

FARIBAULT COUNTY
BOARD OF COMMISSIONERS
OFFICIAL PROCEEDINGS
DRAINAGE AUTHORITY MEETING
APRIL 5, 2022

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 April 5, 2022. The following members were present: Tom Loveall, Bruce Anderson, Bill Groskreutz, John Roper, and Greg Young Commissioners. Auditor/Treasurer/Coordinator Darren Esser, Drainage Manager Merissa Lore, Drainage Project Manager Dustin Anderson, and Acting Clerk to the Board Sarah Van Moer also attended. Faribault County employees J. Blair, S. Hauskins, L. Scholten, and K. Anderson attended virtually.

The meeting was called to order by Chair Young.

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Roper/Anderson motion carried unanimously to approve the agenda of April 5, 2022.

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No one appeared during public comment.

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Anderson/Groskreutz motion carried unanimously to approve payment of drainage voucher bills totaling \$43,469.81.

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

System	Repair #	Branch	Comm	Township	Sec	Landowner	Problem/Proposed Work
CD8	22-001	H	1	Rome	06	PETERSON, NANCY L	Bore 60 LF of 16" steel casing under CR13
JCD202FM	22-009	Q	2	Jo Daviess	19	HANNAMAN, ROSCOE & SHIRLEY	Tile hole in fenceline
JD9FBE	22-012	B	4	Delavan	01	SMOTHERS, DWAYNE O & MARILYN L	Tile Hole
CD15	19-160	A	5	Kiester	25	ANDERSEN, GEORGE	Tile hole
CD15	22-006	B	5	Kiester	36	TROSTEM, HOWARD C & ANITA R	Multiple tile holes
CD20	22-010	D	5	Walnut Lake	16	PAUL WARMKA REVOCABLE LIV TR &	Clean open ditch

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Roper/Groskreutz motion carried unanimously to approve payment totaling \$64,334.25:

System	Repair #	Order	Branch	Comm	Twp	Sec	Landowner	Repair Type	Vendor	Contractor	%	Cost
CD8	22-001	1	H	1	Rome	06	PETERSON, NANCY L	Tile Replacement	6701	Trevor Leland	100	\$ 14,734.25
CD8	22-002	2	H	1	Rome	06	PETERSON, NANCY L	Boring under CR13	6701	Trevor Leland	100	\$ 19,200.00
CD64	21-006	3	Main	5	Kiester	07	RJW FARMS LLC	Tree Grinding	7678	Krueger Excavating of Albert Lea, LLC	95	\$ 30,400.00
											Total:	\$ 64,334.25

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Anderson/Groskreutz motion carried unanimously to adopt Resolution 22-DA16-32 initiating a redetermination of benefits and appointing viewers on CD52. Commissioners Groskreutz, Roper, Anderson, Loveall, and Young voted yes.

RESOLUTION

The Faribault County Board of Commissioners, sitting as the drainage authority for County Ditch #52, pursuant to Minn. Stat. § 103E.351, based on the record and proceedings, Commissioner Anderson moved, seconded by Commissioner Groskreutz to adopt the following Findings and Order:

Findings:

1. The Faribault County Board of Commissioners is the drainage authority for County Ditch #52.
2. County Ditch #52 was established in 1916. A redetermination of benefits was completed in 2012. A petition for improvement was filed in 2021.
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 redetermination of benefits on County Ditch #52 in 2012, the benefitted area, land values, and commodity prices have changed.
5. A petition for improvement to County Ditch #52 was filed on July 30th, 2021. The Preliminary Engineer's Report was approved on March 28th, 2022. Viewers were appointed to prepare a report for the possible improvement.
6. A redetermination of benefits will allow for comparable values to the improvement Viewers' Report due to rates being from the same time period and an accurate benefit roll for future assessments.
7. The drainage authority held a public meeting on April 5th, 2022 to discuss the need for a redetermination of benefits for County Ditch #52.
8. 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 Board, the Board, acting as the drainage authority for County Ditch #52, 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 #52.
- 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 County Ditch #52.

- 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 Order along with a certified copy of this Order.

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Groskreutz/Loveall motion carried unanimously to adopt Resolution 22-DA17-33 initiating a redetermination of benefits and appointing viewers on CD87. Commissioners Groskreutz, Roper, Anderson, Loveall, and Young voted yes.

RESOLUTION

The Faribault County Board of Commissioners, sitting as the drainage authority for County Ditch #87, pursuant to Minn. Stat. § 103E.351, based on the record and proceedings, Commissioner Groskreutz moved, seconded by Commissioner Loveall to adopt the following Findings and Order:

Findings:

1. The Faribault County Board of Commissioners is the drainage authority for County Ditch #87.
2. County Ditch #87 was established in 1963. Benefits for County Ditch #87 were determined concurrent with establishment in 1963, prior to the initiation of modern, intensive farming and drainage practices within Faribault County.
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 County Ditch #87 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 #87.
5. Since the original determination of benefits and damages, land values have changed within the benefitted area of County Ditch #87.
6. The drainage authority held a public meeting on April 5th, 2022, to discuss the need for a redetermination of benefits for County Ditch #87.
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 Board, the Board, acting as the drainage authority for County Ditch #87, 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 #87.
- 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 County Ditch #87.

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- 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 Order along with a certified copy of this Order.

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Anderson/Groskreutz motion carried unanimously to approve purchasing new Trimble survey equipment from Frontier Precision at an estimated cost of \$33,150.70 using Riparian Protection Aid funds.

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Roper/Loveall motion carried unanimously to approve change order #1 for the CD26 Main Tile Repair totaling \$25,805.00 for increased boring length by 20LF on the railroad, additional 120LF of 12" tile due to alignment changes in the borings, granular bedding of the pipe, and seven drop intakes for televising purposes.

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Anderson/Roper motion carried unanimously to approve the CD74 Open Ditch Repair bid of \$45,120.00 from Krueger Excavating of Albert Lea.

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Roper/Anderson motion carried unanimously to approve the CD74 cost-share contract for \$10,575.00 for eight alternative side inlet structures.

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Loveall/Anderson motion carried unanimously to approve the JD6F cost-share contract for \$47,100.00 for thirty-two alternative side inlet structures.

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Staff reports were presented.

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The Faribault County Drainage Authority was recessed to April 19th, 2022.

Greg Young, Chair

Sarah Van Moer, Acting Clerk to the Board