

STATE OF MINNESOTA
Before the
Renville County Board of Commissioners
SITTING AS THE DRAINAGE AUTHORITY FOR
Renville County Drainage Systems

In the Matter of:

**the Redetermination of Benefits of
Renville County Ditches 4, 27C 35A, 46
51, 51 Lateral A, 57, 70, 71, 75, 85, 85A,
85A Lateral Z, 99A & 99B, 100, 102,
103, 104, 110, 112, 116A, 117, 119, 120,
127, 130 and Judicial Ditch 27, 27
Lateral A, 27 Lateral B, 27 Lateral C, 27
Lateral D, 27 Lateral E, 27 Lateral F, 27
Lateral G, 28A, 28A Lateral A and 28A
Lateral B**

**FINDINGS AND ORDER
INITIATING THE REDETERMINATION
OF BENEFITS AND APPOINTING
VIEWERS**

The Renville Board of Commissioners, sitting as the drainage authority for County Ditches 4, 27C 35A, 46, 51, 51 Lateral A, 57, 70, 71, 75, 85, 85A, 85A Lateral Z, 99A & 99B, 100, 102, 103, 104, 110, 112, 116A, 117, 119, 120, 127, 130 and Judicial Ditch 27, 27 Lateral A, 27 Lateral B, 27 Lateral C, 27 Lateral D, 27 Lateral E, 27 Lateral F, 27 Lateral G, 28A, 28A Lateral A and 28A Lateral B, pursuant to Minn. Stat. § 103E.351, based on the record and proceedings, Commissioner Bob Fox moved, seconded by Commissioner Randy Kramer to adopt the following Findings and Order:

Findings:

1. The Renville County Board of Commissioners is the drainage authority for County Ditches 4, 27C, 35A, 46 51, 51 Lateral A, 57, 70, 71, 75, 85, 85A, 85A Lateral Z, 99A & 99B, 100, 102, 103, 104, 110, 112, 116A, 117, 119, 120, 127, 130 and Judicial Ditch 27, 27 Lateral A, 27 Lateral B, 27 Lateral C, 27 Lateral D, 27 Lateral E, 27 Lateral F, 27 Lateral G, 28A, 28A Lateral A and 28A Lateral B.
2. 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.
3. Since the original determination of benefits and damages, land values have changed within the benefitted area of County Ditches 4, 27C, 35A, 46, 51, 51 Lateral A, 57, 70, 71, 75, 85, 85A, 85A Lateral Z, 99A & 99B, 100, 102, 103, 104,

110, 112, 116A, 117, 119, 120, 127, 130 and Judicial Ditch 27, 27 Lateral A, 27 Lateral B, 27 Lateral C, 27 Lateral D, 27 Lateral E, 27 Lateral F, 27 Lateral G, 28A, 28A Lateral A and 28A Lateral B.

4. 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 Board, the Board, acting as the drainage authority for County Ditches 4, 27C, 35A, 46, 51, 51 Lateral A, 57, 70, 71, 75, 85, 85A, 85A Lateral Z, 99A & 99B, 100, 102, 103, 104, 110, 112, 116A, 117, 119, 120, 127, 130 and Judicial Ditch 27, 27 Lateral A, 27 Lateral B, 27 Lateral C, 27 Lateral D, 27 Lateral E, 27 Lateral F, 27 Lateral G, 28A, 28A Lateral A and 28A Lateral B , hereby orders as follows:

- A. The Board shall follow the procedures of Minn. Stat. § 103E.351 to conduct a redetermination of benefits for County Ditches 4, 27C, 35A, 46, 51, 51 Lateral A, 57, 70, 71, 75, 85, 85A, 85A Lateral Z, 99A & 99B, 100, 102, 103, 104, 110, 112, 116A, 117, 119, 120, 127, 130 and Judicial Ditch 27, 27 Lateral A, 27 Lateral B, 27 Lateral C, 27 Lateral D, 27 Lateral E, 27 Lateral F, 27 Lateral G, 28A, 28A Lateral A and 28A Lateral B.
- B. That Bryan Murphy, Larry Murphy, and Shantel Hecht, are hereby appointed as viewers to do a redetermination and report the benefits and damages for the above referenced Drainage Systems.
- C. The Board will ask H2Overivewers to anticipate the consolidation JD 27, JD 27 Lateral A, JD 27 Lateral B, JD 27 Lateral C, JD 27 Lateral D, JD 27 Lateral E, JD 27 Lateral F, and JD 27 Lateral G into one JD 27 system. They also will ask H2Overivewers to anticipate the consolidation of JD 28A, JD 28A Lateral A, and JD 28A lateral B into one JD 28A system. After the hearings on the Redeterminations are held the board will then hold separate consolidation hearings. If consolidation does not happen the viewers will reflect that in there reports.

After discussion, the Board Chair called the question. The question was on the adoption of the foregoing findings and order, and there were 5 yeas, 0 nays, 0 absent, and 0 abstentions as follows:

	Yea	Nay	Absent	Abstain
Erickson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Schmidt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Snow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fox	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kramer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Upon vote, the Chair declared the motion passed and the Findings and Order adopted.



Doug Erickson, Chairperson

Dated: 10-22-19

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I, Marc Iverson, Renville County Auditor, do hereby certify that I have compared the above motion; findings and order with the original thereof as the same appears of record and on file with the Renville County Board of Commissioners and find the same to be a true and correct transcript thereof. The above order was filed with me, Renville County Auditor, on 10-22-2019

IN TESTIMONY WHEREOF, I hereunto set my hand this 22nd day of October, 2019.



Marc Iverson