

**Le Sueur - Rice Joint Drainage Authority  
Le Sueur County Justice Center  
435 East Derrynane Street  
Le Center, MN 56057**

**Joint County Ditch 54**

**January 15, 2020 at 2:30 p.m.**

1. 2:30 P.M. Call The Meeting To Order
2. Agenda Review And Approval
3. Findings And Order
  1. Joint County Ditch 54 Findings and Order

Documents:

[JD 54 FINDINGS AND ORDER - DEFECTIVE NOTICE.PDF](#)

4. Continue The Hearing To April 9, 2020

**STATE OF MINNESOTA  
JOINT DRAINAGE AUTHORITY FOR LE SUEUR AND RICE COUNTIES  
SEATED AS DRAINAGE AUTHORITY FOR LE SUEUR COUNTY DITCH 54**

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The matter of the Redetermination of Benefits  
for Le Sueur County Ditch 54

**Findings and Order Continuing  
Public Hearing Due to Defective  
Notice**

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At a public hearing conducted by the Joint Drainage Authority of Le Sueur and Rice Counties, Drainage Authority for Le Sueur County Ditch 54 (CD 54), on January 15, 2020, Commissioner \_\_\_\_\_ moved, seconded by Commissioner \_\_\_\_\_ for adoption of the following Findings and Order:

**Findings:**

1. The final hearing regarding redetermination of benefits for CD 54 was set for January 15, 2020.
2. The Joint Drainage Authority prepared Property Owners' Reports and mailed them to the owners of property identified in the Viewers' Report on November 27, 2019.
3. Notice of the final hearing was posted on Le Sueur County's website on November 27, 2019; posted at the Le Sueur County Courthouse on December 23, 2019; and posted at the Le Sueur County Justice Center on December 23, 2019.
4. Notice of the final hearing was posted on the notice board in the Rice County Government Service Building on December 11, 2019.
5. Notice of the final hearing was mailed on November 27, 2019, to owners of properties identified in the Viewers' Report, governmental units affected by the project and the commissioner of the Minnesota Department of Natural Resources.
6. Joint Drainage Authority staff contacted the *Le Sueur County News* and requested that the final hearing notice be published the weeks of December 23 and 30, 2019, and January 6, 2020.
7. Joint Drainage Authority staff contacted the *Faribault Daily News* and requested that the final hearing notice be published the weeks of December 23 and 30, 2019, and January 6, 2020.
8. Publication in the *Faribault Daily News* was completed as requested.

9. On December 12, 2019, Joint Drainage Authority staff reviewed the “proof” of the final hearing notice received from staff at the *Le Sueur County News* and contacted staff at the *Le Sueur County News* to approve it for publishing.
10. On December 31, 2019, Joint Drainage Authority staff realized that the final hearing notice wasn’t published in the *Le Sueur County News* as requested.
11. On January 6, 2020, Joint Drainage Authority staff mailed a postcard to owners of properties identified in the Viewers’ Report, governmental units affected by the project and the commissioner of the Minnesota Department of Natural Resources informing them of the “notice” issue and the April 9, 2020, continued hearing.

**Order:**

- A. Due to the defective error in publishing, the Board is continuing this hearing until April 9, 2020, at 2:30 p.m. at the Le Sueur County Justice Center, EOC Training Room (lower level), 435 E Derrynane St., Le Center.
- B. Pursuant to Minnesota Statutes, section 103E.035, Joint Drainage Authority staff does not need to mail notice of the continued hearing since mailed notice of this hearing was not defective.
- C. Joint Drainage Authority staff shall prepare a final hearing notice regarding the April 9, 2020, final hearing and work with staff at the *Le Sueur County News* to have it published according to statute.
- D. Pursuant to Minnesota Statutes, section 103E.035, Joint Drainage Authority staff does not need to publish notice of the continued hearing in the *Faribault Daily News* since publication of this hearing was not defective.
- E. Joint Drainage Authority staff shall arrange for notice of the April 9, 2020, final hearing to be posted in its normal fashion and in the timeframe required by statute.

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

	Yea	Nay	Absent	Abstain
GLISZINSKI	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
O’KEEFE	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
WETZEL	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
GILLEN	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
DOCKEN	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Upon vote, the Board Chair declared the Resolution passed and the findings and order adopted.

Dated this \_\_\_\_ day of \_\_\_\_\_, 2020.

JOINT DRAINAGE AUTHORITY FOR LE SUEUR AND  
RICE COUNTIES, SEATED AS DRAINAGE AUTHORITY  
UNDER STATUTES CHAPTER 103E FOR LE SUEUR  
COUNTY DITCH 54.

By \_\_\_\_\_  
Chairperson

\* \* \* \* \*

I, Pam Simonette, Le Sueur County Auditor-Treasurer, 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 Le Sueur County Board of Commissioners and find the same to be a true and correct transcript thereof. The above Order was filed with me, Le Sueur County Auditor-Treasurer on \_\_\_\_\_, 2020.

IN TESTIMONY WHEREOF, I hereunto set my hand this  
\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Pam Simonette