

**STATE OF MINNESOTA
LE SUEUR COUNTY BOARD OF COMMISSIONERS
DRAINAGE AUTHORITY FOR LE SUEUR COUNTY DITCH 23**

In the Matter of the Proceedings for the
Repair of Le Sueur County Ditch 23

**ORDER INITIATING REPAIR
PROCEEDINGS UNDER STATUTES
SECTION 103E.705**

At a regular meeting of the Le Sueur County, Minnesota, Board of Commissioners, Drainage Authority for Le Sueur County Ditch (CD) 23, on February 7, 2023, Commissioner _____ moved, seconded by Commissioner _____ to adopt the following Findings and Order:

FINDINGS

1. In about 2019 it was brought to the Drainage Authority's attention that most of CD 23 was in disrepair.
2. The Drainage Authority engaged the engineering firm of ISG to investigate and provide a condition report for CD 23 and to suggest alternatives for repairing the drainage system.
3. Investigation through survey, drone, and site visits confirmed that CD 23 was in disrepair.
4. From 2019 to March 2022 several meetings with landowners were held to allow landowners to provide feedback which primarily consisted of prioritizing repair locations to reduce the scope of work and associated costs.
5. Following the March 2022 landowner meeting, a mailed notice was sent to landowners adjacent to CD 23 public open ditch to request and inform where priority repairs are needed. Six landowners responded and requested repairs. All the requested repairs were included in priority repairs in addition to two additional repair locations added by the engineer. The additional areas included the replacement of the Mareks Lake outlet structure and Spur 8 side slope repairs. Priority repairs are outlined in the Repair Report prepared by ISG.
6. The Repair Report prepared by ISG in January 2023 has been provided to the Drainage Authority.
7. Based on the Repair Report, the Drainage Authority finds that CD 23 is in need of repair.
8. Based on the information provided by landowners and the Repair Report by ISG, the Drainage Authority finds that repair is necessary. However, the Drainage Authority also finds

that more investigation and consideration of repair alternatives is required before a specific repair or scope of repair is ordered.

Therefore, based on the foregoing findings, the Drainage Authority makes the following:

ORDER

- A. The Drainage Authority shall proceed to initiate repair proceedings to consider the repair of CD 23 pursuant to statutes section 103E.715.
- B. The Drainage Authority directs the engineering firm of ISG to prepare a final report.
- C. The engineer is required to subscribe an oath and provide its bond prior to taking further action toward the preparation of its final report.
- D. The engineer is directed to coordinate with Drainage Authority staff in developing its final repair report.

After discussion, the Board Chair called the question. The question was on the adoption of the foregoing Findings and Order, and there were ___ yeas and ___ nays as follows:

	Yea	Nay	Absent	Abstain
GLISZINSKI	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
KING	<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"/>
ROHLFING	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PREISLER	<input 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.

John King, Chairperson

Dated: _____, 2023

* * * * *

I, Danielle Ongie, 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 _____, 2023.

IN TESTIMONY WHEREOF, I hereunto set my hand this ____ day of _____, 2023.

Danielle Ongie