

FARIBAULT COUNTY
BOARD OF COMMISSIONERS
OFFICIAL PROCEEDINGS
DRAINAGE AUTHORITY MEETING
FINAL HEARING REDETERMINATION OF BENEFITS COUNTY DITCH 44
MARCH 12, 2019

The Faribault County Board of Commissioners met at Hamilton Hall in the City of Blue Earth as the Faribault County Drainage Authority for County Ditch 44 at 9:00 a.m. for the final hearing on the Redetermination of Benefits on CD 44. The following members were present: Bill Groskreutz, John Roper, Tom Warmka Commissioners. Auditor/Treasurer/Coordinator John Thompson, Drainage Manager Merissa Lore, Drainage Water Technician Dustin Anderson, and Viewers Mark Behrends, Robert Hanson and Kendall Langseth also attended.

The meeting was called to order by Chair Groskreutz.

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Warmka/Roper motion carried unanimously to accept the affidavit of mailing, affidavit of posting and the affidavit of publication into the record as presented by Auditor-Treasurer-Coordinator Thompson.

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The viewers report was presented by Mark Behrends. Two informational meetings had been held before the final hearing. The viewers explained how benefits and damages were calculated, damages, benefits, percent of benefits, required grass buffer strips, and construction easements and uses. Final versions of the viewers report and tabular report along with the property owners report were presented and discussed.

The hearing was opened for public comment.

Barron Weber, landowner asked about the trees on the system. Merissa Lore responded that trees are an issue, but the drainage authority would need to weigh the cost of cutting the trees with the benefits. Commissioner Groskreutz and Warmka both agreed. A petition to remove the trees could be drafted by landowner. Commissioner Roper stated that soils in his district were susceptible to erosion and sometimes trees help to stabilize the channel. Lore also stated that the buffer strip will be established this spring.

The public comment portion of the hearing was closed.

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Warmka/Roper motion carried unanimously to make the following findings:

- a. That the viewer's report has been made and other proceedings have been completed under Minnesota Statutes 103E.
- b. The viewer's report, made or amended, is complete and correct.
- c. The damages and benefits have been properly determined and shall be paid on April 20, 2019.
- d. The damages for the acquisition of the grass buffer area and construction easements shall be paid and the buffer strip established as required by statute but after any repair.
- e. The redetermined benefits and damages and benefitted and damaged areas as found in the viewers report shall be used in the place of the original benefits and damages on all subsequent proceedings related to County Ditch 44 and its various improvements and branches.

- f. And that staff shall draft a final order to present at the March 19, 2019 regular board meeting with relevant findings and orders to be considered at 9:15 on the agenda.

The appeal procedure was discussed.

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The hearing was adjourned.

Bill Groskreutz, Chair

John Thompson, Auditor/Treasurer/Coordinator