

FARIBAULT COUNTY
BOARD OF COMMISSIONERS
OFFICIAL PROCEEDINGS
COUNTY DITCH 47 REDETERMINATION AND REPAIR HEARING
MARCH 29, 2017

The Faribault County Board of Commissioners, acting as the Drainage Authority for County Ditch 47 met at 1:00 p.m. on March 1, 2017 at Hamilton Hall in Blue Earth, Minnesota. The following members were present: John Roper, Bill Groskreutz, Tom Loveall, Tom Warmka, and Greg Young Commissioners. County Auditor/Treasurer/Coordinator John Thompson, Drainage Manager Merissa Lore, Viewers Chris Christianson, Mark Behrends and Robert Hanson.

The meeting was called to order by Chair John Roper.

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

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County Auditor John Thompson explained the reason for a preliminary hearing

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Robert Hanson, viewer, presented the viewers report and the property owners report. Two landowner informational meetings have been held to discuss the viewing processes before this hearing. County Ditch 47 (CD47) consists of 230.16 acres of farmland, roads, and building sites with benefits of \$366,024. Faribault County Ditch 47 outlets into CD41.

The City of Elmore took over that portion of Faribault County Ditch 47 lying entirely within the corporate boundaries of the City of Elmore pursuant to Minnesota Statute 103E.812 and the findings and order of the Faribault County Board of Commissioners adopted at a hearing held on April 5, 2011. The viewers found 137.91 acres of farmland, 91 acres within the City of Elmore, 1.25 acres of road. In a separate proceeding the viewers determined that CD41 will owe a 1% outlet fee for the repair of CD41 for all future repairs and maintenance of CD41.

The viewers recommended the adoption of the viewers report pursuant to Minnesota Statutes 103E.351.

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The redetermination hearing was opened for public comment. No member of the public appeared for public comment.

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Warmka/Loveall motion carried unanimously to make the following findings and direct staff to prepare order approving the viewers report and the redetermination of benefits for CD47.

The Faribault County Board of Commissioners finds that:

1. The Faribault County Board of Commissioners is the drainage authority for County Ditch 47.
2. The Viewers Report has been made and other proceedings have been completed under Minnesota Statutes 103E.
3. The Viewers Report, made and amended, is correct and complete.
4. The damages and benefits have been properly determined.

And further directs that an order be prepared stating the following:

- A. That the redetermined benefits of CD47 are completed under Minnesota Statutes and are hereby adopted by the Board and shall be used in place of the original benefits and damages in all future proceedings.
- B. The County Auditor shall ensure that the redetermined benefits replace the existing benefits previously determined for CD47.
- C. There is no open channel requiring a buffer strip on CD47.

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The hearing was adjourned.

John Roper, Chair

John Thompson, Auditor/Treasurer/Coordinator