

FARIBAULT AND MARTIN COUNTY  
BOARD OF COMMISSIONERS  
OFFICIAL PROCEEDINGS  
JOINT COUNTY DITCH 25FM, 26FM, 27FM, 8FM, AND 201FM  
SEPTEMBER 20, 2022

The Faribault/Martin County Board of Commissioners met at the Courthouse in the City of Blue Earth acting as the Drainage Authority for Joint County Ditch 25FM, 26FM, 27FM, 8FM, and 201FM pursuant to the conclusion of the Drainage Authority session on September 20, 2022. The following members were present: Tom Loveall, Greg Young, and John Roper, Faribault County Commissioners. Auditor/Treasurer/Coordinator Darren Esser, Faribault County Drainage Manager Merissa Lore, and Acting Clerk to the Board Sarah Van Moer also attended. Martin County Commissioners were not present.

The meeting was called to order by Chair Young.

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Loveall/Roper motion carried unanimously to adopt Resolution 22-DA33-69 Findings & Orders appointing viewers and initiating a Redetermination of Benefits on JD25FM. Commissioners Roper, Loveall, and Young voted yes.

**RESOLUTION**

**Findings:**

1. Joint Drainage Authority Board for Faribault and Martin Counties is the drainage authority for Judicial Ditch #25.
2. Judicial Ditch #25 was established in 1950. Benefits for Judicial Ditch #25 were determined concurrent with establishment in 1950, prior to the initiation of modern, intensive farming and drainage practices within Faribault and Martin Counties.
3. The current benefits roll reflects the benefitted properties, benefitted areas, and benefit values as determined by viewers based on assumptions regarding the future use and drainage of said properties.
4. Since the original establishment of Judicial Ditch #25 and the original determination of benefits and damages, land uses, and drainage practices have changed to accelerate and increase the flow of water to the drainage system changing the nature and value of benefits accruing to lands from construction of Judicial Ditch #25.
5. Since the original determination of benefits and damages, land values have changed within the benefitted area of Judicial Ditch #25.
6. The drainage authority held a public meeting on September 20<sup>th</sup>, 2022, to discuss the need for a redetermination of benefits for Judicial Ditch #25.
7. The drainage authority finds that the conditions required for the initiation of a redetermination of benefits exist, that the original benefits and damages do not reflect reasonable present day land values, and the benefitted areas have changed.

**Order:**

Based on the foregoing Findings and the entire record of proceedings before the Joint Board, the Joint Board, acting as the drainage authority for Judicial Ditch #25, hereby orders as follows:

- A. The Joint Board shall follow the procedures of Minn. Stat. § 103E.351 to conduct a redetermination of benefits for Judicial Ditch #25.

- B. That Mark Behrends, John Thompson, Robert Hansen, Kendall Langseth, and Bruce Ness are hereby appointed as viewers to redetermination and report the benefits and damages for Judicial Ditch #25.
- C. That within 5 days of this Order, the Faribault 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 Order along with a certified copy of this Order.

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Loveall/Roper motion carried unanimously to adopt Resolution 22-DA34-70 Findings & Orders appointing viewers and initiating a Redetermination of Benefits on JD26FM. Commissioners Roper, Loveall, and Young voted yes.

## **RESOLUTION**

### **Findings:**

- 1. Joint Drainage Authority Board for Faribault and Martin Counties is the drainage authority for Judicial Ditch #26.
- 2. Judicial Ditch #26 was established in 1953. Benefits for Judicial Ditch #26 were determined concurrent with establishment in 1953, prior to the initiation of modern, intensive farming and drainage practices within Faribault and Martin Counties.
- 3. The current benefits roll reflects the benefitted properties, benefitted areas, and benefit values as determined by viewers based on assumptions regarding the future use and drainage of said properties.
- 4. Since the original establishment of Judicial Ditch #26 and the original determination of benefits and damages, land uses, and drainage practices have changed to accelerate and increase the flow of water to the drainage system changing the nature and value of benefits accruing to lands from construction of Judicial Ditch #26.
- 5. Since the original determination of benefits and damages, land values have changed within the benefitted area of Judicial Ditch #26.
- 6. The drainage authority held a public meeting on September 20<sup>th</sup>, 2022, to discuss the need for a redetermination of benefits for Judicial Ditch #26.
- 7. The drainage authority finds that the conditions required for the initiation of a redetermination of benefits exist, that the original benefits and damages do not reflect reasonable present day land values, and the benefitted areas have changed.

### **Order:**

Based on the foregoing Findings and the entire record of proceedings before the Joint Board, the Joint Board, acting as the drainage authority for Judicial Ditch #26, hereby orders as follows:

- A. The Joint Board shall follow the procedures of Minn. Stat. § 103E.351 to conduct a redetermination of benefits for Judicial Ditch #26.
- B. That Mark Behrends, John Thompson, Robert Hansen, Kendall Langseth, and Bruce Ness are hereby appointed as viewers to redetermination and report the benefits and damages for Judicial Ditch #26.
- C. That within 5 days of this Order, the Faribault 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 Order along with a certified copy of this Order.

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Roper/Loveall motion carried unanimously to adopt Resolution 22-DA35-71 Findings & Orders appointing viewers and initiating a Redetermination of Benefits on JD27FM. Commissioners Roper, Loveall, and Young voted yes.

## **RESOLUTION**

### **Findings:**

1. Joint Drainage Authority Board for Faribault and Martin Counties is the drainage authority for Judicial Ditch #27.
2. Judicial Ditch #27 was established in 1959. Benefits for Judicial Ditch #27 were determined concurrent with establishment in 1959, prior to the initiation of modern, intensive farming and drainage practices within Faribault and Martin Counties.
3. The current benefits roll reflects the benefitted properties, benefitted areas, and benefit values as determined by viewers based on assumptions regarding the future use and drainage of said properties.
4. Since the original establishment of Judicial Ditch #27 and the original determination of benefits and damages, land uses, and drainage practices have changed to accelerate and increase the flow of water to the drainage system changing the nature and value of benefits accruing to lands from construction of Judicial Ditch #27.
5. Since the original determination of benefits and damages, land values have changed within the benefitted area of Judicial Ditch #27.
6. The drainage authority held a public meeting on September 20<sup>th</sup>, 2022, to discuss the need for a redetermination of benefits for Judicial Ditch #27.
7. The drainage authority finds that the conditions required for the initiation of a redetermination of benefits exist, that the original benefits and damages do not reflect reasonable present day land values, and the benefitted areas have changed.

### **Order:**

Based on the foregoing Findings and the entire record of proceedings before the Joint Board, the Joint Board, acting as the drainage authority for Judicial Ditch #27, hereby orders as follows:

- A. The Joint Board shall follow the procedures of Minn. Stat. § 103E.351 to conduct a redetermination of benefits for Judicial Ditch #27.
- B. That Mark Behrends, John Thompson, Robert Hansen, Kendall Langseth, and Bruce Ness are hereby appointed as viewers to redetermination and report the benefits and damages for Judicial Ditch #27.
- C. That within 5 days of this Order, the Faribault 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 Order along with a certified copy of this Order.

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Roper/Loveall motion carried unanimously to adopt Resolution 22-DA36-72 Findings & Orders appointing viewers and initiating a Redetermination of Benefits on JD8FM. Commissioners Roper, Loveall, and Young voted yes.

## **RESOLUTION**

### **Findings:**

1. Joint Drainage Authority Board for Faribault and Martin Counties is the drainage authority for Judicial Ditch #8.

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2. Judicial Ditch #8 was established in 1914. Benefits for Judicial Ditch #8 were determined concurrent with establishment in 1914, prior to the initiation of modern, intensive farming and drainage practices within Faribault and Martin Counties.
3. The current benefits roll reflects the benefitted properties, benefitted areas, and benefit values as determined by viewers based on assumptions regarding the future use and drainage of said properties.
4. Since the original establishment of Judicial Ditch #8 and the original determination of benefits and damages, land uses, and drainage practices have changed to accelerate and increase the flow of water to the drainage system changing the nature and value of benefits accruing to lands from construction of Judicial Ditch #8.
5. Since the original determination of benefits and damages, land values have changed within the benefitted area of Judicial Ditch #8.
6. The drainage authority held a public meeting on September 20<sup>th</sup>, 2022, to discuss the need for a redetermination of benefits for Judicial Ditch #8.
7. The drainage authority finds that the conditions required for the initiation of a redetermination of benefits exist, that the original benefits and damages do not reflect reasonable present day land values, and the benefitted areas have changed.

#### **Order:**

Based on the foregoing Findings and the entire record of proceedings before the Joint Board, the Joint Board, acting as the drainage authority for Judicial Ditch #8, hereby orders as follows:

- A. The Joint Board shall follow the procedures of Minn. Stat. § 103E.351 to conduct a redetermination of benefits for Judicial Ditch #8.
- B. That Mark Behrends, John Thompson, Robert Hansen, Kendall Langseth, and Bruce Ness are hereby appointed as viewers to redetermination and report the benefits and damages for Judicial Ditch #8.
- C. That within 5 days of this Order, the Faribault 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 Order along with a certified copy of this Order.

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Loveall/Roper motion carried unanimously to adopt Resolution 22-DA37-73 Findings & Orders appointing viewers and initiating a Redetermination of Benefits on JCD201FM. Commissioners Roper, Loveall, and Young voted yes.

#### **RESOLUTION**

##### **Findings:**

1. Joint Drainage Authority Board for Faribault and Martin Counties is the drainage authority for Joint County Ditch #201.
2. Joint County Ditch #201 was established in 1959. Benefits for Joint County Ditch #201 were determined concurrent with establishment in 1959, prior to the initiation of modern, intensive farming and drainage practices within Faribault and Martin Counties.
3. The current benefits roll reflects the benefitted properties, benefitted areas, and benefit values as determined by viewers based on assumptions regarding the future use and drainage of said properties.
4. Since the original establishment of Joint County Ditch #201 and the original determination of benefits and damages, land uses, and drainage practices have changed to accelerate and increase

the flow of water to the drainage system changing the nature and value of benefits accruing to lands from construction of Joint County Ditch #201.

5. Since the original determination of benefits and damages, land values have changed within the benefitted area of Joint County Ditch #201.
6. The drainage authority held a public meeting on September 20<sup>th</sup>, 2022, to discuss the need for a redetermination of benefits for Joint County Ditch #201.
7. The drainage authority finds that the conditions required for the initiation of a redetermination of benefits exist, that the original benefits and damages do not reflect reasonable present day land values, and the benefitted areas have changed.

**Order:**

Based on the foregoing Findings and the entire record of proceedings before the Joint Board, the Joint Board, acting as the drainage authority for Joint County Ditch #201, hereby orders as follows:

- A. The Joint Board shall follow the procedures of Minn. Stat. § 103E.351 to conduct a redetermination of benefits for Joint County Ditch #201.
- B. That Mark Behrends, John Thompson, Robert Hansen, Kendall Langseth, and Bruce Ness are hereby appointed as viewers to redetermination and report the benefits and damages for Joint County Ditch #201.
- C. That within 5 days of this Order, the Faribault 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 Order along with a certified copy of this Order.

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Loveall/Roper motion carried unanimously to adjourn.

The meeting was adjourned.

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Greg Young, Chair

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Sarah Van Moer, Acting Clerk to the Board