated above.

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Staff reports were presented.

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Young/Loveall motion carried unanimously to adjourn.  
The Faribault County Drainage Authority was adjourned for November.

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Bruce Anderson, Chair

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Sarah Van Moer, Acting Clerk to the Board