

FARIBAULT COUNTY
BOARD OF COMMISSIONERS
OFFICIAL PROCEEDINGS
DRAINAGE AUTHORITY MEETING
MARCH 5, 2024

The Faribault County Board of Commissioners met at the Courthouse in the City of Blue Earth as the Faribault County Drainage Authority at 1:00 p.m. on March 5, 2024. 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, Acting Clerk to the Board Sarah Van Moer, and member of the public S. Lawrence also attended. Participating virtually were Faribault County staff A. Sathoff and A. Wachlin.

The meeting was called to order by Chair Groskreutz.

* * * * *

Anderson/Young motion carried unanimously to approve the agenda of March 5th, 2024.

* * * * *

No public comment was received.

* * * * *

THIS SECTION INTENTIONALLY LEFT BLANK

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

System	Repair #	Branch	Comm Dist	Twp	Sec	Landowner	Problem/Proposed Work
CD42	24-022	Main	1	Rome	02	HENDRICKSON, RUTH D	Tile hole
CD46	24-021	Br 34	1	Emerald	34	WARREN & NANCY LONG TRUST	Investigate poor drainage
JD7FM	24-020	Branch L	2	Pilot Grove	32	BRADLEY K ZIERKE REV LIV TRUST	Tile outlet repair
CD44	24-023	214	5	Seely	17	WERTJES, JANET LEIGH	Plugged tile
CD69	20-136	Main Trunk	5	Brush Creek	35	SONGSTAD, KRISTINE R	Tile Outlet washing out behind concrete headwall
CD69	24-017	Main	5	Brush Creek	34	WESTMAN GROUP LLC	Re-grade west road ditch to direct surface water north

* * * * *

Young/Anderson motion carried unanimously to approve payment totaling \$152,858.49:

System	Repair #	Order	Branch	Comm Dist	Twp	Sec	Landowner	Repair Type	Vendor	Contractor	%	Cost
CD37	24-018	1	Main Open	1	Emerald	13	WAYNE A & JOLYN M OLSON	Tree removal	7678	Krueger Excavating of Albert Lea	95	\$ 51,775.00
CD42	24-022	1	Main	1	Rome	02	HENDRICKSON, RUTH D	Blowout	8086	Derek Yegge	100	\$ 440.00
CD32	23-113	1	Lateral C	2	Pilot Grove	35	RISK, JOYCE I	Blowout	7237	Smith Farm Drainage	100	\$ 684.95
JD7FM	23-114	1	L	2	Pilot Grove	32	BRADLEY K ZIERKE REV LIV TRUST	Blowout	7237	Smith Farm Drainage	100	\$ 549.35
JD7FM	24-020	1	Branch L	2	Pilot Grove	32	BRADLEY K ZIERKE REV LIV TRUST	Tile Outlet	7237	Smith Farm Drainage	100	\$ 975.66
CD37	24-013	1	Main	5	Brush Creek	23	MILLER, CRAIG	Replacement	6701	Trevor Leland	95	\$ 26,767.72
CD44	24-023	1	214	5	Seely	17	WERTJES, JANET LEIGH	Replacement	8086	Derek Yegge	100	\$ 928.00
CD58	24-014	1	Main	5	Brush Creek	23	MILLER, CRAIG	Replacement	6701	Trevor Leland	95	\$ 29,199.91
CD58	24-015	1	Br 76	5	Brush Creek	27	DUANE DAHL REVOCABLE TRUST	Replacement	6701	Trevor Leland	95	\$ 18,728.02
CD58	24-016	1	Br 76-10	5	Brush Creek	26	DUANE DAHL REVOCABLE TRUST	Replacement	6701	Trevor Leland	95	\$ 22,809.88

Total **\$ 152,858.49**

03-05-24

Roper/Anderson motion carried unanimously to approve the following inspection reports and add to the legal record:

System	Comm. Dist.	Report Notes
CD8	1	Repaired in 2023. Buffer strip maintenance will be conducted in 2024 and buffer violations checked. Several tile concerns have been reported. Branch A, F, and H tile replacements are being investigated.
CD42	1	Repaired in 2023. Buffer strip maintenance will be conducted in 2024 and buffer violations checked. The open ditch will be monitored for sloughing.
CD44	1 & 5	East main was replaced in 2023. The tree removal project was approved on 2/22/24 and will begin soon. There are large areas of dense trees, tile outlets, and side inlets in poor shape.
JD19F	2	Repaired in 2023. Punch list, spoil leaving, and buffer strip seeding remains. Buffer strips and sloughing will be monitored in 2024.

* * * * *

Anderson/Young motion carried unanimously to adopt Resolution 24-DA07-14 to set the CD28 Redetermination of Benefits Hearing for Tuesday, April 2nd, 2024 at 1:30pm at the Faribault County Courthouse Board Room. Commissioners Loveall, Young, Anderson, Roper, and Groskreutz voted yes.

RESOLUTION

Findings:

1. The Faribault County Board of Commissioners is the drainage authority for County Ditch #28.
2. On September 20th, 2022, the Drainage Authority ordered a redetermination of benefits for County Ditch #28.
3. The Viewers held an informational meeting on February 26th, 2024, after notice to all landowners and public authorities.
4. The Viewers' report was filed with the Faribault County Auditor March 4th, 2024.
5. The Faribault County Board of Commissioners met on March 5th, 2024, in regular session to determine the date, time, and location for a final hearing on the project.
6. Pursuant to Minn. Stat. § 103E.325, subd. 3 a final hearing must be noticed by publication, posting, and mail.

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 #28 hereby orders as follows:

- A. A final hearing on the Viewers' Report shall be held on April 2nd, at 1:30pm at the Faribault County Courthouse Board Room, 415 North Main Street Blue Earth, MN 56013.

- B. The Auditor shall publish notice of the final hearing once per week for three successive weeks in a newspaper of general circulation in the area of the proposed project.
- C. The Auditor shall post a printed copy of the final hearing notice at least three weeks before the date of the final hearing at the front door of the courthouse.
- D. Within one week after the first publication of notice, the Auditor shall give notice by mail of the time and location of the final hearing to all property owners and others affected by the proposed drainage project and listed in the viewers' report.

* * * * *

Anderson/Young motion carried unanimously to adopt Resolution 24-DA08-15 to set the CD79 Redetermination of Benefits & Damages Hearing for Tuesday, April 2nd, 2024 at 1:45pm at the Faribault County Courthouse Board Room. Commissioners Loveall, Young, Anderson, Roper, and Groskreutz voted yes.

R E S O L U T I O N

Findings:

- 1. The Faribault County Board of Commissioners is the drainage authority for County Ditch #79.
- 2. On September 20th, 2022, the Drainage Authority ordered a redetermination of benefits and damages for County Ditch #79.
- 3. The Viewers held an informational meeting on February 26th, 2024, after notice to all landowners and public authorities.
- 4. The Viewers' report was filed with the Faribault County Auditor March 4th, 2024.
- 5. The Faribault County Board of Commissioners met on March 5th, 2024, in regular session to determine the date, time, and location for a final hearing on the project.
- 6. Pursuant to Minn. Stat. § 103E.325, subd. 3 a final hearing must be noticed by publication, posting, and mail.

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 #79 hereby orders as follows:

- A. A final hearing on the Viewers' Report shall be held on April 2nd, at 1:45pm at the Faribault County Courthouse Board Room, 415 North Main Street Blue Earth, MN 56013.
- B. The Auditor shall publish notice of the final hearing once per week for three successive weeks in a newspaper of general circulation in the area of the proposed project.

- C. The Auditor shall post a printed copy of the final hearing notice at least three weeks before the date of the final hearing at the front door of the courthouse.
- D. Within one week after the first publication of notice, the Auditor shall give notice by mail of the time and location of the final hearing to all property owners and others affected by the proposed drainage project and listed in the viewers' report.

* * * * *

Young/Roper motion carried unanimously to adopt Resolution 24-DA09-16 to set the CD69 Redetermination of Benefits & Damages Hearing for Tuesday, April 2nd, 2024 at 2:00pm at the Faribault County Courthouse Board Room. Commissioners Loveall, Young, Anderson, Roper, and Groskreutz voted yes.

R E S O L U T I O N

Findings:

- 1. The Faribault County Board of Commissioners is the drainage authority for County Ditch #69.
- 2. On September 20th, 2022, the Drainage Authority ordered a redetermination of benefits and damages for County Ditch #69.
- 3. The Viewers held an informational meeting on February 26th, 2024, after notice to all landowners and public authorities.
- 4. The Viewers' report was filed with the Faribault County Auditor March 4th, 2024.
- 5. The Faribault County Board of Commissioners met on March 5th, 2024, in regular session to determine the date, time, and location for a final hearing on the project.
- 6. Pursuant to Minn. Stat. § 103E.325, subd. 3 a final hearing must be noticed by publication, posting, and mail.

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 #69 hereby orders as follows:

- A. A final hearing on the Viewers' Report shall be held on April 2nd, at 2:00pm at the Faribault County Courthouse Board Room, 415 North Main Street Blue Earth, MN 56013.
- B. The Auditor shall publish notice of the final hearing once per week for three successive weeks in a newspaper of general circulation in the area of the proposed project.
- C. The Auditor shall post a printed copy of the final hearing notice at least three weeks before the date of the final hearing at the front door of the courthouse.

- D. Within one week after the first publication of notice, the Auditor shall give notice by mail of the time and location of the final hearing to all property owners and others affected by the proposed drainage project and listed in the viewers' report.

* * * * *

Young/Anderson motion carried unanimously to adopt Resolution 24-DA10-17 to set the CD59 Redetermination of Benefits Hearing for Tuesday, April 2nd, 2024 at 2:15pm at the Faribault County Courthouse Board Room. Commissioners Loveall, Young, Anderson, Roper, and Groskreutz voted yes.

RESOLUTION

Findings:

1. The Faribault County Board of Commissioners is the drainage authority for County Ditch #59.
2. On September 20th, 2022, the Drainage Authority ordered a redetermination of benefits for County Ditch #59.
3. The Viewers held an informational meeting on February 26th, 2024, after notice to all landowners and public authorities.
4. The Viewers' report was filed with the Faribault County Auditor March 4th, 2024.
5. The Faribault County Board of Commissioners met on March 5th, 2024, in regular session to determine the date, time, and location for a final hearing on the project.
6. Pursuant to Minn. Stat. § 103E.325, subd. 3 a final hearing must be noticed by publication, posting, and mail.

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 #59 hereby orders as follows:

- A. A final hearing on the Viewers' Report shall be held on April 2nd, at 2:15pm at the Faribault County Courthouse Board Room, 415 North Main Street Blue Earth, MN 56013.
- B. The Auditor shall publish notice of the final hearing once per week for three successive weeks in a newspaper of general circulation in the area of the proposed project.
- C. The Auditor shall post a printed copy of the final hearing notice at least three weeks before the date of the final hearing at the front door of the courthouse.
- D. Within one week after the first publication of notice, the Auditor shall give notice by mail of the time and location of the final hearing to all property owners and others affected by the proposed drainage project and listed in the viewers' report.

* * * * *

Roper/Loveall motion carried unanimously to adopt Resolution 24-DA11-18 to set the CD87 Redetermination of Benefits & Damages Hearing for Tuesday, April 2nd, 2024 at 2:30pm at the Faribault County Courthouse Board Room. Commissioners Loveall, Young, Anderson, Roper, and Groskreutz voted yes.

RESOLUTION

Findings:

1. The Faribault County Board of Commissioners is the drainage authority for County Ditch #87.
2. On April 5th, 2022, the Drainage Authority ordered a redetermination of benefits and damages for County Ditch #87.
3. The Viewers held an informational meeting on February 26th, 2024, after notice to all landowners and public authorities.
4. The Viewers' report was filed with the Faribault County Auditor March 4th, 2024.
5. The Faribault County Board of Commissioners met on March 5th, 2024, in regular session to determine the date, time, and location for a final hearing on the project.
6. Pursuant to Minn. Stat. § 103E.325, subd. 3 a final hearing must be noticed by publication, posting, and mail.

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 #87 hereby orders as follows:

- A. A final hearing on the Viewers' Report shall be held on April 2nd, at 2:30pm at the Faribault County Courthouse Board Room, 415 North Main Street Blue Earth, MN 56013.
- B. The Auditor shall publish notice of the final hearing once per week for three successive weeks in a newspaper of general circulation in the area of the proposed project.
- C. The Auditor shall post a printed copy of the final hearing notice at least three weeks before the date of the final hearing at the front door of the courthouse.
- D. Within one week after the first publication of notice, the Auditor shall give notice by mail of the time and location of the final hearing to all property owners and others affected by the proposed drainage project and listed in the viewers' report.

* * * * *

Young/Loveall motion carried unanimously to adopt Resolution 24-DA12-19 to set the CD90 Redetermination of Benefits & Damages Hearing for Tuesday, April 2nd, 2024 at 2:45pm at the Faribault County Courthouse Board Room. Commissioners Loveall, Young, Anderson, Roper, and Groskreutz voted yes.

R E S O L U T I O N

Findings:

1. The Faribault County Board of Commissioners is the drainage authority for County Ditch #90.
2. On May 17th, 2022, the Drainage Authority ordered a redetermination of benefits and damages for County Ditch #90.
3. The Viewers held an informational meeting on February 26th, 2024, after notice to all landowners and public authorities.
4. The Viewers' report was filed with the Faribault County Auditor March 4th, 2024.
5. The Faribault County Board of Commissioners met on March 5th, 2024, in regular session to determine the date, time, and location for a final hearing on the project.
6. Pursuant to Minn. Stat. § 103E.325, subd. 3 a final hearing must be noticed by publication, posting, and mail.

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 #90 hereby orders as follows:

- A. A final hearing on the Viewers' Report shall be held on April 2nd, at 2:45pm at the Faribault County Courthouse Board Room, 415 North Main Street Blue Earth, MN 56013.
- B. The Auditor shall publish notice of the final hearing once per week for three successive weeks in a newspaper of general circulation in the area of the proposed project.
- C. The Auditor shall post a printed copy of the final hearing notice at least three weeks before the date of the final hearing at the front door of the courthouse.
- D. Within one week after the first publication of notice, the Auditor shall give notice by mail of the time and location of the final hearing to all property owners and others affected by the proposed drainage project and listed in the viewers' report.

* * * * *

Loveall/Young motion carried unanimously to adopt Resolution 24-DA13-20 to set the CD24 Waterway Repair Final Acceptance Hearing for Wednesday, April 3rd, 2024 at 11:00am at the Ag Center Conference Room. Commissioners Loveall, Young, Anderson, Roper, and Groskreutz voted yes.

RESOLUTION

Findings:

1. The Faribault County Board of Commissioners is the drainage authority for County Ditch #24.
2. In the fall of 2014 televising was completed in portions of the main and a survey was conducted by the Faribault County Public Works Department and found to be below legal grade set when the waterway was constructed in 1959.
3. Due to the issues found, ISG was ordered to prepare a survey and repair report and file the report with the drainage authority.
4. The repair report was filed with the Faribault County Auditor on March 31st, 2016.
5. The repair project was ordered by the Faribault County Board of Commissioners on June 2nd, 2016.
6. The repair project was advertised for bid and awarded to Brunz Construction Company, Inc. on September 6th, 2016.
7. The final acceptance report and notice that the contract for construction of the open ditch and waterway repair project on County Ditch #24 is complete was received on March 4th, 2024.
8. Pursuant to Minn. Stat. § 103E.555, public hearing must be held and noticed by mail at least 10 days in advance to owners of property and political subdivisions affected by the drainage 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 #24 hereby orders as follows:

- A. A hearing for final acceptance of the open ditch and waterway repair project shall be held on April 3rd, 2024, at 11:00am at the Ag Center Conference Room, 415 South Grove Street Blue Earth, MN 56013.
- B. At least ten days before the hearing, the County Auditor shall mail notice of the time and location of the hearing to owners of property, and political subdivisions likely to be affected by the drainage project.

* * * * *

Anderson/Young motion carried unanimously to adopt Resolution 24-DA14-21 to set the hearing to set the outlet fee for County Ditch 201 for use of CD24 as an Outlet for Wednesday, April 3rd, 2024 at 12:00pm at the Ag Center Conference Room. Commissioners Loveall, Young, Anderson, Roper, and Groskreutz voted yes.

RESOLUTION

Findings:

03-05-24

- 45 -

1. The Faribault County Board of Commissioners is the drainage authority for County Ditch #24.
2. At the repair hearing for County Ditch #24 on July 13th, 2021, landowners brought up concerns the County Ditch #201 surface watershed entering the County Ditch #24 tile and waterway at 220th Street which causes a substantial amount of water to enter the system and causing additional maintenance needs on the system.
3. On July 20th, 2021, ISG was appointed to look at the hydraulics of the system and County Ditch #201 use of County Ditch #24 and the impacts on the hydrology of the system. Viewers were appointed to assess the outlet fee of County Ditch #201 into County Ditch #24 for the use of the system as an outlet.
4. The hydraulic report was filed with the Faribault County Auditor on October 26th, 2021.
5. The Viewers' report was filed with the Faribault County Auditor on October 27th, 2021.
6. The drainage authority recognized the County Ditch #201 benefits were outdated and not all acres draining were benefited. The hearing to set County Ditch #201 outlet fee into County Ditch #24 was tabled until the County Ditch #201 redetermination of benefits was finalized.
7. County Ditch #201 was ordered for a redetermination of benefits on September 20th, 2022. The redetermination of benefits was approved on February 6th, 2024.
8. The Faribault County Board of Commissioners met on March 5th, 2024, in regular session to determine the date, time, and location for a final hearing on the outlet fee of County Ditch #201 for use of County Ditch #24 as an outlet.
9. Pursuant to Minn. Stat. § 103E.325, subd. 3 a final hearing must be noticed by publication, posting, and mail.

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 #24 hereby orders as follows:

- A. A hearing to set the outlet fee for County Ditch #201 for use of County Ditch #24 as an outlet shall be held on April 3rd, 2024, at 12:00pm at the Ag Center Conference Room 415 South Grove Street Blue Earth, MN 56013.
- B. The Auditor shall publish notice of the final hearing once per week for three successive weeks in a newspaper of general circulation in the area of the proposed project.

- C. The Auditor shall post a printed copy of the final hearing notice at least three weeks before the date of the final hearing at the front door of the courthouse.
- D. Within one week after the first publication of notice, the Auditor shall give notice by mail of the time and location of the final hearing to all property owners and others affected by the proposed drainage project and listed in the viewers' report.

* * * * *

Young/Loveall motion carried unanimously to approve the low bid of \$1,641,887.66 from Gustafson Drainage LLC for the CD52 Improvement Project.

* * * * *

Staff reports were presented.

* * * * *

The Faribault County Drainage Authority was recessed to March 19, 2024.

Bill Groskreutz, Chair

Sarah Van Moer, Acting Clerk to the Board