

**Le Sueur – Rice County
Joint Drainage Authority**

Meeting Agenda

County Board Room

Le Sueur County Courthouse

April 9, 2020 at 2:30 P.M.

1. WEBEX MEETING INFORMATION

Documents:

[JOINT BOARD WEBEX INFO.PDF](#)

2. Reconvene The Continued Hearing On The Redetermination Of Benefits For JCD 54

1. Reconvene the continued hearing on the Redetermination of Benefits of JCD 54.
2. Announcement
3. Request motion to adopt findings and order.
4. The Public Hearing is continued.

Documents:

[JCD 54.PDF](#)
[FINDINGS AND ORDER \(CD 54\) - CONTINUED HEARING DUE TO COVID-19.PDF](#)

Le Sueur County Board Room invites you to join this Webex meeting.

Meeting number (access code): 967 321 250

Meeting password: JointBoard0409

Thursday, April 9, 2020

2:15 pm | (UTC-05:00) Central Time (US & Canada) | 45 mins

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Joint County Ditch 54

1.Reconvene the continued hearing on the Redetermination of Benefits of Ditch 54.

2.Announce: **Due to the COVID-19 pandemic restrictions on more than ten people gathered for events and State of Minnesota Executive Order 20-20 issued by Governor Tim Walz, and based on a determination by the Board Chairman that pursuant to statutes section 13D.021 subd. 1 (1) and (4), due to the emergency declaration and pandemic, it is neither practical, prudent nor feasible to conduct in-person public hearings, the Drainage Authority desires to continue this hearing to June 25, 2020. A draft order has been prepared to give effect to the continuance.**

3.Request motion to adopt findings and order as presented:

Commissioner _____, Mr. Chairman, I move that the findings and order be adopted as presented, and the hearing be further continued to June 25, 2020, at 2:30 p.m. at the Le Sueur County Justice Center, EOC Training Room (lower level), 435 E Derrynane St., Le Center, at which hearing we will take public comment on the viewers' reports in the Redetermination of Benefits matter. Commissioner _____, I seconded the motion.

4.Chairman: I have a motion as read by Commissioner _____ and second by Commissioner _____, is there any discussion? [If none or after discussion:] Roll call vote.

	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"/>

The motion passes.

5.[If the motion passes, recess the public hearing.] The public hearing is continued.

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

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

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

At a public hearing of the Joint Drainage Authority of Le Sueur and Rice Counties, Drainage Authority for Le Sueur County Ditch 54 (CD 54), conducted by alternative means pursuant to statutes section 13D.021, on April 9, 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 originally set for January 15, 2020.
2. Due to defective notice, the Joint Drainage Authority continued the hearing to April 9, 2020.
3. Due to the COVID-19 pandemic restrictions on more than ten people gathered for events and State of Minnesota Executive Order 20-20 issued by Governor Tim Walz, and based on a determination by the Board Chairman that pursuant to statutes section 13D.021 subd. 1 (1) and (4), due to the emergency declaration and pandemic, it is neither practical, prudent nor feasible to conduct in-person public hearings, the Joint Drainage Authority desires to continue the April 9 hearing to June 25, 2020.
4. Notice of the proposed continuance was provided by mail to affected property owners on March 27, 2020.
5. Noticing requirements for this April 9, 2020, continued hearing have been met and by issuing this Order, the hearing requirements for the June 25, 2020, continued hearing have been met.
6. If the Joint Drainage Authority chooses, it may issue additional notices related to the June 25, 2020, continued hearing or, if the emergency conditions continue, may choose to conduct the public hearing with enhanced comment opportunities, with notice, by alternative means.

Order:

- A. Due to the COVID-19 pandemic restrictions on more than ten people gathered for events and State of Minnesota Executive Order 20-20 issued by Governor Tim Walz, the Joint Drainage Authority Board is continuing this hearing until June 25, 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. Joint Drainage Authority staff shall arrange for notice of the June 25, 2020, final hearing to be posted in its normal fashion and in the timeframe required by statute.
- C. By subsequent order, the Board may further continue the hearing or order that it be held by alternative means.

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