

Drainage Work Group Meeting Notes November 8, 2007

Attendance

Janette Brimmer, MCEA; Kurt Deter, Rinke-Noonan; Larry Gunderson, MPCA; Ron Ringquist, MVA; Gerald Amiot, MACO; Craig Austinson, Blue Earth Co.; Annalee Garletz, AMC; Greg Knopff, Senate Counsel, Research and Fiscal Analysis; Deb Mosloski, Martin Co.; Barbara Weisman, MDA; Allan Kuseske, MADI, NFCRWD; Alan Perish, MVA, MFU; Greg Roiger, MASWCD; Chris Radatz, MFB; Harlan Madsen, AMC, Al Kean, BWSR

Handouts Prior to or During Meeting:

1. Drainage Work Group Meeting Logistics and Agenda for 11-8-07
2. Drainage Work Group Meeting Notes for 10-11-07
3. Discussion Paper and current DWG recommendations, Section 103E.227, 11-1-07
4. Discussion Paper and current DWG recommendations, Section 103E.805, 11-1-07
5. Documents from Jerry Amiot regarding redetermination of benefits in Polk County:
 - Map showing Polk County public drainage systems;
 - Example estimate of costs for redetermination of benefits, CD 84;
 - History of redetermination of benefits, 1959 – present.
6. Documents from Deb Mosloski regarding redetermination of benefits experience in Martin County:
 - Powerpoint presentation slides;
 - Brochure about Martin County Drainage, reasons for conducting a redetermination of benefits.

Introductions and Agenda Overview

All in attendance introduced themselves. Al Kean provided an overview of the meeting agenda and objectives and welcomed Deb Mosloski, Martin County Drainage Manager, as a presenter.

Approval of 10-11-07 Meeting Notes

Al handed out extra copies of the subject meeting notes and asked if there were any comments or corrections. None were indicated.

Clarifications of Section 103E.227

The draft DWG recommendations in the discussion paper dated 11-1-07 were reviewed. It was recommended that “affected” in Subd. 3 (c) not be changed to “assessed”, in case there was a legislative intent associated with “affected”. It was also suggested to add “petitioner’s” before “engineer” in Subd. 5 for clarification of the associated responsibility. A question was asked whether rerouting might conflict with (be considered) an improvement. The objective for including rerouting in 103E.227 is not to increase the drainage system capacity. Al will consider if/how to address this concern in the next draft. There was some discussion about the potential for an engineer’s report under 103E.227 to address water quality and if the MN Wetland Strategy would address wetland restoration on drainage systems for water quality. Al indicated that an engineer’s report certainly can address water quality as a purpose or benefit of a wetland restoration petitioned under Section 103E.227. Outletting of tile drainage into a wetland

restoration is an effective means for denitrification of tile drainage waters. A monitored wetland restoration project in Nicollet County indicated an average 80% reduction in nitrates.

Clarifications of Section 103E.805

It was suggested that “assessed” be added before “property” in the title of 103E.805. In 103E.805, Subd. 3 (a) and proposed 103E.806, Subd. 3 (a), it was agreed that “and mailing of a notice” be added and that the second “shall” in Subd. 3 (b) be restored.

Polk County Experiences with Redetermination of Benefits

Jerry Amiot, Polk County Auditor-Treasurer and MACO Drainage Committee Chair, provided an overview of public drainage systems in Polk County and experiences with redetermination of benefits. The vast majority of drainage systems in Polk County are surface ditch systems. Portions of Polk County are located in three watershed districts, which have assumed drainage authority responsibilities for a number of public drainage systems in the county when new systems are established, or improvements are made to existing systems. Polk County has conducted 31 redeterminations of benefits since 1959. Although the associated benefits increased substantially, the acres assessed have sometimes increased and sometimes decreased. Landowners typically are reluctant to support redeterminations, because of the cost and the loss of tillable acreage for the required buffer strips along drainage ditches.

Martin County Experiences with Redetermination of Benefits

Deb Mosloski, Martin County Drainage Specialist, provided an overview of experiences with redetermination of benefits in Martin County, which has more than 200 public drainage systems, including both surface ditches and subsurface tile systems. Martin County is systematically redetermining benefits for all of its public drainage systems. Because benefits for many systems had not been determined for many, many years and there have been substantial private drainage system improvements over the years, the documented benefits typically increase dramatically and the assessed acres typically increase significantly from redeterminations. The increases in benefits provide more financial capacity for repair of these systems. Previous incremental redeterminations are also brought to a common basis in time. There generally has been landowner support for redetermination of benefits, because of the typical increases in assessed lands and documented benefits to enable repairs. Priorities for redeterminations consider the age of previous benefit determinations, as well as geographic groupings to enhance efficiency of the work of viewers.

Viewers’ Mass Appraisal Process for Special Types of Land Use

Presentation and discussion of this topic were moved to later on the agenda to ensure adequate time for other agenda items and then tabled to the next DWG meeting, because there was inadequate time remaining on 11-8-07.

Next Meeting

Because December is a very busy month for many DWG members, it was agreed that the DWG would not meet in December.