

FARIBAULT COUNTY
BOARD OF COMMISSIONERS
OFFICIAL PROCEEDINGS
COUNTY DITCH 70 REDETERMINATION AND REPAIR HEARING
MARCH 29, 2017

The Faribault County Board of Commissioners, acting as the Drainage Authority for County Ditch 70, met at 2:30 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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Warmka/Groskreutz 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 the hearing.

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Mark Behrends, 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 70 (CD70) consists of 741.81 acres of farmland, roads, and building sites with benefits of \$1,453,486. Faribault County Ditch 70 outlets into CD3.

The viewers found 719.73 acres of farmland and 22.08 of County and Township roads. The viewers awarded \$8,621 in damages for 1.09 acres for a one rod buffer strip on each side of the open channel of CD70. They awarded \$1,639 in damages for a 100-foot construction right of way easement. The viewers found \$1,453,486 worth of benefits for CD70.

The viewers stated the viewer's report is complete and correct and 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. The public comment portion of the hearing was closed.

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Warmka/Loveall motion carried unanimously to make the following findings and direct staff to prepare an order approving the viewers report and the redetermination of benefits for CD70.

The Faribault County Board of Commissioners finds that:

03-29-17

1. The Faribault County Board of Commissioners is the drainage authority for County Ditch 70.
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. The Viewers' Report shall be used in place of the original benefits and damages in all subsequent proceedings related to Faribault County Ditch 70.
- B. The effective date for the acquisition of the grass buffer area and construction easement shall be paid and the grass buffer areas established as required by statute.
- C. The damages for the acquisition of the grass buffer area and construction easement shall be paid on September 1, 2017.

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The hearing was adjourned.

John Roper, Chair

John Thompson, Auditor/Treasurer/Coordinator