

FARIBAULT COUNTY
BOARD OF COMMISSIONERS
OFFICIAL PROCEEDINGS
DRAINAGE AUTHORITY MEETING
JANUARY 7, 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 January 7, 2020. The following members were present: Bill Groskreutz, Tom Loveall, John Roper, Tom Warmka, and Greg Young Commissioners. Auditor/Treasurer/Coordinator Darren Esser, 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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Roper/Young motion carried unanimously to approve the agenda of January 7, 2020.

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No member of the public appeared during public comment.

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

System	Repair No.	Branch	Comm D/Twp	Sec	Landowner	Problem/Proposed Work		
CD39	19-242	Main Trunk	1 Rome	17	Allen O & Judith A Prestegard	Wide joint and tile intake repair		
CD80	17-211	Main Trunk	1 Rome	30	Shawn & Mary Ehrich	Beaver Dam.		
JD13F	19-264	Br A	1 Rome	20	Larry & Barbara A Twedt	Beaver dam and some trees that have fallen in the ditch		
CD9	19-267	Main	4 Delavan	24	Charles W Schaible	Beaver dam		
CD9	20-001	Main	4 Delavan	24	Charles W Schaible	Tree Removal		
JD11FBE	19-189	Aux Outlet	4 Winnebago City	12	Erma L Turtle	Landowners want to know what the connection to the Aux Outlet is. Feels there should be more water flowing through the Aux Outlet		
CD25	19-266	Br B	5 Walnut Lake	32	Lawrence E & Alice M Killion	3 tile holes		
CD25A	19-265	Br A61	5 Walnut Lake	31	Lawrence E & Alice M Killion	Tile hole		

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Young/Loveall motion carried unanimously to approve payment totaling \$118,613.80 :

System	Repair #	Order	Branch	Com m Dist	Twp	Sec	Landowner	Repair Type	Vendor	Contractor	%	Cost
CD22	19-169	1	Branch 3	1	Rome	29	Twyla Larsen	Blowout	4299	Osmundson Construction	100	\$1,375.20
CD31	19-099	1	Br 107+90	1	Rome	30	Doris J & John P Kurtok	Blowout, Surface Intake	4299	Osmundson Construction	100	\$2,101.18
CD39	19-242	1	Main Trunk	1	Rome	17	Allen O & Judith A Prestegard	Blowout, Surface Intake	4299	Osmundson Construction	100	\$1,655.48
CD41	19-025	2	Main	1	Elmore	34	Duane Boehm	2018 FEMA closeout	7298	Dirt Merchant Inc.	100	\$2,834.86
CD8	19-183	1	E	1	Blue Earth City	35	Janice Ripley	Blowout	4299	Osmundson Construction	100	\$845.70
CD8	19-226	1	Branch H	1	Elmore	1	Steven Gesche	Replacement	4299	Osmundson Construction	100	\$1,067.53
CD21	18-153	2	Private main	2	Verona	36	Kent Mensing	Replacement, 29.3 ac	4417	G and S Drainage and Excavating	100	\$36,294.00
CD50	19-040	1	Main/Br A	2	Verona	28	Family Trust Under the Arlene L Peterson Trust	Surface Intake	4299	Osmundson Construction	100	\$999.80
CD514	19-024	2	Main	2	Jo Daviess	35	Marjorie H Schock Life Estate	2018 FEMA closeout	7298	Dirt Merchant Inc.	100	\$2,860.82
CD65	19-100	1	Branch 30	2	Jo Daviess	12	Kenneth Haase	Blowout	4299	Osmundson Construction	100	\$2,647.60
JCD414M	19-095	1	D2	2	Pilot Grove	18	James M Schumski	Blowout	4299	Osmundson Construction	100	\$2,916.99
JD4FM	19-034	1	Suppl Main	2	Jo Daviess	7	Craig Diegnau	Blowout, Surface Intake	4299	Osmundson Construction	100	\$1,261.68
JD11FBE	19-189	1	Aux Outlet	4	Winnebago City	12	Erma L Turtle	Blowout, Surface Intake	4299	Osmundson Construction	100	\$740.00
JD2F	19-246	1	K-11	4	Prescott	25	Mark Westby	Blowout	4299	Osmundson Construction	100	\$785.90
CD25	19-125	1	Main, Br H	5	Brush Creek	4	Roger L & Viva L Legred	Replacement, 1,680'	3908	Hodgman Drainage Co.	100	\$46,468.80
CD25	19-125	2	Br K	5	Brush Creek	4	Roger L & Viva L Legred	Blowout, Surface Intake	3908	Hodgman Drainage Co.	100	\$2,158.00
CD25	19-266	1	Br B	5	Walnut Lake	32	Lawrence E & Alice M Killtion	Blowout	4299	Osmundson Construction	100	\$716.32
CD37	19-255	2	Br 33	5	Brush Creek	22	Elmer Ehlert	Replacement, 1500'	7054	DeLaitre Septic & Excavating LLC	40	\$10,296.00
CD25A	19-265	1	Br A61	5	Walnut Lake	31	Lawrence E & Alice M Killtion	Blowout	4299	Osmundson Construction	100	\$587.94
											Total:	\$118,613.80

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Groskreutz/Loveall motion carried unanimously to approve 2020 inspection plan.

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Roper/Young motion carried unanimously to approve paying application No. 5 for CD 41 cleanout project totaling \$3,952.19.

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Groskreutz/Roper motion carried unanimously to set the 2020 beaver bounty to \$50 per tail.

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Young/Loveall motion carried unanimously to table setting 2020 crop damage rates until March.

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Young/Roper motion carried unanimously to approve Resolution 20-DA01-07 to order a redetermination of benefits and damages on CD 46 and appoint viewers. 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 46 and appoint viewers.

FINDINGS

1. The Faribault County Board of Commissioners is the drainage authority for County Ditch 46.
2. County Ditch 46 was established in 1916. Benefits for County Ditch 46 were determined concurrent with establishment in 1916, prior to the initiation of modern, intensive farming and drainage practices within Faribault County.
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 original establishment of County Ditch #6 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 County Ditch #6.
5. Since the original determination of benefits and damages, land values have changed within the benefited area of County Ditch 46.

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6. The drainage authority held a public meeting on January 7, 2020 to discuss the need for a redetermination of benefits.
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 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 46, hereby orders as follows:

- A. The Board shall follow the procedures of Minnesota Statute § 103E.351 to conduct a redetermination of benefits for County Ditch 46
- 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 46.
- 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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Young/Roper motion carried unanimously to approve Resolution 20-DA02-08 to order a redetermination of benefits and damages on CD 49 and appoint viewers. 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 49 and appoint viewers.

FINDINGS

1. The Faribault County Board of Commissioners is the drainage authority for County Ditch 49.
2. County Ditch 49 was established in 1916. Benefits for County Ditch #49 were determined concurrent with establishment in 1916, prior to the initiation of modern, intensive farming and drainage practices within Faribault County.
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 original establishment of County Ditch 49 and the original determination of benefits and damages, land uses and drainage practices have changed to accelerate and

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increase the flow of water to the drainage system changing the nature and value of benefits accruing to lands from construction of County Ditch 49.

5. Since the original determination of benefits and damages, land values have changed within the benefited area of County Ditch 49.
6. The drainage authority held a public meeting on January 7, 2020 to discuss the need for a redetermination of benefits.
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 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 49, hereby orders as follows:

- A. The Board shall follow the procedures of Minnesota Statute § 103E.351 to conduct a redetermination of benefits for County Ditch 49
- 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 49.

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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Young/Roper motion carried unanimously to approve Resolution 20-DA03-09 to order a redetermination of benefits and damages on CD 78 and appoint viewers. 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 78 and appoint viewers.

FINDINGS

1. The Faribault County Board of Commissioners is the drainage authority for County Ditch 78.
2. County Ditch 78 was established in 1957. Benefits for County Ditch 78 were determined concurrent with establishment in 1957, prior to the initiation of modern, intensive farming and drainage practices within Faribault County.

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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 original establishment of County Ditch 78 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 County Ditch 78.
5. Since the original determination of benefits and damages, land values have changed within the benefited area of County Ditch 78.
6. The drainage authority held a public meeting on January 7, 2020 to discuss the need for a redetermination of benefits.
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 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 78, hereby orders as follows:

- A. The Board shall follow the procedures of Minnesota Statute § 103E.351 to conduct a redetermination of benefits for County Ditch 78
- 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 78.
- 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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Groskreutz/Roper motion carried unanimously to approve Resolution 20-DA04-10 to order a redetermination of benefits and damages on CD 83 and appoint viewers. 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 83 and appoint viewers.

FINDINGS

1. The Faribault County Board of Commissioners is the drainage authority for County Ditch 83.

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2. County Ditch 83 was established in 1960. Benefits for County Ditch #83 were determined concurrent with establishment in 1960, prior to the initiation of modern, intensive farming and drainage practices within Faribault County.
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 original establishment of County Ditch 83 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 County Ditch 83.
5. Since the original determination of benefits and damages, land values have changed within the benefited area of County Ditch 83.
6. The drainage authority held a public meeting on January 7, 2020 to discuss the need for a redetermination of benefits.
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 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 83, hereby orders as follows:

- A. The Board shall follow the procedures of Minnesota Statute § 103E.351 to conduct a redetermination of benefits for County Ditch 83.
- 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 83.

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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Roper/Loveall motion carried unanimously to approve Resolution 20-DA05-11 to order a redetermination of benefits and damages on CD 102 and appoint viewers. 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 102 and appoint viewers.

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FINDINGS

1. The Faribault County Board of Commissioners is the drainage authority for County Ditch 102.
2. County Ditch 102 was established in 1948. Benefits for County Ditch 102 were determined concurrent with establishment in 1948, prior to the initiation of modern, intensive farming and drainage practices within Faribault County.
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 original establishment of County Ditch #102 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 County Ditch 102.
5. Since the original determination of benefits and damages, land values have changed within the benefited area of County Ditch 102.
6. The drainage authority held a public meeting on January 7, 2020 to discuss the need for a redetermination of benefits.
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 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 102, hereby orders as follows:

- A. The Board shall follow the procedures of Minnesota Statute § 103E.351 to conduct a redetermination of benefits for County Ditch 102
- 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 102.
- C. That within 5 days of this order, 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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Young/Loveall motion carried unanimously to approve the cost-share contracts to replace traditional side inlets on CD 55, CD 60, and JD7MF.

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Staff report was presented.

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The Faribault County Drainage Authority was adjourned for January 2020.

Tom Warmka, Chair

Clara Vereide, Acting Clerk to the Board