

AGENDA
SETTING THE HEARING DATE FOR THE REDETERMINATION OF
BENEFITS AND REPAIRS FOR JOINT DITCH 1
BLUE EARTH AND FARIBAULT COUNTIES
MAY 2, 2023 at 1:30 PM

1. Welcome and introductions: Kevin Paap, Chair
2. Election of a new chair
3. Recommendation of staff for setting a hearing date for the Redetermination Benefits on Joint Ditch 1 and a Repair Hearing for Joint Ditch 1
4. Comments from the Joint Board
5. Actions:
 1. Set a hearing date for the Redetermination of Benefits for Joint Ditch 1
 2. Set a hearing date for the Repairs to Joint Ditch 1
6. Adjourn

MEMORANDUM



To: Joint Blue Earth, Faribault County Board of Commissioners
as the Drainage Authority for Joint Ditch 1

From: Craig Austinson, County Drainage Systems Coordinator, Property
and Environmental Resources Department

Date: May 2, 2023

Subject: Repairs and Redetermination of Benefits for Joint Ditch 1

BACKGROUND

Joint Ditch 1 (JD 1) is a 2,850-acre watershed in Blue Earth and Faribault County that includes 1,360 acres of Lura Lake and portions of Sections 34 and 35 of Sterling Township. JD 1 out-lets into Rice Creek and eventually to the Maple River. Portions of JD 1 are failing. Three landowner meetings were held to discuss options to repair, or to improve JD 1.

At the April 8, 2019, landowner meeting, landowners stated they would seek a petition to improve the system. It was also stated by staff that if an Improvement Petition was not received, the Joint Ditch Authority would be asked to order repairs to JD 1. No improvement petition has been received by the joint drainage authority staff. Staff are now seeking to repair the areas of concern.

ACTION REQUESTED

At today's meeting of the Blue Earth and Faribault County Drainage Authority, we are requesting the Joint Drainage Authority set hearings for the needed repairs of and Redeterminations of Benefits for JD 1.

STATE OF MINNESOTA
Before the
BLUE EARTH AND FARIBAULT COUNTY BOARD OF COMMISSIONERS
SITTING AS THE DRAINAGE AUTHORITY FOR
JOINT DITCH 1

<p>In the Matter of:</p> <p style="text-align:center">Redetermination of Benefits for Joint Ditch 1</p>	<p style="text-align:center">ORDER FOR PUBLIC HEARING</p>
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At a public meeting conducted by the Joint Blue Earth and Faribault County Board of Commissioners, sitting as the Drainage Authority for Joint Ditch 1, on May 2, 2022, it was moved and seconded to adopt the following Findings and Order:

Findings:

1. The Joint Blue Earth and Faribault County Board is the Drainage Authority for Joint Ditch 1.
2. On May 7, 2019, the Joint Drainage Authority adopted Findings and an Order appointing viewers for the Redetermination of Benefits for Joint Ditch 1 and to file a report with the Drainage Authority.
3. On April 14, 2023, the viewers filed the Viewers' Report with the Blue Earth County Property and Environmental Resources Department.
4. The Blue Earth County Property and Environmental Resources Department made a Property Owners' Report from the information in the Viewers' Report in conformance with the requirements of Minn. Stat. § 103E.323, subd. 1. A copy of the Property Owners' Report will be mailed to each owner of property affected by the proposed drainage project and an affidavit of mailing is on file with the Drainage Authority.
5. Pursuant to Minn. Stat. § 103E.325, subd. 3, the Final Hearing must be noticed by publication, posting, and mail.

Order:

Based on the foregoing Findings and the entire record of proceedings before the Board, the Board, acting as the Drainage Authority for Joint Ditch 1, hereby orders as follows:

1. A hearing on the Viewers' Report shall be held on June 6, 2023, at 3:00 p.m. in the 2nd Floor Board of Commissioner's room at the Blue Earth County Historic Courthouse, 204 South 5th St., Mankato, MN.
2. The Blue Earth County Property and Environmental Resources Department and Faribault County Auditor shall publish notice of the Redetermination of Benefits and Repair Hearing once per week for three successive weeks in a newspaper of general circulation in the area of the proposed project.
3. The Blue Earth County Property and Environmental Resources Department and Faribault County Auditor shall post a printed copy of the Final Hearing notice for each affected county at least three weeks before the date of the final hearing at the front door of the courthouse in each county.
4. Within one week after the first publication of notice, the Blue Earth County Property and Environmental Resources Department and Faribault County Auditor shall give notice by mail of the time and location of the Final Hearing to all property owners, and others affected by the Redetermination of Benefits and Viewers' Report.

After discussion, the Board Chair called the question. Upon vote, the Chair declared the motion passed and the Findings and Order adopted.

Approved and Filed this May 2, 2023.

Signed: Kevin Paap, Joint Drainage Authority Chair
Blue Earth County Drainage Authority

Attest: Robert W. Meyer, County Administrator

STATE OF MINNESOTA
Before the
BLUE EARTH AND FARIBAULT COUNTY BOARD OF COMMISSIONERS
SITTING AS THE DRAINAGE AUTHORITY FOR
JOINT COUNTY DITCH 1

In the Matter of: Repairs to Joint Ditch 1	ORDER FOR PUBLIC HEARING
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At a public meeting conducted by the Joint Blue Earth and Faribault County Board of Commissioners, sitting as the Drainage Authority for Joint Ditch 1, on May 2, 2023, it was moved and seconded to adopt the following Findings and Order:

Findings:

1. The Joint Blue Earth and Faribault County Board is the Drainage Authority for Joint Ditch 1.
2. Landowner information meetings were on April 4, 2018, April 8, 2019, and September 19, 2022.
3. At the informational meetings, it was the consensus of those attending that the Joint Drainage Authority should order a Redetermination of Benefits. It was also decided ordering a Redetermination of Benefits would give landowners time to put together an Improvement Petition. It was also the consensus of the attending landowners to go ahead with a repair hearing, if no improvement petition is received.
4. On April 14, 2023, the viewers filed the Viewers' Report with the Blue Earth County Property and Environmental Resources Department.
5. As of May 2, 2023, the Joint Drainage Authority has not received an Improvement Petition for Joint Ditch 1.

Order:

Based on the foregoing Findings and the entire record of proceedings before the Board, the Board, acting as the Drainage Authority for Joint Ditch 1, hereby orders as follows:

1. A hearing on the Engineer's Repair Report shall be held on June 6, 2023, at 3:00 p.m. in the 2nd Floor, Board of Commissioner's room at the Blue Earth County Historic Courthouse, 204 South 5th Street, Mankato, MN.

2. The Blue Earth County Property and Environmental Resources Department and Faribault County Auditor shall publish notice of the Repair Hearing in a newspaper of general circulation in the area of the proposed repair for Joint County Ditch 1.
3. The Blue Earth County Property and Environmental Resources Department and Faribault County Auditor shall post a printed copy of the hearing notice for each affected county at least three weeks before the date of the final hearing at the front door of the courthouse in each county.
4. Within one week after the first publication of notice, the Blue Earth County Property and Environmental Resources Department and Faribault County Auditor shall give notice by mail of the time and location of the hearing to all property owners, and others affected by the proposed drainage repair.

After discussion, the Board Chair called the question. Upon vote, the Chair declared the motion passed and the Findings and Order adopted.

Approved and Filed this May 2, 2023.

Signed: Kevin Paap, Joint Drainage Authority Chair
Blue Earth County Drainage Authority

Attest: Robert W. Meyer, County Administrator