

**ST. LOUIS COUNTY DRAINAGE AUTHORITY  
PROCEEDINGS**

Tuesday, June 22, 2021

The St. Louis County Drainage Authority meeting was called to order at 9:45 a.m., by Chair Mike Jugovich in the Toivola Town Hall, Meadowlands, Minnesota, with the following members present: Commissioners Frank Jewell, Patrick Boyle, Paul McDonald, Keith Musolf and Chair Mike Jugovich - 5. Absent: Commissioners Ashley Grimm and Keith Nelson - 2.

Commissioner Boyle, supported by Commissioner Musolf, moved to approve the minutes of the August 4, 2020, St. Louis County Drainage Authority meeting. The motion passed; five yeas, zero nays, two absent (Grimm, Nelson).

Commissioner McDonald, supported by Commissioner Boyle, moved that the St. Louis County Board of Commissioners, acting as Drainage Authority for St. Louis County Ditch #4, orders the St. Louis County Public Works Department to perform a reestablishment of records for St. Louis County Ditch #4 and pursue the hiring of consultants and engineers with the appropriate qualifications to perform the work in a timely manner; that the St. Louis County Public Works Department shall pursue partial abandonment of appropriate sections of County Ditch #4 and shall pursue the hiring of consultants and engineers with the appropriate qualifications to study and recommend such sections; and further, that all costs associated with reestablishment of records and evaluation of the system for potential partial abandonment of sections be assessed against those lands benefitted by County Ditch #4 in the manner prescribed in Minnesota Statutes Chapter 103E. Based on input and evidence provided at the hearing, the Drainage Authority makes the following Findings of Fact and Order as to the repair petition: Findings of Fact - 1. The Drainage Authority finds the 1916-1917 benefits and damages of record for County Ditch #4 do not reflect reasonable present-day land values; and further, the St. Louis County Board of Commissioners, acting as Drainage Authority for County Ditch #4, orders that the St. Louis Public Works Department shall perform a redetermination of benefits for County Ditch #4 and shall pursue the hiring of Ditch Viewers and an Engineer with the appropriate qualifications to perform the work in a timely manner. St. Louis County Assistant Attorney Chris Pinkert said that consultants have determined that existing records are not adequate for accurately determining benefits or for reconstruction purposes of County Ditch #4. In order to move forward with redetermination of benefits or for repair of County Ditch #4, records must be reestablished. St. Louis County Public Works Director Jim Foldesi commented that the Public Works Department conducted an extensive search; however, they have been unsuccessful in locating records relating to County Ditch #4. After further discussion, the motion passed; five yeas, zero nays, two absent (Grimm, Nelson). Resolution No. 21-01

**COUNTY DRAINAGE AUTHORITY RESOLUTION NO. 21-01**

**BY COMMISSIONER McDONALD:**

WHEREAS, Pursuant to Minn. Stat. Chapter 103E, the St. Louis County Board is required to convene as the County Drainage Authority to discuss and approve pending matters related to county ditches; and

WHEREAS, The County Drainage Authority received a petition for the repair of County Ditch #4; and

WHEREAS, Minn. Stat. Chapter 103E allows for reestablishment of records where, after thorough investigation, the records defining the alignment; cross-section; profile; hydraulic structure locations, materials, dimensions, and elevations; or right-of-way of the drainage system as originally constructed or subsequently improved are found to be lost, destroyed, or otherwise incomplete; and

WHEREAS, The St. Louis County Public Works Department completed a thorough investigation into the records related to County Ditch #4 and found the records to be incomplete; and

WHEREAS, The Drainage Authority requires accurate and complete records in order to proceed with any repair of County Ditch #4; and

WHEREAS, St. Louis County Ditch #4 may contain sections of ditch that are no longer of public benefit and utility and do not serve a substantial useful purpose to property remaining in the system; and

WHEREAS, Minn. Stat. Chapter 103E provides all costs associated with establishment, maintenance, and repair of a ditch system are borne by the owners of land benefitted by the ditch system.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board of Commissioners, acting as the County Drainage Authority, hereby makes the following Findings of Fact and Order as to County Ditch #4:

### **FINDINGS OF FACT**

1. The records for St. Louis County Ditch #4 are inadequate as they have been lost, destroyed, or are otherwise incomplete.

### **ORDER**

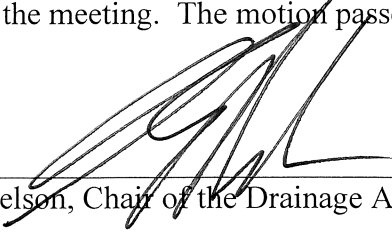
IT IS THEREFORE ORDERED by the St. Louis County Board of Commissioners, acting as Drainage Authority for St. Louis County Ditch #4, that the St. Louis County Public Works Department shall perform a reestablishment of records for St. Louis County Ditch #4 and pursue the hiring of consultants and engineers with the appropriate qualifications to perform the work in a timely manner.

IT IS FURTHER ORDERED that the St. Louis County Public Works Department shall pursue partial abandonment of appropriate sections of County Ditch #4 and shall pursue the hiring of consultants and engineers with the appropriate qualifications to study and recommend such sections.

IT IS FURTHER ORDERED that all costs associated with reestablishment of records and evaluation of the system for potential partial abandonment of sections be assessed against those lands benefitted by County Ditch #4 in the manner prescribed in Minnesota Statutes Chapter 103E.

Unanimously adopted June 22, 2021.

At 9:52 a.m., June 6, 2021, Commissioner Boyle, supported by Commissioner Musolf, moved to adjourn the meeting. The motion passed; five yeas, zero nays, two absent (Grimm, Nelson).



---

Keith Nelson, Chair of the Drainage Authority



---

Phil Chapman, Deputy Auditor/Clerk of the County Board