

**BEFORE THE JACKSON/NOBLES
BOARD OF COMMISSIONERS
ACTING AS DRAINAGE AUTHORITIES FOR
JACKSON/NOBLES JOINT JUDICIAL DITCH 13 PHASE 2
MARCH 11, 2022 AT 10 A.M.
Meeting Minutes**

Nobles County Government Center, (Farmers Room) 315 10th St, Worthington, MN

- Jackson County Commissioners Present: James Eigenberg, Phil Nasby, and Scott McClure
- Nobles County Commissioners Present: Robert Paplow and Gene Metz
- Staff Present: Kelly Rasche- Jackson County Drainage Coordinator, Dave Macek-Jackson County Drainage Supervisor, Zack Reker-Nobles County Drainage Systems Coordinator, Jacob Rischmiller and Jacob Mueller-ISG Engineers, Online -Kurt Deter-Attorney
- Landowner Present: Sign in sheets

AGENDA

1. **Call meeting of Jackson/Nobles Judicial Ditch 13 Joint Board meeting to order** – Commissioner Nasby called the hearing to order at 10:00 a.m.
2. **Approve the agenda** – Motion to approve the agenda made by Commissioner McClure with a second by Commissioner Metz, all yes, motion carried.
3. **Purpose of the hearing** – Attorney Deter stated the purpose of the hearing is to provide opportunity for the public to share their questions and opinions on the Preliminary Hearing Report submitted by the Engineer’s for the laterals A, A1, B, B1 and S13 of Jackson/Nobles Joint Judicial Ditch 13.
4. **Notice Requirements** – Notices were shared as statute requires-Zack Reker, Nobles County.
5. **Engineer’s Preliminary Report (PER) Presentation** – Jacob Rischmiller and Jacob Mueller of ISG presented the information of the PER. 517 acres (3.2% of JD 13 entire system) of the more than 16,000 acres of the JD 13 watershed. This portion of the system is 112 years old. The PER covers sections 27 and 28 of Loraine Township, Nobles County. Branch A, A1, B, B1 and S13 are the branches included in this JD 13 Phase 2. This portion was removed during the amendment of the JD 13 main project. The storage of the main project took into consideration this improvement. An establishment of lateral S16 is amendment 1 of this PER as it was not included with the petition. The amendment removes S16 from the PER. If approved, the same construction requirements will be applied as used in the main project. The project will abandon the existing tile lines, with its completion. The “old” lines will become the responsibility of the landowners. Estimated landowner cost is \$654,284. Multipurpose drainage management is reviewed for the project including alternate side inlets, cover crop, grass waterways, etc. Engineer’s state the project is feasible, cost effective and practical and is recommended by the engineer.
 - a. DNR Advisory Report – Kelly Rasche read the DNR comment letter into public record. The engineers will consider the comments made by the DNR during the Final Engineer’s Report, if the project moves forward. Rischmiller shared some of the response information with those present. They will be provided in written form, if the project moves forward. Commissioner Nasby noted that there is funding available for the landowners to apply for to restore wetlands. Concerned the costs are affected by the current oil prices. There is a concern costs will increase

as oil costs are high. What percent of effect is oil prices on pipe. Rischmiller will research and include in the Final Engineer's Report (FER).

b. BWSR Report – No comments received.

6. Public Input and Question Regarding the PER

a. Myron Meyer tile improvements in phase one why were they removed? He didn't approve the tile across his land. He installed a 6" tile parallel to the public tile. Rischmiller stated the petitioners requested improvements be removed that are not petitioned. Deter stated a petition was received and viewer's will be appointed to review who is benefited by the project. Landowner asked the viewers to contact him when they are completing their viewing duties.

b. Steve Jeppeson concerned the cost is being applied to all the landowners for the benefit of a few. Concerned about the separable maintenance.

c. Tom Kresko of the DNR – would like to meet with engineer before the FER is completed. Jacob Rischmiller will coordinate this the Tom before the FER hearing.

d. Public input closed at 10:43 a.m.

7. Possible Action by the Joint Board

a. Consider the acceptance the Preliminary Engineers Report of Judicial Ditch 13 Branches A, A1, B, B1 & S13.

i. The project is recommended by the engineer's and is feasible

ii. These is a necessity for the proposed drainage project

iii. The project will be of public benefit and promotes the public health, after considering the environment and land use criteria in Section 103E.015, sub 1.

iv. Outlet is adequate – Contingent upon completion of JD 13 Phase 1.

Motion by Commissioner Eigenberg with a second by Commissioner Paplow that the above four items have been met, all yes, motion carried.

b. **Appoint viewers for the Determination of Benefits** – Motion to appoint the Ron Ringquist team to complete the determination of benefits by Commissioner Metz with a second by Commissioner McClure, all yes, motion carried.

c. **Order engineers to do a Final Engineer's Report** – Motion directing the engineer to complete the Final Engineer's Report and meet with the DNR made by Commissioner Paplow with a second by Commissioner Metz, all yes, motion carried.

8. Close hearing and meeting – Hearing closed at 10:48 a.m. with a motion to adjourn by Commissioner McClure and a second by Commissioner Paplow, all yes, motion carried.