

**JACKSON COUNTY BOARD OF COMMISSIONERS ACTING AS DRAINAGE
AUTHORITY FOR THE REDETERMINATION OF JACKSON COUNTY
JUDICIAL DITCHES NO. 6, 8, AND 20
REDETERMINATION HEARING MINUTES**

April 20, 2021 ~ 11:30 A.M. ~ Jackson County Government Center Cafeteria, Jackson, MN

Members of the board present included Commissioners from Jackson County - James Eigenberg, Scott McClure, Catherine Hohenstein, Don Wachal and Phil Nasby

Others present: Kurt Deter ~Drainage Attorney, Kevin Nordquist ~Jackson Co Auditor, Kelly Rasche ~Jackson Co Ditch Coordinator, Dave Macek ~Jackson Co Drainage Supervisor, H2Over Viewers ~ Bryan Murphy, Shantel Hecht, Derek Ebertowski

Chair James Eigenberg opened the hearing for the three ditches at 11:30 a.m.

Kurt Deter, Drainage Attorney reviewed the purpose of the hearing as a Redetermination for Judicial Ditch 6, Judicial Ditch 8 and Judicial Ditch 20.

Kelly Rasche stated required notice was given to affected property owners.

Bryan Murphy of H2Over Viewers explained the redetermination of benefits process as an overview for all ditches. Red portions of the overview map benefit the most, yellow less benefit, green less and blue.

JUDICIAL DITCH 6

Bryan Murphy of H2Over Viewers shared the Redetermination Report of Judicial Ditch 6.

1. Value of the system is \$21,821,537.57
2. Acres in the system is 14,857.54
3. Damages to be paid \$284,218.20

Chair Eigenberg opened the floor for public comment for Judicial Ditch 6

How is the determination turned to a cash value? The viewers' give the benefit based on the value of the acres without a system vs the value of the acres with the system, less additional costs to the landowner to access the system for an outlet. The benefit is set by what percent of the \$22 million is your land responsible for.

Undrained land sales come from ring land sales and algorithms tied in to the calculations. University of MN calculations are referenced.

How are surface waters addressed? Land within the system are accounted for, if lands outside the system drain into the system by other means, tiled, etc. they are not accounted for.

Are the calculations based on the system working at 100%? Yes, it is calculated as working as it is in a repaired condition. Right now, calculated as operating as it was designed.

All funds paid in a system are used for the specific ditch they are paid into. JD 6 funds are used for JD 6 expenses.

An engineering firm looks at the size and slope of the pipe in consideration of the condition of the system.

Road ditches and culverts are considered for redetermination. Road authorities are responsible for the culvert costs, if they need to be adjusted/replaced.

Private tile is not part of the redetermination.

Motion to close the hearing made by Commissioner McClure with a second by Commissioner Wachal at 12:18 p.m. all yes, motion carried.

The Drainage Authority considered the public comments and found:

1. The Viewer's Report(s) has been made and other proceedings have been completed under MN Statutes 103E
2. The Viewers' Report made or amended is complete and correct
3. The damages and benefits have been property determined

Motion to approve the Redetermination of Benefits for Judicial Ditch 6 made by Commissioner Wachal with a second by Commissioner McClure, roll call vote, all yes, motion carried. The Redetermined Benefits and Damages shall be used in place of the original Benefits and Damages in all subsequent proceedings related to the particular ditch system.

JUDICIAL DITCH 8

Bryan Murphy of H2Over Viewers shared the Redetermination Report of Judicial Ditch 8.

1. Value of the system is \$10,434,434.02
2. Acres in the system is 7,604.85
3. Damages to be paid \$182,475.10

Chair Eigenberg opened the floor for public comment for Judicial Ditch 8

Are the calculations based on the system working at 100%? Yes, it is calculated as working as it is in a repaired condition. Right now, calculated as operating as it was designed.

The landowner pays for the access to the system, whether they use the system or not. It is a landowner's decision. Determination of benefits is based on the landowner's ability to use the system, if they choose.

The expenses of the Redetermination are generally spread over a 5-year payment schedule. Current interest rate by statute is 4%.

Brad Anderson shared a concern of the classification of his property. He will contact the viewers to discuss.

Motion to close the hearing made by Commissioner Nasby with a second by Commissioner Hohenstein at 12:26 p.m. all yes, motion carried.

The Drainage Authority considered the public comments and found:

1. The Viewer's Report(s) has been made and other proceedings have been completed under MN Statutes 103E
2. The Viewers' Report made or amended is complete and correct

3. The damages and benefits have been property determined

Motion to approve the Redetermination of Benefits for Judicial Ditch 8 made by Commissioner Eigenberg with a second by Commissioner Nasby, roll call vote, all yes, motion carried. The Redetermined Benefits and Damages shall be used in place of the original Benefits and Damages in all subsequent proceedings related to the particular ditch system.

JUDICIAL DITCH 20

Bryan Murphy of H2Over Viewers shared the Redetermination Report of Judicial Ditch 20.

1. Value of the system is \$4,780,076.08
2. Acres in the system is 3,042.11
3. Damages to be paid \$81,614.10

Chair Eigenberg opened the floor for public comment for Judicial Ditch 20

No comments concerning Judicial Ditch 20 were heard from those present.

Motion to close the hearing made by Commissioner McClure with a second by Commissioner Hohenstein at 12:31 p.m.

The Drainage Authority considered the public comments and found:

4. The Viewer's Report(s) has been made and other proceedings have been completed under MN Statutes 103E
5. The Viewers' Report made or amended is complete and correct
6. The damages and benefits have been property determined

Motion to approve the Redetermination of Benefits for Judicial Ditch 20 made by Commissioner Wachal with a second by Commissioner McClure all yes, motion carried. The Redetermined Benefits and Damages shall be used in place of the original Benefits and Damages in all subsequent proceedings related to the particular ditch system.

The hearing was closed at 12:32 p.m. with a motion by Commissioner Wachal and a second by Commissioner Eigenberg, all yes, motion carried.

Respectfully Submitted by
Kelly R. Rasche
Drainage Coordinator