



**Carver County Joint County Ditch Meeting
November 12, 2024
Board Meeting**

The County Board Room is open to the public

Please contact Kwillaert@carvercountymn.gov if you would like to join the meeting virtually.

- 8:00 a.m. 1. **CONVENE JOINT DITCH #5**
 (Commissioners Fahey, Lynch, Udermann, Schmalz & Krueger)
- 1.1. Call to Order - Board Chair Fahey
 - 1.2. Approve minutes from October 8, 2024 meeting..... 4
 - 1.3. Open JD5 Redetermination of Benefits Public Hearing..... 5-6
 - 1.4. Introduction - Board Chair
 - 1.5. Purpose of the Hearing and Procedural Requirements – John Kolb,
 Rinke Noonan
 - 1.6. Record of Notice Requirements – Drainage Authority Staff
 - 1.7. Viewers' Report – Scott Henderson, H2Over Viewers
 - 1.8. Public Comments and Questions -- Please state your name, address,
 and description of your property for the record.
 - 1.9. Board Deliberation, Action
 - 1.10. Adjournment
- 9:00 a.m. 2. **CONVENE JOINT DITCH #4**
 (Commissioners Fahey, Lynch, Workman, Schmalz & Kaczmarek)
- 2.1. Call to Order - Board Chair Fahey
 - 2.2. Approve minutes from October 8, 2024 meeting 7
 - 2.3. Open JD4 Redetermination of Benefits Public Hearing..... 8-9
 - 2.4. Introduction - Board Chair

- 2.5. Purpose of the Hearing and Procedural Requirements – John Kolb, Rinke Noonan
- 2.6. Record of Notice Requirements – Drainage Authority Staff
- 2.7. Viewers' Report – Scott Henderson, H2Over Viewers
- 2.8. Public Comments and Questions -- Please state your name, address, and description of your property for the record.
- 2.9. Board Deliberation, Action
- 2.10. Adjournment

10:00 a.m. **3. CONVENE COUNTY DITCH #7
(Commissioners Fahey, Udermann, Lynch, Degler & Schmalz)**

- 3.1. Call to Order – Ditch Administrator David Frischmon
- 3.2. Organization of Board – David Frischmon and Board Chair
 - a. Selection/Election of Board Chair – David Frischmon
 - b. Selection/Election of Vice Chair – Board Chair
- 3.3. Open CD7 Redetermination of Benefits Public Hearing 10-11
- 3.4. Introduction - Board Chair
- 3.5. Purpose of the Hearing and Procedural Requirements – John Kolb, Rinke Noonan
- 3.6. Record of Notice Requirements – Drainage Authority Staff
- 3.7. Viewers' Report – Scott Henderson, H2Over Viewers
- 3.8. Public Comments and Questions -- Please state your name, address, and description of your property for the record.
- 3.9. Board Deliberation, Action
- 3.10. Adjournment

11:00 a.m. **4. CONVENE COUNTY DITCH #5
(Commissioners Fahey, Udermann, Lynch, Degler & Krueger)**

- 4.1. Call to Order – Ditch Administrator David Frischmon
- 4.2. Organization of Board – David Frischmon and Board Chair
 - a. Selection/Election of Board Chair – David Frischmon
 - b. Selection/Election of Vice Chair – Board Chair
- 4.3. Open CD5 Redetermination of Benefits Public Hearing 12-13

- 4.4. Introduction - Board Chair
- 4.5. Purpose of the Hearing and Procedural Requirements – John Kolb, Rinke Noonan
- 4.6. Record of Notice Requirements – Drainage Authority Staff
- 4.7. Viewers’ Report – Scott Henderson, H2Over Viewers
- 4.8. Public Comments and Questions -- Please state your name, address, and description of your property for the record.
- 4.9. Board Deliberation, Action
- 4.10. Adjournment

- 1:00 p.m.
5.

CONVENE JOINT DITCH #1
(Commissioners Fahey, Degler, Udermann, Schmalz & Krueger)
- 5.1. Call to Order - Board Chair Degler
 - 5.2. Approve minutes from October 8,2024 meeting 14
 - 5.3. Open JD1 Redetermination of Benefits Public Hearing..... 15-16
 - 5.4. Introduction - Board Chair
 - 5.5. Purpose of the Hearing and Procedural Requirements – John Kolb, Rinke Noonan
 - 5.6. Record of Notice Requirements – Drainage Authority Staff
 - 5.7. Viewers’ Report – Scott Henderson, H2Over Viewers
 - 5.8. Public Comments and Questions -- Please state your name, address, and description of your property for the record.
 - 5.9. Board Deliberation, Action

- 3:00 p.m.
6.

ADJOURN JOINT DITCH

Joint Ditch #5 Minutes

A Special Meeting of Carver and McLeod Joint Ditch #5 was held in the County Government Center, Chaska, and remotely on October 8, 2024. Carver County Ditch Administrator David Frischmon convened the special meeting at 9:50 a.m.

Carver County Commissioners Fahey & Lynch were present in the Carver County Board Room. Carver County Commissioner Udermann participated remotely from 12755 County Road 43 Chaska, MN. McLeod County Commissioners Krueger participated remotely from the McLeod County Court House and Commissioners Schmalz participated remotely from 19906 Cable Ave. Lester Prairie, MN.

Schmalz nominated John P. Fahey to serve as Chair of Joint Ditch #5, Udermann seconded. On vote taken to elect John P. Fahey as Chair for Joint Ditch #5, Roll Call, all 5 ayes. Motion Carried Unanimously.

Lynch nominated Nathan Schmalz to serve as Vice Chair of Joint Ditch #5, Fahey seconded. On vote taken to elect Nathan Schmalz as Vice Chair for Joint Ditch #5, Roll Call, all 5 ayes. Motion Carried Unanimously.

Lynch moved, Krueger seconded, to approve the minutes of the May 10, 2022, Joint Ditch 5 meeting. Roll Call, all 5 ayes. Motion carried unanimously.

Commissioners spoke on upcoming public hearing. A tentative date was set for November 12 with a back-up date TBD in December.

Krueger Moved, Schmalz seconded to adopt the amended findings and order appointing viewers. The resolution appoints Scott Henderson, Ken DeGier and Robert Conely as viewers to assess benefits and damages. Roll Call, all 5 ayes. Motion carried unanimously.

Adjourn Joint Ditch 5 at 10:00 a.m. Lynch moved; Fahey seconded. Roll Call all aye, Motion carried unanimously.

David Frischmon
Ditch Administrator
Property and Finance Director
Carver County



Carver County Joint County Ditch Meeting
Request for Board Action

Agenda Item Name: Open JD5 Redetermination of Benefits Public Hearing

Department: Property & Financial Services

Contact:

Presenter: Scott Henderson H2Over Viewers
John Kolb Rinke Noonan

Contract Name & Number:

Meeting Date: November 12, 2024

Item Type: Ditch/Rail Authority

Strategic Initiative:

Communities: Create and maintain safe, healthy, and livable communities

Background/Justification:

Ditch Authorities are responsible for inspecting and maintaining the efficiency of the drainage system and to make sure the lands utilizing the drainage systems pay for the maintenance and repairs of the system in a fair and equitable way. Over time, land development can expand the number of property owners who benefit from the ditch system. A Redetermination of Benefits is a formal process where viewers use maps, photos and other data to identify current drainage patterns and boundaries to determine which property owners are benefiting from the ditch system so the Ditch Authority can make sure the maintenance and repairs of ditch systems are being paid by the appropriate property owners. Recent Mn Statutes require that payments to property owners for required buffer strips along ditches be completed as part of the Redetermination of Benefits process.

On February 22, 2022, the Joint Ditch Authority ordered a Redetermination of Benefits for JD5. The appointed viewers have submitted a viewers' report and a notice for a 11/12/24 public hearing at 8:00 am has been published, posted and mailed as required by law.

Carver: Chair Fahey, Lynch and Udermann
Mcleod: Schmalz and Krueger

Action Requested:

Motion to open public hearing

Fiscal Impact:

Funding:	Amount Budgeted:

Related Fiscal/FTE Comments:

Benefitting property owners are responsible for all ditch related costs including Redetermination of Benefits and buffer strip payments.

Attachments:

None

Joint Ditch #4 Minutes

A Special Meeting of Carver/Mcleod/Wright Joint Ditch 4 was held in the County Government Center, Chaska, and remotely on October 8, 2024. Carver County Ditch Administrator David Frischmon convened the special meeting at 9:00 a.m.

Carver County Commissioners Lynch and Fahey were present in the Carver County Board Room. McLeod County Commissioner Schmalz participated remotely from the McLeod County Court House, Wright County Commissioner Kaczmarek participated remotely from 19906 Cable Ave. Lester Prairie, MN 55354 and Carver County Commissioner Workman was absent.

Lynch nominated John P. Fahey to serve as Chair of Joint Ditch #4, Schmalz seconded. On vote taken to elect John P. Fahey as Chair for Joint Ditch #4, Roll Call, all 4 ayes. Motion Carried Unanimously.

Fahey nominated Nathan Schmalz to serve as Vice Chair of Joint Ditch #4, Lynch seconded. On vote taken to elect Nathan Schmalz as Vice Chair for Joint Ditch #4, Roll Call, all 4 ayes. Motion Carried Unanimously.

Lynch moved, Schmalz seconded, to approve the minutes of the May 10, 2022, Joint Ditch 4 meeting. Roll Call, all 4 ayes. Motion carried unanimously.

Commissioners spoke on upcoming public hearing. A tentative date was set for November 12 with a back-up date TBD in December.

Lynch Moved, Fahey seconded to adopt the amended findings and order appointing viewers. The resolution appoints Scott Henderson, Ken DeGier and Robert Conely as viewers to complete the project. Roll Call, all 4 ayes. Motion carried unanimously.

Adjourn Joint Ditch 4 at 9:29 a.m. Lynch moved; Fahey seconded. Roll Call all ayes, Motion carried unanimously.

David Frischmon
Ditch Administrator
Property and Finance Director
Carver County



Carver County Joint County Ditch Meeting
Request for Board Action

Agenda Item Name: Open JD4 Redetermination of Benefits Public Hearing

Department: Property & Financial Services

Contact:

Presenter: Scott Henderson H2O Overviewers
John Kolb Rinke Noonan

Contract Name & Number:

Meeting Date: November 12, 2024

Item Type: Ditch/Rail Authority

Strategic Initiative:

Communities: Create and maintain safe, healthy, and livable communities

Background/Justification:

Ditch Authorities are responsible for inspecting and maintaining the efficiency of the drainage system and to make sure the lands utilizing the drainage systems pay for the maintenance and repairs of the system in a fair and equitable way. Over time, land development can expand the number of property owners who benefit from the ditch system. A Redetermination of Benefits is a formal process where viewers use maps, photos and other data to identify current drainage patterns and boundaries to determine which property owners are benefiting from the ditch system so the Ditch Authority can make sure the maintenance and repairs of ditch systems are being paid by the appropriate property owners. Recent Mn Statutes require that payments to property owners for required buffer strips along ditches be completed as part of the Redetermination of Benefits process.

On February 22, 2022, the Joint Ditch Authority ordered a Redetermination of Benefits for JD4. The appointed viewers have submitted a viewers' report and a notice for a 11/12/24 public hearing at 9:00 am has been published, posted and mailed as required by law.

Carver: Chair Fahey, Lynch and Workman

Mcleod: Schmalz

Wright: Kaczmarek

Action Requested:

Motion to Open Public Hearing

Fiscal Impact:

Funding:	Amount Budgeted:

Related Fiscal/FTE Comments:

Benefitting property owners are responsible for all ditch related costs including Redetermination of Benefits and buffer strip payments.

Attachments:

None



Carver County Joint County Ditch Meeting
Request for Board Action

Agenda Item Name: Open CD7 Redetermination of Benefits Public Hearing

Department: Property & Financial Services

Contact:

Presenter: Scott Henderson H2Over Viewers
John Kolb Rinke Noonan

Contract Name & Number:

Meeting Date: November 12, 2024

Item Type: Ditch/Rail Authority

Strategic Initiative:

Communities: Create and maintain safe, healthy, and livable communities

Background/Justification:

Ditch Authorities are responsible for inspecting and maintaining the efficiency of the drainage system and to make sure the lands utilizing the drainage systems pay for the maintenance and repairs of the system in a fair and equitable way. Over time, land development can expand the number of property owners who benefit from the ditch system. A Redetermination of Benefits is a formal process where viewers use maps, photos and other data to identify current drainage patterns and boundaries to determine which property owners are benefiting from the ditch system so the Ditch Authority can make sure the maintenance and repairs of ditch systems are being paid by the appropriate property owners. Recent Mn Statutes require that payments to property owners for required buffer strips along ditches be completed as part of the Redetermination of Benefits process.

On February 15, 2022, the Carver County Ditch Authority ordered a Redetermination of Benefits for CD7. The appointed viewers from H2Over Viewers initially identified properties in Mcleod County that benefited from CD7 so Carver and Mcleod counties adopted resolutions to create a Joint Ditch.

A viewers' report has been submitted and a notice for an 11/12 public hearing at 10:00 am has been published, posted and mailed as required by law.

Carver: Fahey, Degler, Lynch and Udermann
Mcleod: Schmalz

Action Requested:

Open Public Hearing

Fiscal Impact:

Funding:	Amount Budgeted:

Related Fiscal/FTE Comments:

Benefitting property owners are responsible for all ditch related costs including Redetermination of Benefits and buffer strip payments.

Attachments:

None



Carver County Joint County Ditch Meeting
Request for Board Action

Agenda Item Name: Open CD5 Redetermination of Benefits Public Hearing

Department: Property & Financial Services

Contact:

Presenter: Scott Henderson H2Over Viewers
John Kolb Rinke Noonan

Contract Name & Number:

Meeting Date: November 12, 2024

Item Type: Ditch/Rail Authority

Strategic Initiative:

Communities: Create and maintain safe, healthy, and livable communities

Background/Justification:

Ditch Authorities are responsible for inspecting and maintaining the efficiency of the drainage system and to make sure the lands utilizing the drainage systems pay for the maintenance and repairs of the system in a fair and equitable way. Over time, land development can expand the number of property owners who benefit from the ditch system. A Redetermination of Benefits is a formal process where viewers use maps, photos and other data to identify current drainage patterns and boundaries to determine which property owners are benefiting from the ditch system so the Ditch Authority can make sure the maintenance and repairs of ditch systems are being paid by the appropriate property owners. Recent Mn Statutes require that payments to property owners for required buffer strips along ditches be completed as part of the Redetermination of Benefits process.

On February 15, 2022, the Carver County Ditch Authority ordered a Redetermination of Benefits for CD5. The appointed viewers from H2Over Viewers initially identified properties in Mcleod County that benefited from CD5 so Carver and Mcleod counties adopted resolutions to create a Joint Ditch.

A viewers' report has been submitted and a notice for an 11/12 public hearing at 11:00 am has been published, posted and mailed as required by law.

Carver: Fahey, Degler, Lynch and Udermann
Mcleod: Krueger

Action Requested:

Motion to Open Public Hearing

Fiscal Impact:

Funding:	Amount Budgeted:

Related Fiscal/FTE Comments:

Benefitting property owners are responsible for all ditch related costs including Redetermination of Benefits and buffer strip payments.

Attachments:

None

Joint Ditch #1 Minutes

A Special Meeting of Carver and McLeod Joint Ditch 1 was held in the County Government Center, Chaska, and remotely on October 8, 2024. Chair Degler convened the special meeting at 9:30 a.m.

Carver County Commissioners Degler & Fahey were present in the Carver County Board Room. Carver County Commissioner Udermann participated remotely from 12755 County Road 43 Chaska, MN. McLeod County Commissioners Krueger participated remotely from the McLeod County Court House and Commissioners Schmalz participated remotely from 19906 Cable Ave. Lester Prairie, MN.

Krueger moved, Fahey seconded, to approve the minutes of the July 16, 2024, Joint Ditch meeting. Roll Call, all 5 ayes. Motion carried unanimously.

Commissioners spoke on upcoming public hearing. A tentative date was set for November 12 with a back-up date TBD in December.

Fahey Moved, Udermann seconded to adopt the amended findings and order appointing viewers. The resolution appoints Scott Henderson, Ken DeGier and Robert Conely as viewers to assess benefits and damages. Roll Call, all 5 ayes. Motion carried unanimously.

Adjourn Joint Ditch 1 at 9:38 a.m. Udermann moved; Fahey seconded. Roll Call all ayes, Motion carried unanimously.

David Frischmon
Ditch Administrator
Property and Finance Director
Carver County



Carver County Joint County Ditch Meeting
Request for Board Action

Agenda Item Name: Open JD1 Redetermination of Benefits Public Hearing

Department: Property & Financial Services

Contact:

Presenter: Scott Henderson H2Over Viewers
John Kolb Rinke Noonan

Contract Name & Number:

Meeting Date: November 12, 2024

Item Type: Ditch/Rail Authority

Strategic Initiative:

Communities: Create and maintain safe, healthy, and livable communities

Background/Justification:

Ditch Authorities are responsible for inspecting and maintaining the efficiency of the drainage system and to make sure the lands utilizing the drainage systems pay for the maintenance and repairs of the system in a fair and equitable way. Over time, land development can expand the number of property owners who benefit from the ditch system. A Redetermination of Benefits is a formal process where viewers use maps, photos and other data to identify current drainage patterns and boundaries to determine which property owners are benefiting from the ditch system so the Ditch Authority can make sure the maintenance and repairs of ditch systems are being paid by the appropriate property owners. Recent Mn Statutes require that payments to property owners for required buffer strips along ditches be completed as part of the Redetermination of Benefits process.

On February 22, 2022, the Joint Ditch Authority ordered a Redetermination of Benefits for JD1. The appointed viewers have submitted a viewers' report and a notice for an 11/12 public hearing at 1:00 pm has been published, posted and mailed as required by law.

Carver: Chair Degler, Fahey and Udermann
Mcleod: Schmalz and Krueger

Action Requested:

Motion to Open Public Hearing

Fiscal Impact:

Funding:	Amount Budgeted:

Related Fiscal/FTE Comments:

Benefitting property owners are responsible for all ditch related costs including Redetermination of Benefits and buffer strip payments.

Attachments:

None