

FARIBAULT COUNTY
BOARD OF COMMISSIONERS
OFFICIAL PROCEEDINGS
DRAINAGE AUTHORITY MEETING
SEPTEMBER 20, 2022

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 conclusion of the regular session on September 20, 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, Central Services Director Pam Krill, and Acting Clerk to the Board Sarah Van Moer also attended. Attending virtually were Faribault County employees K. Anderson, S. Hauskins, P. Krill, L. Rebuffoni, and L. Mehrhof.

The meeting was called to order by Chair Young.

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Anderson/Roper motion carried unanimously to approve the agenda of September 20, 2022.

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Roper/Anderson motion carried unanimously to approve payment of drainage voucher bills totaling \$5,113.05.

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Anderson/Loveall motion carried unanimously to approve change order #2 for the CD64 Open Ditch Repair Bid Package #1 in the amount of \$1,424.00; and change order #2 for the CD64 Open Ditch Repair Bid Package #2 in the amount of \$28,671.25.

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Anderson/Roper motion carried unanimously to approve pay application #4 for the CD64 Open Ditch Repair Bid Package #1 to Krueger Excavating of Albert Lea, LLC in the amount of \$1,352.80; pay application #3 for the for the CD64 Open Ditch Repair Bid Package #2 to Krueger Excavating of Albert Lea, LLC in the amount of \$49,177.94; pay application #3 for the for the CD64 Open Ditch Repair Bid Package #3 to Krueger Excavating of Albert Lea, LLC in the amount of \$2,322.75; and pay application #1 for the JD6F Open Ditch Repair to Leland Drainage & Excavating in the amount of \$78,897.50.

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Groskreutz/Loveall motion carried unanimously to adopt Resolution 22-DA26-62 Findings & Orders appointing viewers and initiating a Redetermination of Benefits on CD50. Commissioners Groskreutz, Roper, Anderson, Loveall, and Young voted yes.

RESOLUTION

Findings:

1. The Faribault County Board of Commissioners is the drainage authority for County Ditch #50.

2. County Ditch #50 was established in 1916. Benefits for County Ditch #50 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 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 #50 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 #50.
5. Since the original determination of benefits and damages, land values have changed within the benefitted area of County Ditch #50.
6. The drainage authority held a public meeting on September 20th, 2022, to discuss the need for a redetermination of benefits for County Ditch #50.
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 #50, 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 #50.
- 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 #50.
- 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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Loveall/Roper motion carried unanimously to adopt Resolution 22-DA27-63 Findings & Orders appointing viewers and initiating a Redetermination of Benefits on JD22F. Commissioners Groskreutz, Roper, Anderson, Loveall, and Young voted yes.

RESOLUTION

Findings:

1. The Faribault County Board of Commissioners is the drainage authority for Judicial Ditch #22.
2. Judicial Ditch #22 was established in 1950. Benefits for Judicial Ditch #22 were determined concurrent with establishment in 1950, 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 Judicial Ditch #22 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 #22.

5. Since the original determination of benefits and damages, land values have changed within the benefitted area of Judicial Ditch #22.
6. The drainage authority held a public meeting on September 20th, 2022, to discuss the need for a redetermination of benefits for Judicial Ditch #22.
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 Judicial Ditch #22, hereby orders as follows:

- A. The Board shall follow the procedures of Minn. Stat. § 103E.351 to conduct a redetermination of benefits for Judicial Ditch #22.
- 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 #22.
- 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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Loveall/Anderson motion carried unanimously to adopt Resolution 22-DA28-64 Findings & Orders appointing viewers and initiating a Redetermination of Benefits on JD21F. Commissioners Groskreutz, Roper, Anderson, Loveall, and Young 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 Judicial Ditch #21.
2. Judicial Ditch #21 was established in 1943. Benefits for Judicial Ditch #21 were determined concurrent with establishment in 1943, 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 Judicial Ditch #21 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 #21.
5. Since the original determination of benefits and damages, land values have changed within the benefitted area of Judicial Ditch #21.
6. The drainage authority held a public meeting on September 20th, 2022, to discuss the need for a redetermination of benefits for Judicial Ditch #21.

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 Judicial Ditch #21, hereby orders as follows:

- A. The Board shall follow the procedures of Minn. Stat. § 103E.351 to conduct a redetermination of benefits for Judicial Ditch #21.
- 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 #21.
- 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/Roper motion carried unanimously to adopt Resolution 22-DA29-65 Findings & Orders appointing viewers and initiating a Redetermination of Benefits on CD59. Commissioners Groskreutz, Roper, Anderson, Loveall, and Young 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 #59.
2. County Ditch #59 was established in 1976. Benefits for County Ditch #59 were determined concurrent with establishment in 1976.
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 #59 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 #59.
5. Since the original determination of benefits and damages, land values have changed within the benefitted area of County Ditch #59.
6. The drainage authority held a public meeting on September 20th, 2022, to discuss the need for a redetermination of benefits for County Ditch #59.
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 #59, 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 #59.
- 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 #59.
- 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 adopt Resolution 22-DA30-66 Findings & Orders appointing viewers and initiating a Redetermination of Benefits on CD69. Commissioners Groskreutz, Roper, Anderson, Loveall, and Young 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. County Ditch #69 was established in 1948. Benefits for County Ditch #69 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 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 #69 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 #69.
- 5. Since the original determination of benefits and damages, land values have changed within the benefitted area of County Ditch #69.
- 6. The drainage authority held a public meeting on September 20th, 2022, to discuss the need for a redetermination of benefits for County Ditch #69.
- 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 #69, 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 #69.
- 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 #69.
- 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/Loveall motion carried unanimously to adopt Resolution 22-DA31-67 Findings & Orders appointing viewers and initiating a Redetermination of Benefits on CD79. Commissioners Groskreutz, Roper, Anderson, Loveall, and Young voted yes.

RESOLUTION

Findings:

1. The Faribault County Board of Commissioners is the drainage authority for County Ditch #79.
2. County Ditch #79 was established in 1956. Benefits for County Ditch #79 were determined concurrent with establishment in 1956.
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 #79 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 #79.
5. Since the original determination of benefits and damages, land values have changed within the benefitted area of County Ditch #79.
6. The drainage authority held a public meeting on September 20th, 2022, to discuss the need for a redetermination of benefits for County Ditch #79.
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 #79, 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 #79.
- 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 #79.
- 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/Anderson motion carried unanimously to adopt Resolution 22-DA32-68 Findings & Orders appointing viewers and initiating a Redetermination of Benefits on CD28. Commissioners Groskreutz, Roper, Anderson, Loveall, and Young voted yes.

RESOLUTION

Findings:

09-20-2022

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1. The Faribault County Board of Commissioners is the drainage authority for County Ditch #28.
2. County Ditch #28 was established in 1914. Benefits for County Ditch #28 were determined concurrent with establishment in 1914, 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 #28 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 #28.
5. Since the original determination of benefits and damages, land values have changed within the benefitted area of County Ditch #28.
6. The drainage authority held a public meeting on September 20th, 2022, to discuss the need for a redetermination of benefits for County Ditch #28.
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 #28, 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 #28.
- 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 #28.
- 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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The Faribault County Drainage Authority was adjourned for September 2022.

Greg Young, Chair

Sarah Van Moer, Acting Clerk to the Board