

STATE OF MINNESOTA
Before the
HERON LAKE WATERSHED DISTRICT
SITTING AS THE DRAINAGE AUTHORITY FOR
JACKSON COUNTY JUDICIAL DITCH 36

In the Matter of:

**the Improvement of Jackson County
Judicial Ditch 36**

**ORDER AND NOTICE OF
PUBLIC HEARING**

Manager Leinen moved, seconded by Manager Reith to adopt the following Findings and Order:

Findings

1. A petition was filed with the Heron Lake Watershed District for the improvement of Jackson County Judicial Ditch 36 on July 15, 2019, and pursuant to Minnesota Statutes Section 103D.625, subdivision 4, the District considered and accepted the petition and is proceeding as drainage authority for the improvement pursuant to Minnesota Statutes Chapter 103E. The petition was accepted by the District on August 20, 2019, and the District appointed a project engineer on the same date.
2. On March 30, 2020, the engineer filed the engineer's preliminary survey report with the secretary of the drainage authority as required by law, and the drainage authority distributed this report to the Board of Water and Soil Resources and the Department of Natural Resources.

Order

Based on these Findings and the entire record of proceedings before the Board of Managers, the Board, acting as the drainage authority for Jackson County Judicial Ditch 36, hereby orders as follows:

1. A Hearing on the engineer's preliminary survey report shall be held on July 9, 2020 at 10:00 a.m. in the Heron Lake Community Center, 312 10th Street, Heron Lake, Minnesota for the purpose of further considering the petition and bond, hearing the report of the commissioner of natural resources and the executive director of the Board of Water and Soil Resources

(BWSR) on the preliminary plan, and examining the engineer's preliminary survey report.

2. Pursuant to Minnesota Statutes 13D.021, due to the COVID-19 pandemic, the President of the Board of Managers, the chief legal officer, or the administrator as chief administrative officer may determine that it is not prudent for the full Board of Managers and the public to meet in person, and therefore make arrangements for the meeting to be convened by telephone or other electronic means as they determine appropriate. In such event, the notice of the hearing shall include information about conducting the meeting and public monitoring and participation by telephone or other electronic means pursuant to Section 13D.021.
3. At least ten days before the hearing, the Secretary with the assistance of the administrator shall mail the annexed notice of the time and location of the hearing to petitioners, owners of property, and political subdivisions likely to be affected by the proposed drainage improvement project described in the engineer's preliminary survey report, said notice may be adapted by the Secretary as directed by the President, chief legal officer, or chief administrative officer pursuant to the preceding paragraph.

Following discussion, the question was on adoption of the foregoing findings and order, and there were 4 yeas, and 0 nays, 0 abstentions, and 1 absent as follows:

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Bartosh	✓			✓
Kruger				
Leinen	✓			
Rasche	✓			
Reith	✓			

Upon vote, the President declared the motion passed and the Findings and Order adopted.


Wayne Rasche, President

Dated: June 17 2020

Attest:


Jan Voit, District Administrator