

FARIBAULT COUNTY
BOARD OF COMMISSIONERS
OFFICIAL PROCEEDINGS
NOVEMBER 19, 2019

The Faribault County Board of Commissioners met pursuant to the recess of October 1, 2019 at the Courthouse in the City of Blue Earth at 9:00 a.m. on November 19, 2019. The following members were present: Bill Groskreutz, Tom Loveall, John Roper, Tom Warmka, and Greg Young Commissioners. County Auditor/Treasurer/Coordinator Darren Esser, County Attorney Kathryn Karjala, Central Services Director Lexi Scholten, and Acting Clerk to the Board Clara Vereide were also present.

The meeting was called to order by Chair Groskreutz. The pledge of allegiance was recited.

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Warmka/Young motion carried unanimously to approve the synopsis and official proceedings of the November 5, 2019 regular and drainage authority meetings.

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Warmka/Young motion carried unanimously to approve the amended agenda of November 19, 2019.

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The calendar was updated. Jodell Sanders appeared during public comment regarding re-purchase of forfeited property. Consensus was to extend deadline to completion before next board meeting.

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Committee reports were given. Loveall reported on Bass Lake steering committee and Region 9; Roper reported on MVAC; Young reported on planning and zoning; Warmka reported on GBERBA and Veterans Affairs round table; and Groskreutz reported on MVAC, Rural health round table, and MRCI.

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Tax Clerk Lorrie Bosma met regarding SSTS business.

Roper/Loveall motion carried unanimously to approve an SSTS grant of \$3,000 to Preston Staloch for Parcel No. 06.025.0200 in Dunbar Township.

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Central Services Director Lexi Scholten met regarding office business.

Warmka/Loveall motion carried unanimously to approve the hiring of Sarah Van Moer as part-time clerk typist in the Recorder's office.

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Sheriff Mike Gormley and Chief Deputy Scott Adams met regarding office business.

Warmka/Young motion carried unanimously to approve entering into an Off-Highway Vehicle Safety grant contract with the State of Minnesota for reimbursement up to \$4,719.00 for expenses incurred during state fiscal year 2020 and up to \$4,719.00 for expenses incurred during state fiscal year 2021.

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Young/Roper motion carried unanimously to close meeting closed at 9:43am to discuss union negotiations. Present were Commissioners, Auditor/Treasurer Darren Esser, Central Services Director Lexi Scholten, County Attorney Kathryn Karjala, and Clerk to Board Clara Vereide.

Young/Loveall motion carried unanimously to reopen the meeting at 10:20 a.m. County Attorney Kathryn Karjala gave summation of closed session.

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Public Works Director Mark Daly met regarding office business. Matt Bindert from Ziegler Inc. also attended. Construction update was given.

Loveall/Warmka motion carried unanimously to approve purchase of a 950 Wheel loader from Ziegler Inc. at the 2019 state contract bid price of \$179,800 with trade-in from 2020 budget.

Young/Roper motion carried unanimously to approve Resolution 19-RB16-54 to final payment on SAP 022-652-004 14th Street micro surfacing project. Commissioners Groskreutz, Loveall, Roper, Young, and Warmka voted yes.

RESOLUTION

WHEREAS, SAP 022-652-004, 14th Street micro-surfacing project has in all things been completed; and

WHEREAS, the final contract amount is \$77,891.10 which is \$9,951.10 (14.6%) more than the original contract bid of \$67,940.00; and

WHEREAS, to date \$0.00 has been paid to the contractor leaving the balance of \$77,891.00; and;

WHEREAS, the work has been performed satisfactorily and all necessary forms have been completed and received by the Highway Department.

NOW THEREFORE BE IT RESOLVED by the Board of Commissioners in and for the County of Faribault, Minnesota, that we do hereby accept said completed project and authorize final payment to Midwest Contracting, LLC.

Warmka/Loveall motion carried unanimously to approve Resolution 19-RB17-55 to establish CSAH 64 in Kiester. Commissioners Groskreutz, Loveall, Roper, Young, and Warmka voted yes.

RESOLUTION

WHEREAS, it appears to the County Board of the County of Faribault that the road hereinafter should be designated County State Aid Highway under the provisions of Minnesota Law.

NOW THEREFORE BE IT RESOLVED, by the County Board of the County of Faribault that the road be described as follows, to-wit:

6th Street commencing at the intersection of CSAH 2 (W State Street) in the City of Kiester, and continuing south to Front Street, at that point continuing on Front St. and terminating at the intersection of CSAH 58 (S Main Street.), a distance of 0.2 miles shown in attached Exhibit A.

Be, and hereby is established, located and designated as County State Aid Highway 64 of said County, subject to the approval of the Commissioner of Transportation of the State of Minnesota.

BE IT FURTHER RESOLVED, that the County Auditor is hereby authorized and directed to forward a certified copy of this resolution to the Commissioner of Transportation for consideration, and that upon his approval of the designation of said road or portion thereof, that same be constructed, improved and maintained as a County State Aid Highway of the County of Faribault , to be numbered and known as a County State Aid Highway 64.

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Roper/Young motion carried unanimously to close the meeting at 11:02 a.m. to discuss litigation on CD21. Present were Commissioners Groskreutz, Loveall, Roper, Young, and Loveall, County Attorney Kathryn Karjala, Auditor/Treasurer Darren Esser, Drainage Manager Merissa Lore, and Clerk to the Board Clara Vereide.

Warmka/Young motion carried unanimously to reopen the meeting at 11:39 a.m.

County Attorney Kathryn Karjala gave a summation of closed session.

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Planning and Zoning Administrator Loria Rebuffoni met regarding conditional use permits.

Darrel Friar attended. No member of the public appeared to make comment.

Loveall/Warmka motion carried unanimously to approve Resolution 19-PZ09-56 granting a conditional use permit to the Minnesota Regular Baptist Camp, Inc. for additions to their existing church camp in Delavan Township. Section 16-104-27. Commissioners Groskreutz, Loveall, Roper, Young, and Warmka voted yes.

RESOLUTION

The Minnesota Regular Baptist Camp, Inc.
Delavan Township, Section 16-104-27
#10-19-70

11-19-19

-161-

WHEREAS, according to the Faribault County Zoning Ordinance, the Minnesota Regular Baptist Camp, Inc. has requested a conditional use permit to make additions to an existing church camp.

The proposed project is in the R-2 Shoreland Residential District located at:
All that part of Blocks Two (2) and Seven (7), lying west of a line running north and south parallel to and 1056 feet west of the east line of Section Sixteen (16), in Township One Hundred Four (104), north of Range Twenty-seven (27), west of the Fifth Principal Meridian, excepting the north 66 feet thereof;

Also Lots One (1) and Two (2) in Block Three (3), except the north 66 feet thereof;

Also Lots Three (3) and Four (4) in Block Three (3);

Also all of Block Four (4), excepting therefrom a tract described as follows: Commencing 72 feet west of the southeast corner of said Block Four (4), thence North 7 degrees west 70 feet, thence north 58 degrees west 148 feet more or less to the meander line of Bass Lake, thence southwesterly along meander line to the south line of said Block Four (4), thence east 258 feet more or less to place of beginning;

Also Lots One (1), Two (2) and Four (4) in Block Six (6);

Also the west 33 feet of Lots One (1) and Four (4) in Block Eleven (11); and

The west 33 feet of that part of Lot Two (2) in Block Fourteen (14) that lies north of the public highway;

all of said land being in the Northeast Quarter (NE ¼) of Section Sixteen (16), Township One Hundred Four (104), North of Range Twenty-seven (27), west of the Fifth Principal Meridian.

WHEREAS, according to the Faribault County Zoning Ordinance, Section 16 – Subdivisions (4–6), the Planning Commission has made its recommendation based on findings with respect thereto and all facts in connection therewith and has designated conditions deemed necessary for the protection of public interest.

WHEREAS, The Planning Commission finds that:

1. The proposed use of the property will not have an adverse impact on health, safety and the general welfare or be injurious to the use and enjoyment of other properties and residents for purposes already permitted in the surrounding neighborhood.
2. The proposed use meets the standards of the Faribault County Zoning Ordinance including that the use is allowed with a conditional use permit in the designated zoning district in which it is proposed.
3. The proposed use will not have an adverse impact on traffic conditions, or that additional measures are being proposed in regard to access roads, traffic conditions, traffic congestion, and traffic hazard.

4. There are adequate public or private facilities and services in place or are being proposed to support the proposed use in regard to water supply, electricity, sewer services, lighting, public services, site drainage and off-street parking.
5. If the proposed use requires storage of materials, that adequate disposal measures are in place.
6. The proposed use will not have an adverse effect on the environment including impacts on the groundwater, surface water, soils, and air quality.
7. The proposed use will not substantially diminish and impair property values within the immediate vicinity and is compatible with the existing neighborhood.
8. The proposed use will not hinder the normal and orderly development and improvement of surrounding properties in the surrounding neighborhood for the uses predominate to the area.
9. The proposed use will have adequate measures in place to prevent or control offensive odors and/or fumes, dust, noise, and vibration, so that none of these will be a disturbance to neighboring properties.
10. If the proposed use requires any additional necessary facilities that they are identified in the permit.

NOW THEREFORE BE IT RESOLVED, that the Faribault County Board of Commissioners approve a conditional use permit to the Minnesota Baptist Camp, Inc. in the R-2 Shoreland Residential District with the following conditions:

1. All County, State, and Federal laws, regulations, and ordinances shall be complied with, and site must be in compliance with all necessary permits, including all performance standards of Section 15 of the Faribault County Ordinance.
2. SSTS installation, compliance and maintenance must be performed in accordance with Section 23 of the Faribault County Zoning Ordinance and MN Statutes 7080, and systems shall be in place prior to any new use.
3. Any new development shall meet setbacks and be screened from view of the lake.
4. Any new structures will require a zoning permit from the County.
5. Prior to disturbing any land for new uses, applicant must check with Planning & Zoning to assess the need for a grading and filling permit.
6. All permits shall be submitted to the DNR for comments prior to construction of buildings.

Robert Wilson with Southern Hills Wind LLC met regarding metrological tower conditional use permits.

No member of the public appeared to make comment.

Warmka/Loveall motion carried unanimously to approve Resolution 19-PZ10-57 granting a conditional use permit to Southern Hills Wind LLC and Larry G. Kluender to install a metrological tower in Foster Township, Section 36-102-24. Commissioners Groskreutz, Loveall, Roper, Young, and Warmka voted yes.

RESOLUTION

11-19-19

Southern Hills Wind LLC and Larry G. Kluender
Foster Township, Section 36-102-24
#10-19-73

WHEREAS, according to the Faribault County Zoning Ordinance, Southern Hills Wind LLC and Larry G. Kluender have requested a conditional use permit to install a metrological tower.

The proposed project is in the A-2 General Agriculture District located at:
The West Half of the Northeast Quarter (W ½ of NE ¼) of Section Thirty-six (36),
Township One Hundred Two (102) North of Range Twenty-four (24) West of the Fifth
Principal Meridian.

WHEREAS, according to the Faribault County Zoning Ordinance, Section 16 – Subdivisions (4–6), the Planning Commission has made its recommendation based on findings with respect thereto and all facts in connection therewith and has designated conditions deemed necessary for the protection of public interest.

WHEREAS, The Planning Commission finds that:

1. The proposed use of the property will not have an adverse impact on health, safety and the general welfare or be injurious to the use and enjoyment of other properties and residents for purposes already permitted in the surrounding neighborhood.
2. The proposed use meets the standards of the Faribault County Zoning Ordinance including that the use is allowed with a conditional use permit in the designated zoning district in which it is proposed.
3. The proposed use will not have an adverse impact on traffic conditions, or that additional measures are being proposed in regard to access roads, traffic conditions, traffic congestion, and traffic hazard.
4. There are adequate public or private facilities and services in place or are being proposed to support the proposed use in regard to water supply, electricity, sewer services, lighting, public services, site drainage and off-street parking.
5. If the proposed use requires storage of materials, that adequate disposal measures are in place.
6. The proposed use will not have an adverse effect on the environment including impacts on the groundwater, surface water, soils, and air quality.
7. The proposed use will not substantially diminish and impair property values within the immediate vicinity and is compatible with the existing neighborhood.
8. The proposed use will not hinder the normal and orderly development and improvement of surrounding properties in the surrounding neighborhood for the uses predominate to the area.
9. The proposed use will have adequate measures in place to prevent or control offensive odors and/or fumes, dust, noise, and vibration, so that none of these will be a disturbance to neighboring properties.

10. If the proposed use requires any additional necessary facilities that they are identified in the permit.

NOW THEREFORE BE IT RESOLVED, that the Faribault County Board of Commissioners approve a conditional use permit to Southern Hills Wind LLC and Larry G. Kluender to install a metrological tower in the A-2 General Agriculture District with the following conditions:

1. All County, State, Federal laws, regulations, and ordinances shall be complied with, and site must be in compliance with all necessary permits and setbacks, with special attention to Sections F-M of *Section 21 – Tower Ordinance* of Faribault County, which addresses general standards, permit application requirements, routine maintenance, time limit on construction, unused or abandoned facility, removal, severance clause, and fees.
2. Permits and approval must be obtained by the drainage authority, township, and Highway Engineer prior to receiving a tower permit for construction.
3. All necessary and approved Federal Aviation Administration (FAA) and Federal Communication Commission (FCC) documentation must be submitted to Planning and Zoning prior to the issuance of a tower permit for construction.
4. If there is a situation where local emergency services must cut or damage crops to access the tower, the County shall not be held liable.
5. A review of the conditional use permit will be completed by the Planning and Zoning Department every two years and a maintenance fee of \$50.00 shall be paid every two years as long as the conditional use is in effect starting November 19, 2021 and shall be subject to revocation for any violation of the above listed conditions.

No member of the public appeared to make comment.

Warmka/Roper motion carried unanimously to approve Resolution 19-PZ11-58 granting a conditional use permit to Southern Hills Wind LLC and Owen J. and Virginia M. Lorenz to install a metrological tower in Kiester Township, Section 4-101-24. Commissioner Groskreutz, Loveall, Roper, Young, and Warmka voted yes.

RESOLUTION

Southern Hills Wind LLC and Owen J. Lorenz and Virginia M. Lorenz
Kiester Township, Section 4-101-24
#10-19-71

WHEREAS, according to the Faribault County Zoning Ordinance, Southern Hills Wind LLC and Owen J. Lorenz and Virginia M. Lorenz have requested a Conditional Use Permit to install a Metrological tower.

The proposed project is in the A-2 General Agriculture District located at:
The NW ¼ of Section 4, Township 101, Range 24

WHEREAS, according to the Faribault County Zoning Ordinance, Section 16 – Subdivisions (4–6), the Planning Commission has made its recommendation based on findings with respect thereto and all facts in connection therewith and has designated conditions deemed necessary for the protection of public interest.

WHEREAS, The Planning Commission finds that:

1. The proposed use of the property will not have an adverse impact on health, safety and the general welfare or be injurious to the use and enjoyment of other properties and residents for purposes already permitted in the surrounding neighborhood.
2. The proposed use meets the standards of the Faribault County Zoning Ordinance including that the use is allowed with a conditional use permit in the designated zoning district in which it is proposed.
3. The proposed use will not have an adverse impact on traffic conditions, or that additional measures are being proposed in regard to access roads, traffic conditions, traffic congestion, and traffic hazard.
4. There are adequate public or private facilities and services in place or are being proposed to support the proposed use in regard to water supply, electricity, sewer services, lighting, public services, site drainage and off-street parking.
5. If the proposed use requires storage of materials, that adequate disposal measures are in place.
6. The proposed use will not have an adverse effect on the environment including impacts on the groundwater, surface water, soils, and air quality.
7. The proposed use will not substantially diminish and impair property values within the immediate vicinity and is compatible with the existing neighborhood.
8. The proposed use will not hinder the normal and orderly development and improvement of surrounding properties in the surrounding neighborhood for the uses predominate to the area.
9. The proposed use will have adequate measures in place to prevent or control offensive odors and/or fumes, dust, noise, and vibration, so that none of these will be a disturbance to neighboring properties.
10. If the proposed use requires any additional necessary facilities that they are identified in the permit.

NOW THEREFORE BE IT RESOLVED, that the Faribault County Board of Commissioners approve a conditional use permit to Southern Hills Wind LLC and Owen J. Lorenz and Virginia M. Lorenz to install a metrological tower in the A-2 General Agriculture District with the following conditions:

1. All County, State, Federal laws, regulations, and ordinances shall be complied with, and site must be in compliance with all necessary permits and setbacks, with special attention to Sections F-M of Section 21 – Tower Ordinance of Faribault County, which addresses general standards, permit application requirements, routine maintenance, time limit on construction, unused or abandoned facility, removal, severance clause, and fees.

2. Permits and approval must be obtained by the drainage authority, township, and Highway Engineer prior to receiving a tower permit for construction.
3. All necessary and approved Federal Aviation Administration (FAA) and Federal Communication Commission (FCC) documentation must be submitted to Planning and Zoning prior to the issuance of a tower permit for construction.
4. If there is a situation where local emergency services must cut or damage crops to access the tower, the County shall not be held liable.
5. A review of the conditional use permit will be completed by the Planning and Zoning Department every two years and a maintenance fee of \$50.00 shall be paid every two years as long as the conditional use is in effect starting November 19, 2021 and shall be subject to revocation for any violation of the above listed conditions.

No member of the public appeared to make comment.

Warmka/Young motion carried unanimously to approve Resolution 19-PZ12-59 granting a conditional use permit to Southern Hills Wind LLC and Orlando W. Meyer to install a metrological tower in Kiester Township, Section 11-101-24. Commissioner Groskreutz, Loveall, Roper, Young, and Warmka voted yes.

RESOLUTION

Southern Hills Wind LLC and Orlando W. Meyer
Kiester Township, Section 11-101-24
#10-19-72

WHEREAS, according to the Faribault County Zoning Ordinance, Southern Hills Wind LLC and Orlando W. Meyer have requested a Conditional Use Permit to install a Metrological tower.

The proposed project is in the A-2 General Agriculture District located at:
The South Half of the Northeast Quarter (S ½ NE ¼) of Section 11, Township 101 North,
Range 24 West of the 5th P.M., Faribault County, Minnesota.

WHEREAS, according to the Faribault County Zoning Ordinance, Section 16 – Subdivisions (4–6), the Planning Commission has made its recommendation based on findings with respect thereto and all facts in connection therewith and has designated conditions deemed necessary for the protection of public interest.

WHEREAS, The Planning Commission finds that:

1. The proposed use of the property will not have an adverse impact on health, safety and the general welfare or be injurious to the use and enjoyment of other properties and residents for purposes already permitted in the surrounding neighborhood.
2. The proposed use meets the standards of the Faribault County Zoning Ordinance including that the use is allowed with a conditional use permit in the designated zoning district in which it is proposed.
3. The proposed use will not have an adverse impact on traffic conditions, or that additional measures are being proposed in regard to access roads, traffic conditions, traffic congestion, and traffic hazard.

4. There are adequate public or private facilities and services in place or are being proposed to support the proposed use in regard to water supply, electricity, sewer services, lighting, public services, site drainage and off-street parking.
5. If the proposed use requires storage of materials, that adequate disposal measures are in place.
6. The proposed use will not have an adverse effect on the environment including impacts on the groundwater, surface water, soils, and air quality.
7. The proposed use will not substantially diminish and impair property values within the immediate vicinity and is compatible with the existing neighborhood.
8. The proposed use will not hinder the normal and orderly development and improvement of surrounding properties in the surrounding neighborhood for the uses predominate to the area.
9. The proposed use will have adequate measures in place to prevent or control offensive odors and/or fumes, dust, noise, and vibration, so that none of these will be a disturbance to neighboring properties.
10. If the proposed use requires any additional necessary facilities that they are identified in the permit.

NOW THEREFORE BE IT RESOLVED, that the Faribault County Board of Commissioners approve a conditional use permit to Southern Hills Wind LLC and Orlando W. Meyer to install a metrological tower in the A-2 General Agriculture District with the following conditions:

1. All County, State, Federal laws, regulations, and ordinances shall be complied with, and site must be in compliance with all necessary permits and setbacks, with special attention to Sections F-M of Section 21 – Tower Ordinance of Faribault County, which addresses general standards, permit application requirements, routine maintenance, time limit on construction, unused or abandoned facility, removal, severance clause, and fees.
2. Permits and approval must be obtained by the drainage authority, township, and Highway Engineer prior to receiving a tower permit for construction.
3. All necessary and approved Federal Aviation Administration (FAA) and Federal Communication Commission (FCC) documentation must be submitted to Planning and Zoning prior to the issuance of a tower permit for construction.
4. If there is a situation where local emergency services must cut or damage crops to access the tower, the County shall not be held liable.
5. A review of the conditional use permit will be completed by the Planning and Zoning Department every two years and a maintenance fee of \$50.00 shall be paid every two years as long as the conditional use is in effect starting November 19, 2021 and shall be subject to revocation for any violation of the above listed conditions.

Discussion was held regarding maintenance fee on conditional use permits and Administrative Assistant position in Planning and Zoning/Drainage.

Loveall/Warmka motion carried unanimously to change part-time position of Administrative Assistant in the Drainage/Planning and Zoning department to a full-time position.

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Young/Warmka motion carried unanimously to approve Resolution 19-CB-60 re-appointing viewers on CD514. Commissioners Groskreutz, Loveall, Roper, Young, and Warmka voted yes. Commissioners Groskreutz, Loveall, Roper, Young, and Warmka voted yes.

RESOLUTION

WHEREAS, a Petition was received by the Faribault County Board of Commissioners, acting as Drainage Authority for Faribault County Ditch 514, requesting the Improvement of Branch S; and

WHEREAS, Mark Origer of ISO was appointed the engineer to prepare a Preliminary Engineer's Report; and

WHEREAS, pursuant to proper notice, a preliminary hearing was held on August 27, 2019, at 11:30 a.m.; and

WHEREAS, Mark Origer, the duly appointed engineer, presented the Preliminary Engineer's Report; and

WHEREAS, no DNR Commissioners' Advisory Report has been received; and

WHEREAS, the hearing was open for public comment and public comment was received from several individuals concerning location of tile lines.

WHEREAS, the viewers originally appointed on August 27, 2019 of Chris Christianson, Robert Hansen, and Dennis Distad have been made unavailable.

NOW, THEREFORE, based on all the evidence presented and made part of the record, the Faribault County Board of Commissioners, acting as Drainage Authority for Faribault County Ditch 514, makes the following order:

ORDER

NOW, THEREFORE, it is hereby ordered as follows:

That Mark Behrends, Kendall Langseth, Bruce Ness, and John Thompson are instead appointed viewers to prepare a Viewers' Report based on this proposed Improvement to Branch S.

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Warmka/Loveall motion carried unanimously to approve resolution 19-CB-61 setting final hearing date for JD19 redetermination of benefits and damages to 1:00 pm on December 16, 2019 at Hamilton Hall. Commissioners Groskreutz, Loveall, Roper, Young, and Warmka voted yes.

RESOLUTION

Findings

11-19-19

1. The Faribault County Board of Commissioners is the drainage authority for Judicial Ditch 19.
2. On July 3, 2018, the Drainage Authority ordered a redetermination of benefits and damages for Judicial Ditch 19.
3. The viewers held an informational meeting on July 8, 2019 after notice to all landowners and public authorities.
4. The viewers' report was filed with the Faribault County Auditor September 5, 2019.
5. The viewers held a second informational meeting on September 23, 2019 after notice was given by mail.
6. The Faribault County Board of Commissioners met on November 19, 2019 in regular session to determine the date, time, and location for a final hearing on the project.
7. 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 Judicial Ditch 19 hereby orders as follows:

- A. A final hearing on the Viewers' Report shall be held on December 16, 2019 at 1:00 p.m. at Hamilton Hall, 202 South Moore St, Blue Earth, MN.
- 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.

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Loveall/Roper motion carried unanimously to approve resolution 19-CB-62 setting final hearing date for JD20 redetermination of benefits and damages to 1:30 pm on December 16, 2019 at Hamilton Hall. Commissioners Groskreutz, Loveall, Roper, Young, and Warmka voted yes.

RESOLUTION

Findings

1. The Faribault County Board of Commissioners is the drainage authority for Judicial Ditch 20.

11-19-19

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2. On July 3, 2018, the Drainage Authority ordered a redetermination of benefits and damages for Judicial Ditch 20.
3. The viewers held an informational meeting on July 8, 2019 after notice to all landowners and public authorities.
4. The viewers' report was filed with the Faribault County Auditor September 5, 2019.
5. The viewers held a second informational meeting on September 23, 2019 after notice was given by mail.
6. The Faribault County Board of Commissioners met on November 19, 2019 in regular session to determine the date, time, and location for a final hearing on the project.
7. 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 Judicial Ditch 20 hereby orders as follows:

- A. A final hearing on the Viewers' Report shall be held on December 16, 2019 at 1:30 p.m. at Hamilton Hall, 202 South Moore St, Blue Earth, MN.
- 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.

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Roper/Loveall motion carried unanimously to approve resolution 19-CB-63 setting final hearing date for CD45 redetermination of benefits and damages to 2:00 pm on December 16, 2019 at Hamilton Hall. Commissioners Groskreutz, Loveall, Roper, Young, and Warmka voted yes.

RESOLUTION

Findings

1. The Faribault County Board of Commissioners is the drainage authority for County Ditch 45.

11-19-19

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2. On July 3, 2018, the Drainage Authority ordered a redetermination of benefits and damages for County Ditch 45.
3. The viewers held an informational meeting on July 8, 2019 after notice to all landowners and public authorities.
4. The viewers' report was filed with the Faribault County Auditor September 5, 2019.
5. The viewers held a second informational meeting on September 23, 2019 after notice was given by mail.
6. The Faribault County Board of Commissioners met on November 19, 2019 in regular session to determine the date, time, and location for a final hearing on the project.
7. 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 45 hereby orders as follows:

- A. A final hearing on the Viewers' Report shall be held on December 16, 2019 at 2:00 p.m. at Hamilton Hall, 202 South Moore St, Blue Earth, MN.
- 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.

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Loveall/Young motion carried unanimously to change the start time of the December 17, 2019 regular board meeting to 3:00 pm with Truth in Taxation at 6pm.

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Warmka/Loveall motion carried unanimously to approve Resolution 19-CB-64 for 2020 ditch assessments. Commissioners Groskreutz, Loveall, Roper, Young and Warmka voted yes.

R E S O L U T I O N

WHEREAS, Minnesota Statute 103E.705 subdivision 6, authorizes the County Board to levy assessments to meet the cost of ditch repair on county, judicial, and joint county ditches;

WHEREAS, the County Board has reviewed the assessments prepared by the County Auditor-Treasurer,

THEREFORE, BE IT RESOLVED that the assessments for more than one year be due and payable by December 31, 2019 and that unpaid balances at that time be charged a 4.0% annual rate of interest.

THEREFORE, BE IT resolved that the following assessments be applied to the listed ditches as follows:

Ditch Name	2020 Asmt	Yrs to Run
CD 1 Aka JCD 301 F&F	\$ 190,000.00	3
CD 5 & Imprv.	\$ 1,100.00	1
CD 7 & Imprv #1	\$ 20,000.00	1
CD 10	\$ 28,000.00	5
CD 11	\$ 5,500.00	1
CD 14	\$ 40,000.00	1
CD 16 & Imprv	\$ 4,300.00	1
CD 17	\$ 90,000.00	3
CD 18	\$ 1,400.00	1
CD 19	\$ 7,000.00	5
CD 20	\$ 506,000.00	10
CD 23 (AKA JCD 23)	\$ 95,000.00	10
CD 27	\$ 11,000.00	3
CD 29	\$ 3,600.00	1
CD 31	\$ 43,000.00	1
CD 32	\$ 7,500.00	1
CD 34	\$ 600.00	1
CD 35	\$ 600.00	1
CD 36	\$ 1,500.00	1
CD 37	\$ 125,000.00	4
CD 38	\$ 1,400.00	1

CD 39	\$ 1,300.00	1
CD 44	\$ 200,000.00	5
CD 46	\$ 6,500.00	1
CD 47	\$ 200.00	1
CD 49	\$ 400.00	1
CD 50	\$ 1,000.00	1
CD 52	\$ 3,600.00	1
CD 53	\$ 1,300.00	1
CD 55	\$ 192,000.00	15
CD 58	\$ 1,200.00	1
CD 59	\$ 23,000.00	20
CD 62	\$ 3,000.00	1
CD 63	\$ 400.00	1
CD 65	\$ 600.00	1
CD 68	\$ 3,400.00	1
CD 69	\$ 700.00	1
CD 70	\$ 1,500.00	1
CD 73	\$ 800.00	1
CD 74	\$ 500.00	1
CD 77	\$ 2,500.00	1
CD 78	\$ 16,000.00	4
CD 79	\$ 800.00	1
CD 80	\$ 5,000.00	1
CD 81	\$ 200.00	1
CD 83	\$ 3,300.00	1

CD 85	\$ 400.00	1
CD 86	\$ 1,200.00	1
CD 87	\$ 8,600.00	1
CD 89	\$ 500.00	1
CD 90	\$ 1,000.00	1
CD 92	\$ 1,000.00	1
CD 94	\$ 8,000.00	1
JD 2 M&F	\$ 34,000.00	1
JD 4 F&M	\$ 8,300.00	1
JD 6F & Imprv 1	\$ 112,000.00	5
JD 7 M&F Ext	\$ 27,000.00	1
JD 9 F&Be &Imprv	\$ 13,000.00	1
JD 10F	\$ 14,500.00	1
JD 11 F&Be	\$ 1,300.00	1
JD 12 F&Be	\$ 5,000.00	1
JD 14 F&F	\$ 300.00	1
JD 16 F&Be	\$ 1,000.00	1
JD 21F	\$ 1,000.00	1
JD 22F	\$ 600.00	1
JD 25 F&M	\$ 1,100.00	1
JD 26 F&M	\$ 1,100.00	1
JD 27 F&M	\$ 300.00	1
JCD 1 Be&F	\$ 2,000.00	1
JCD Sys 201 F&M	\$ 2,800.00	1
Total	\$ 1,897,700.00	

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Warmka/Loveall motion carried unanimously to approve requests from B. Shimmon to attend a 1-day Leadership and Management Skills for Women at Mankato and L. Scholten to attend a 3-day Association of Minnesota Counties annual conference in St. Cloud.

* * * * *

Warmka/Loveall motion carried unanimously to pay the following bills:

ACH/EFT warrants for October 1 to October 30, 2019 totaling \$ 1,399,672.61 as follows:

<u>Date</u>	<u>Amount</u>	<u>Description</u>
10/1/19	353,776.98	Commissioner Warrants
10/3/19	27,970.57	Auditor Warrants
10/10/19	3,154.40	Auditor Warrants
10/15/19	114,225.39	Commissioner Warrants
10/17/19	55,644.67	Auditor Warrants
10/24/19	843,928.21	Auditor Warrants
10/31/19	972.39	Auditor Warrants

Auditor warrants for October 1 to October 30, 2019 totaling \$ 1,510,494.68 as follows:

<u>Date</u>	<u>Amount</u>	<u>Description</u>
10/3/19	83,377.97	Auditor Warrants
10/10/19	126,835.29	Auditor Warrants
10/17/19	72,259.79	Auditor Warrants
10/23/19	308.00	Auditor Warrants
10/24/19	1,078,560.44	Auditor Warrants
10/28/19	385.00	Auditor Warrants
10/31/19	148,768.19	Auditor Warrants

Audit list and auxiliary totaling \$ 318,567.88 as follows:

GENERAL REVENUE FUND	\$ 135,543.21
PUBLIC WORKS FUND	67,784.74
COUNTY LIBRARY FUND	42,825.76
DEBT SERVICE FUND	500.00
DITCH FUND	64,861.72
FORFEITED TAX SALE FUND	920.00

NON REV/DISB A

6,132.45

\$ 318,567.88

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The meeting was adjourned for November 2019.

Bill Groskreutz, Chair

Clara Vereide, Acting Clerk to the Board