FARIBAULT COUNTY
BOARD OF COMMISSIONERS
OFFICIAL PROCEEDINGS
DRAINAGE AUTHORITY
COUNTY DITCH 10
REDETERMINATION OF BENEFITS HEARING
SEPTEMBER 12, 2016

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 10 at 9:30 a.m. on September 12, 2016. The following members were present: Bill Groskreutz, Tom Loveall, John Roper, Tom Warmka, and Greg Young Commissioners. County Auditor/Treasurer/Coordinator John Thompson, Drainage Manager Merissa Lore, Drainage Inspector Zac Coxsworth, and Attorney Kurt Deter, legal counsel for the drainage authority. Viewers Chris Christenson, Robert Hanson, and Mark Behrends also attended.

The meeting was called to order by Chair Warmka.

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

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Attorney Kurt Deter explained the process for re-determining benefits and the legal process.

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Viewer Mark Behrends presented the viewer's report for the redetermination of benefits on County Ditch 10 (CD 10) and the property owner's report. The viewers found that CD 10 consists of 1,251.72 acres of farmland and building sites and 31.48 acres of roads making a total of 1,283.20 acres, approximately 5,995 feet of County open ditch, 4.54 acres of grass strip easement on cropland (16.5') paid at $7,945 per acre = $36,070 and 16.04 acres of construction easement paid at $397 per acre = $6,368 for a total of $42,438 in easement damages, 9,185 feet of County tile, $2,493,683 total benefits. It was reported that two informational meetings have been held with landowners and changes were made to identify areas with tile bringing drainage in and out of the CD 10 system. The report contains an estimated assessment of $46,000. The viewers recommended that the report be approved.

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

The pubic comment portion of the hearing was closed.

Commissioner Warmka recused himself from voting as he farms land within the County Ditch 10 watershed.

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Loveall/Groskreutz motion carried to direct staff to prepare order stating that:

1. The original benefits and/or damages determined in the drainage proceedings no longer reflect reasonable present day land values and that the benefitted areas have changed; and
2. The Viewer's Report for the redetermination of benefits of County Ditch 10 has been made and completed under Minn. Stat. 103E; and
3. The Viewer's Report made or amended is complete and correct; and
4. The damages and benefits have been properly determined and that damages include a one rod permanent grass buffer strip and an easement for 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; and
5. The effective date of the acquisition of the one rod grass strip is to be December 1, 2016; and
6. The redetermined benefits and damages and the benefitted and damaged areas shall be used in place of the original benefits and damages and benefitted and damaged areas on all subsequent proceedings related to County Ditch 10.

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Young/Roper motion carried unanimously to adjourn the hearing.

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Tom Warmka, Chair John Thompson, Auditor-Treasurer-Coordinator