

JOINT DRAINAGE AUTHORITY  
FARIBAULT AND BLUE EARTH COUNTIES  
JUDICIAL DITCH 11 & 12  
OFFICIAL PROCEEDING  
JUNE 4, 2019

The Joint Drainage Authority of Faribault and Blue Earth Counties acting as the Drainage Authority for Judicial Ditch 11 and Judicial Ditch 12 met at 11:00 p.m. at the Faribault County Courthouse for the purpose of considering a redetermination of benefits on Judicial Ditch 11 and Judicial Ditch 12. The following members were present: Faribault County Commissioners Bill Groskreutz, Tom Loveall, and Tom Warmka; and Blue Earth County Commissioners Kip Bruender and Will Purvis. Also attending were Central Services Director Dawn Fellows and Deputy County Auditor Darren Esser.

The meeting was called to order by Chair Loveall.

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Esser presented the draft orders for the board's consideration in redetermining benefits for the systems.

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Warmka/Purvis motion carried unanimously to approve Resolution 19-CB-21 the findings and order for the redetermination of benefits for Judicial Ditch 11. Commissioners Bruender, Groskreutz, Loveall, Purvis, and Warmka voted yes.

**R E S O L U T I O N**

**WHEREAS,** the Joint Drainage Authority of Faribault and Blue Earth Counties acting as the Drainage Authority for Judicial Ditch 11 has considers the need to redetermine benefits for said system,

**BE IT RESOLVED THAT** the following findings and order be approved by the Joint Drainage Authority of Judicial Ditch 11 of Faribault and Blue Earth Counties,

**Findings:**

1. The Joint County Board of Commissioners is the drainage authority for Judicial Ditch 11.
2. Judicial Ditch 11 was established in 1916. Benefits for Judicial Ditch 11 were determined concurrent with establishment in 1916, prior to the initiation of modern, intensive farming and drainage practices within Faribault County.
3. The current benefits roll reflects the benefitted properties, benefitted areas, and benefit values as determined by viewers based on assumptions regarding the future use and drainage of said properties.
4. Since the original establishment of Judicial Ditch 11 and the original determination of benefits and damages, land uses and drainage practices have changed to accelerate and

increase the flow of water to the drainage system changing the nature and value of benefits accruing to lands from construction of Judicial Ditch 11.

5. Since the original determination of benefits and damages, land values have changed within the benefited area of Judicial Ditch 11.
6. The drainage authority finds that the conditions required for the initiation of a redetermination of benefits exist, that the original benefits and damages do not reflect reasonable, present day land values, and the benefitted areas have changed.

**Order:**

Based on the foregoing findings and the entire record of proceedings before the Joint Board, the Board, acting as the drainage authority for Judicial Ditch 11, hereby orders as follows:

- A. The Board shall follow the procedures of Minn. Stat. §103E.351 to conduct a redetermination of benefits for Judicial Ditch 11.
- B. That Dan Ruby, Charles W. Anderson, Lance Roberts, and Gary Ewert as alternate and Ron Ringquist as alternate/consultant are hereby appointed as viewers to redetermination and report the benefits and damages for Judicial Ditch 11.
- C. That within five days of this order, the Faribault County Auditor shall mail to the viewers a copy of this order.

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Groskreutz/Bruender motion carried unanimously to approve Resolution 19-CB-22 the findings and order for the redetermination of benefits for Judicial Ditch 12. Commissioners Bruender, Groskreutz, Loveall, Purvis, and Warmka voted yes.

**RESOLUTION**

**WHEREAS,** the Joint Drainage Authority of Faribault and Blue Earth Counties acting as the Drainage Authority for Judicial Ditch 12 has considers the need to redetermine benefits for said system,

**BE IT RESOLVED THAT** the following findings and order be approved by the Joint Drainage Authority of Judicial Ditch 12 of Faribault and Blue Earth Counties,

**Findings:**

1. The Joint County Board of Commissioners is the drainage authority for Judicial Ditch 12.
2. Judicial Ditch 12 was established in 1916. Benefits for Judicial Ditch 12 were determined concurrent with establishment in 1916, prior to the initiation of modern, intensive farming and drainage practices within Faribault County.

3. The current benefits roll reflects the benefitted properties, benefitted areas, and benefit values as determined by viewers based on assumptions regarding the future use and drainage of said properties.
4. Since the original establishment of Judicial Ditch #12 and the original determination of benefits and damages, land uses, and drainage practices have changed to accelerate and increase the flow of water to the drainage system changing the nature and value of benefits accruing to lands from construction of Judicial Ditch 12.
5. Since the original determination of benefits and damages, land values have changed within the benefitted area of Judicial Ditch 12.
6. The drainage authority finds that the conditions required for the initiation of a redetermination of benefits exist, that the original benefits and damages do not reflect reasonable present day land values, and the benefitted areas have changed.

**Order:**

Based on the foregoing findings and the entire record of proceedings before the Joint Board, the Board, acting as the drainage authority for Judicial Ditch 12, hereby orders as follows:

- A. The Board shall follow the procedures of Minn. Stat. §103E.351 to conduct a redetermination of benefits for Judicial Ditch 12.
- B. That Dan Ruby, Charles W. Anderson, Lance Roberts, and Gary Ewert as alternate and Ron Ringquist as alternate/consultant are hereby appointed as viewers to redetermination and report the benefits and damages for Judicial Ditch 12.
- C. That within five days of this order, the Faribault County Auditor shall mail to the viewers a copy of this order.

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The meeting was adjourned.

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Tom Loveall, Chair

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Dawn Fellows, Central Services Director