

Kramer, Ruby

From: John Kolb <JKolb@rinkenoonan.com>
Sent: Thursday, June 20, 2019 3:17 PM
To: Kramer, Ruby
Cc: Pettis, Darrell
Subject: RE: 15741-0011: CD34 Question

Ruby,

Obviously it would have been better to catch this prior to installation of the culvert by the County. I do not think it is prudent to attempt to recover the \$7,100 cost of replacing the culvert from the underlying landowner. You can always ask. Perhaps between the landowner and the snowmobile club (or requesting landowner), they will voluntarily reimburse the county. If you make a demand and have to fight about it, you will likely spend more than the \$7,100 cost of replacement to get someone to pay. I think the drainage system eats this one, learns from it, and documents the status of such crossing in the drainage system file so it is not a recurring mistake.

JCK

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For prompt assistance, please contact my paralegal,
Julie Fincher at (320) 656-3527 or jfincher@rinkenoonan.com

From: Kramer, Ruby [<mailto:rkramer@co.le-sueur.mn.us>]
Sent: Thursday, June 20, 2019 3:08 PM
To: John Kolb <JKolb@rinkenoonan.com>
Subject: 15741-0011: CD34 Question

Hi John,

A culvert on CD34 was recently replaced by the county, and we found out later that it should've been replaced by the landowner. Please see the attached documents and advise on what our options are for correcting this.

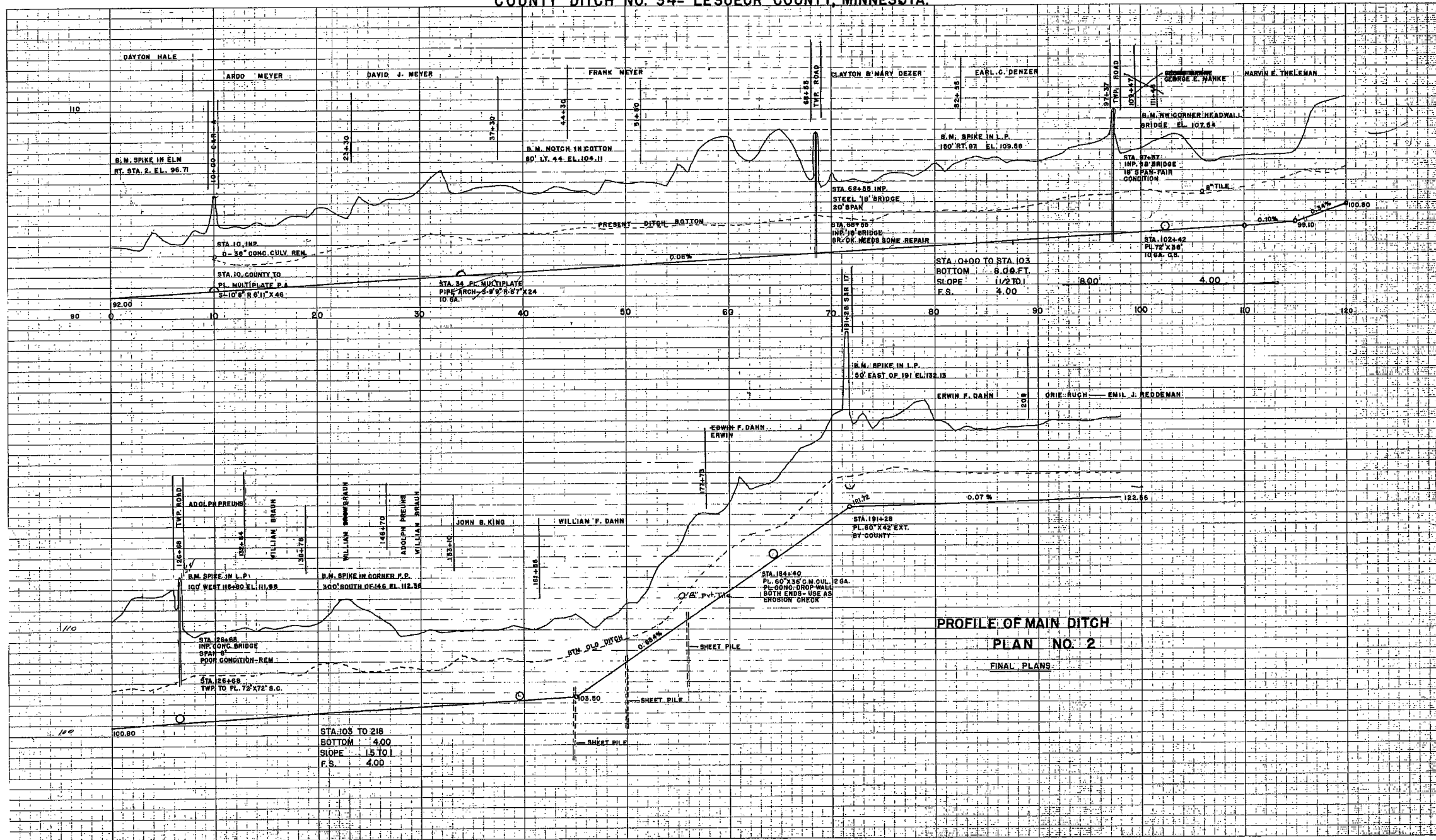
Thank you,

County Ditch 34 culvert replacement question.

- Established in 1908.
- Improved in 1941.
 - The 1941 improvement plan showed a private road 580 feet north of the county road. The plan note is as follows: Sta 29+00 old ditch Imp 24" x 22' CM Rem. Owner to Pl 10' span Br. Conc. Drop and Apron to be place on lower side. This dam is referred for allowance to property owner.
- Improved in 1956.
 - Two options proposed. The Board selected the option that eliminated all farm culverts from the plans.
 - We had the plan sheets in our files for the option that was not selected.
 - We just found the correct plan sheets.
 - Sometime in the past, a culvert was placed in the county ditch at the location of the private road. We have no record of it.
 - The culvert failed and needed to be replaced.
 - A DNR snowmobile trail now uses this crossing.
 - A local landowner who is not in the ditch system contacted the county to have the culvert replaced.
 - The plan sheets with the culvert shown were in our files.
 - We replaced the culvert, about \$7,100.
 - A benefited property owner has now questioned the cost. Why was it replaced?
 - We messed up, now what should we do?

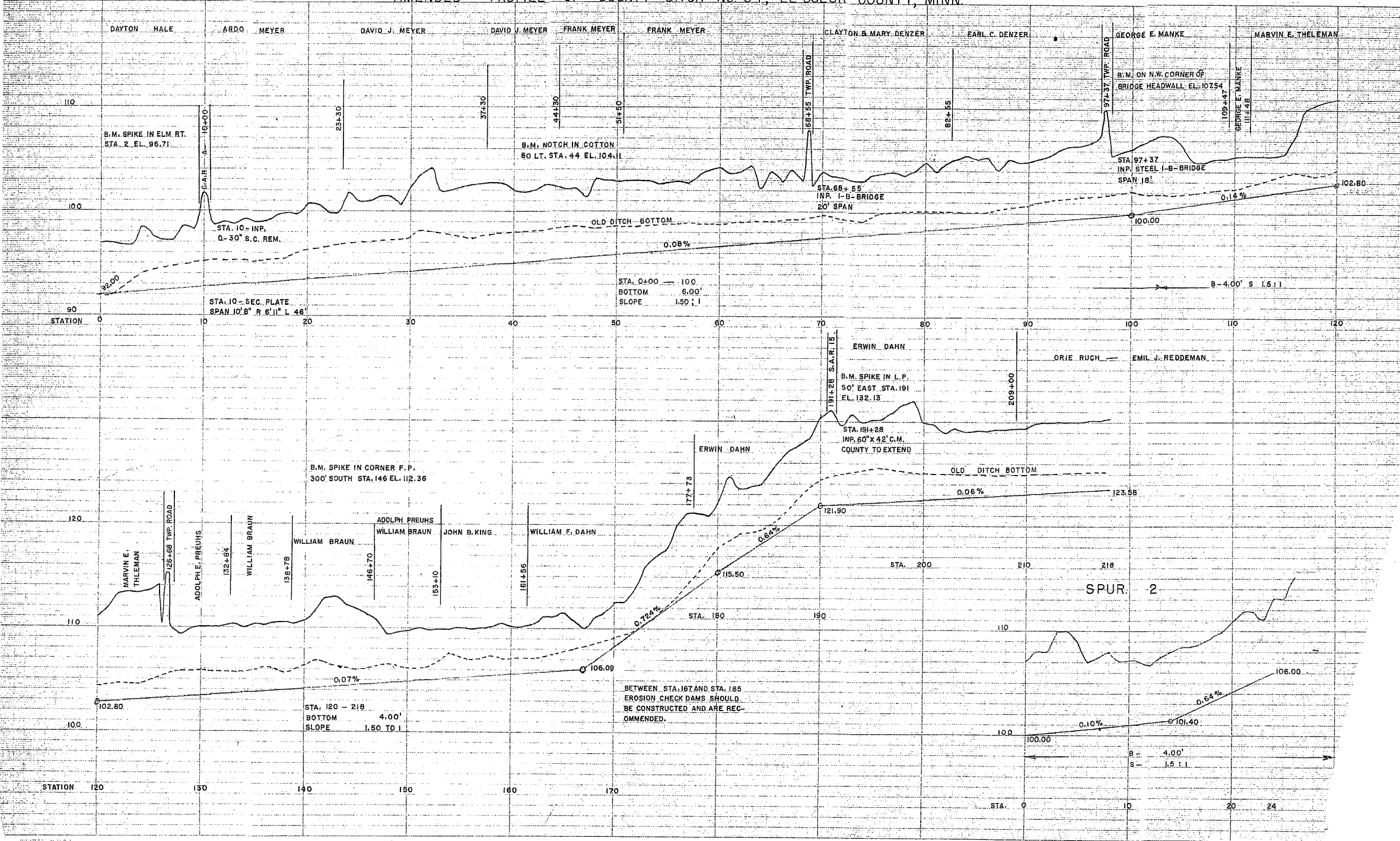
Darrell

COUNTY DITCH NO. 34- LESUEUR COUNTY, MINNESOTA.



PROFILE OF MAIN DITCH
PLAN NO. 2
FINAL PLANS

AMENDED PROFILE OF COUNTY DITCH NO 34, LE SUEUR COUNTY, MINN.



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