



Le Sueur County, MN

Friday, March 29, 2019

Board Meeting

Item 2

11:00 a.m. Le Sueur County Ditch 40 Public Hearing

Staff Contact:

STATE OF MINNESOTA
LE SUEUR COUNTY BOARD OF COMMISSIONERS
SEATED AS DRAINAGE AUTHORITY UNDER STATUTES CHAPTER 103E
FOR LE SUEUR COUNTY DITCH 40

The matter of the Petition of the Minnesota Commissioner of Transportation to modify a portion of County Ditch 40 pursuant to Minnesota Statutes Section 161.28

Hearing Agenda

1. Opening of Hearing and Introductions – *Board Chairperson*
2. Purpose of the Hearing, Procedural Summary and Standard of Decision – *John Kolb*
3. Petitioner’s Presentation of Requested Action – MnDOT Representative
4. Drainage Authority Engineer’s Report – Chuck Brandel
5. Review of Issues Presented and Recommendations – *John Kolb*
6. Public Comment and Questions – *Board Chairperson*
7. Board Deliberations and Directions to Staff – *Board Chairperson*

Minnesota Statutes (Minn. Stat.) section 161.28 allows the Commissioner of Transportation to petition the drainage authority to make a minor alteration or change in a public drainage system directly affecting a trunk highway. At hearing, after considering all of the evidence presented, including public comment, the drainage authority board must determine whether the requested change will affect or impair the functioning or efficiency of the public drainage system. If upon the hearing the drainage authority determines that the alteration or change in the public drainage system will not affect or impair the efficiency of the drainage system, the drainage authority shall allow the alteration or change as petitioned. If granted, the commissioner may proceed as allowed in the order only after first paying damages or securing the rights necessary to implement the alteration.

Landowners affected by the alteration may bring a claim for damages within six years of the alteration.

[15741-0061/3340065/1]