

FARIBAULT COUNTY
BOARD OF COMMISSIONERS
OFFICIAL PROCEEDINGS
DRAINAGE AUTHORITY
COUNTY DITCH 25 BRANCH A REDETERMINATION OF BENEFITS HEARING
APRIL 16, 2014

The Faribault County Board of Commissioners met at the Faribault County Ag Center in the City of Blue Earth as the Faribault County Drainage Authority for a Redetermination of Benefits Hearing for County Ditch 25 Branch A at 1:30 p.m. on April 16, 2014. The following members were present: Bill Groskreutz, Tom Loveall, John Roper, Tom Warmka, and Greg Young Commissioners. County Auditor/Treasurer/Coordinator John Thompson, Drainage Engineer Joe Mutschler, Drainage Inspector Merissa Lore, Viewer Mark Behrends, Viewer Chris Christenson, and Attorney Kurt Deter were present.

The meeting was called to order by Chair Loveall.

* * * * *

Young/Warmka motion carried unanimously to accept the affidavit of mailing and affidavit of publication for the hearing as presented by County Auditor/Treasurer/Coordinator John Thompson.

* * * * *

Viewer Mark Behrends presented the viewer's report. The viewers found that County Ditch 25 Branch A consists of 1,044.44 acres of farmland and roads, with benefits of \$2,155,974. The viewers found 6.51 acres of grass strip damages with a value of \$9,882 per acre for a total damage amount of \$64,332. The viewer's recommended the damages be awarded only if the trees that were within the buffer and ditch area were removed. If the trees remained the viewers recommended that damages of \$494.00 be awarded. A staff report would need to be completed before damages could be paid. The viewers also awarded construction right of way damages for an area of 100 feet on either side of the centerline of the open ditch for a total of 23.25 acres with a value of \$494.00 per acre for a total of \$11,486. The construction right of way is for future repair access with crop damages, if any, to be determined at the time of a repair or maintenance project and the amount determined by county policy. Behrends also recommended that County Ditch 25 Branch A will reimburse County Ditch 25 for 21.6% for all of County Ditch 25's expenses for future repairs.

* * * * *

The public comment portion of the hearing was opened. No member of the public appeared to make comment.

The public hearing portion of the hearing was closed.

* * * * *

Roper/Young motion carried unanimously to direct staff to prepare order stating that

1. The Viewer's Report for the redetermination of benefits of County Ditch 25 Branch A have been made and completed under Minn. Stat. 103E;
2. That the Viewer's Report made or amended is complete and correct;
3. That the damages and benefits have been properly determined and that damages include a one rod permanent grass buffer strip and a right of way of 100 feet on either of the ditch center line as a described in the Viewers Benefit and Damages Statement for repair purposes.
4. That the effective date of the acquisition of the one rod grass strip is to be November 1, 2014, and
5. That staff shall prepare a report for the drainage authority that will determine the amount of damages to be paid to landowners based on the viewer's report recommendation of damages to be paid at \$494 per acres if trees are to be left standing in the easement area or at \$9,882 if trees are removed or not present per acre, and
6. That the redetermined benefits and damages and benefitted and damaged areas shall be used in place of the original benefits and damages and benefitted and damaged areas on all subsequent proceeding related to County Ditch 25.
7. And that County Ditch 25 and County Ditch 25 Branch A are separable drainage systems and that County Ditch 25 Branch A shall reimburse County Ditch 25 for 20.6% of repair and maintenance costs of County Ditch 25.

* * * * *

The meeting was adjourned.

Tom Loveall, Chairman

John Thompson, Auditor-Treasurer-Coordinator