

STATE OF MINNESOTA
MURRAY LYON REDWOOD JOINT COUNTY DRAINAGE AUTHORITY
ACTING AS THE DRAINAGE AUTHORITY UNDER MINNESOTA STATUTES CHAPTER 103E
FOR MURRAY LYON REDWOOD JUDICIAL DITCH 20

In the Matter of Drainage System
Assessments for the Improvement of Murray
Lyon Redwood Judicial Ditch 20

**RESOLUTION OF THE BOARD
REGARDING DRAINAGE SYSTEM
ASSESSMENTS, INSTALLMENT
SCHEDULES AND INTEREST RATES
(ASSESSMENT ORDER)**

At a duly noticed and public meeting of the Murray Lyon Redwood Joint County Drainage Authority Board of Commissioners (“Drainage Authority”), acting as the public drainage authority for Murray Lyon Redwood Judicial Ditch 20 (“JD 20 MLR”)¹ on October 7, 2025, the Board was presented with information from staff of the Drainage Authority’s various member-counties regarding the total cost of the JD 20 MLR Improvement project to complete all work. Based on the information provided, Commissioner _____ moved adoption of the following:

RESOLUTION

WHEREAS, the Murray Lyon Redwood Joint County Drainage Authority Board of Commissioners is the public drainage authority under Minnesota Statutes, chapter 103E (“Drainage Authority”) for Murray Lyon Redwood Judicial Ditch 20 (“JD 20 MLR”); and

WHEREAS, pursuant to Minnesota Statutes, section 103E.215, the Drainage Authority received a petition to improve JD 20 MLR and after completing the statutory provisions of Minnesota Statutes, chapter 103E, approved a final order establishing the improvement of the JD 20 MLR public drainage system, including a directive that the separable portion of JD 20 MLR to be improved that is attributable to estimated repair costs be assessed to the owners of property benefited by JD 20 MLR as separable maintenance; and

WHEREAS, on April 22, 2020, a contract for construction of the JD 20 MLR improvement was awarded to Cooreman Contracting, Inc. of Tracy, Minnesota in the amount of \$1,960,577.50; and

WHEREAS, at the April 22, 2020, meeting, the Drainage Authority adopted a motion to set the term, rate, and prepayment deadline for the JD 20 MLR improvement at 15 years, at the bond rate plus an additional 1% up to a 4% maximum, with a prepayment deadline of July 31, 2020; and

¹ JD 20 MLR is also sometimes known as “Judicial Ditch 20A” or “JD 20A MLR” in order to avoid confusion with another drainage system in Murray County known as “JD 20.”

WHEREAS, at the time the Drainage Authority set the term, rate, and prepayment deadline for the JD 20 MLR improvement, final construction costs and the bond rate were not known to the Drainage Authority; and

WHEREAS, after construction of the JD 20 MLR improvement was complete, the Drainage Authority's appointed engineer Shaun Luker of Bolton & Menk, Inc. filed a Final Construction Report dated November 22, 2021, with the Drainage Authority, and the Drainage Authority noticed and held a contract acceptance hearing on the improvement project; and

WHEREAS, Minnesota Statutes, section 103E.725 (as to drainage system maintenance, including separable maintenance), and Statutes, sections 103E.601 - .655 (as to drainage project proceedings) provide that all fees and costs incurred relating to a drainage system, including inspections, engineering, viewing, and publications, are costs of the drainage system and must be assessed against the property and entities benefited thereby; and

WHEREAS, Minnesota Statutes, section 103E.215, subdivision 6(b) directs that once ordered by the Drainage Authority, the proportionate cost of the improvement that would be required to repair the separable portion of the drainage system to be improved must be allocated as repairs and assessed against all property benefited by the entire drainage system, as provided in Statutes, section 103E.731; and

WHEREAS, now that the JD 20 MLR improvement project is complete, final improvement costs are known to the Drainage Authority and the Drainage Authority, pursuant to the procedures under Minnesota Statutes, chapter 103E, has performed work and incurred costs on behalf of JD 20 MLR; and

WHEREAS, Minnesota Statutes, section 103E.655 requires the costs for drainage project proceedings and construction to be paid from the drainage system account by drawing on the account, and Statutes, section 103E.645 requires the payment of fees and expenses; and

WHEREAS, the drainage system accounts for JD 20 MLR do not contain sufficient funds to pay current costs; and

WHEREAS, Minnesota Statutes, section 103E.655 provides that if money is not available in the drainage system account to pay current costs, the board may, by unanimous resolution, transfer funds from any other drainage system account under its jurisdiction or from its general revenue fund to the drainage system account; and that if the board transfers money from another account or fund to a drainage system account, the money plus interest must be reimbursed from the proceeds of the drainage system that received the transfer; and that the interest must be computed for the time the money is actually needed at the same rate per year charged on drainage liens and assessments; and

WHEREAS, Minnesota Statutes, section 103E.755 allows the Board to establish a repair fund, surplus, in the drainage system accounts in order to have funds available for future actions and

costs on the drainage systems; and

WHEREAS, assessments to repay drainage system costs may be paid in annual installments not to exceed 20 years at a rate of interest not to exceed the rate determined by the state court administrator for judgments under Minnesota Statutes, section 549.09, or six percent, whichever is greater; and

NOW, THEREFORE, BE IT RESOLVED, that based on the foregoing and the entire record of proceedings before the Murray Lyon Redwood Joint County Drainage Authority Board of Commissioners, acting as the drainage authority for Murray Lyon Redwood Judicial Ditch 20 and the Improvement to Murray Lyon Redwood Judicial Ditch 20, the Drainage Authority adopts the following drainage system assessments, installment schedules, and interest rates, and directs certification thereof to the Murray County Auditor-Treasurer, to the Lyon County Auditor/Treasurer, and to the Redwood County Auditor/Treasure for collection from benefited properties within their respective jurisdictions:

**Judicial Ditch 20 MLR Improvement
(assessed against improvement benefits roll):**

Total to be assessed: \$ _____

Annual installments: _____ years

Interest rate on installments: _____ %

Single payment threshold \$ _____
(assessments equal to or less that this amount to be paid in a single installment)

**Judicial Ditch 20 MLR Separable Maintenance, Inspection and Repair
(assessed against most recent determination or redetermined benefits roll):**

Total to be assessed: \$ _____

Annual installments: _____ years

Interest rate on installments: _____ %

Single payment threshold \$ _____; and

FURTHER, BE IT RESOLVED, that staff of the Drainage Authority’s various member-counties shall notify affected property owners of their anticipated total assessment and offer the opportunity to pre-pay the assessment to avoid incurring interest on the assessment; and that the deadline for prepayment shall be on or before _____ (date); and

FURTHER, BE IT RESOLVED, that this resolution shall serve as the Drainage Authority’s assessment order as required by Minnesota Statutes chapter 103E, and shall revoke all other prior motions, resolutions, or orders contrary to the terms of this assessment order; and

FINALLY, BE IT RESOLVED, that the Drainage Authority authorizes inter-funds loans from available funds or accounts within the drainage system to the drainage system account JD 20 MLR in each member-county of the Drainage Authority to cover deficiencies in the accounts in any fiscal year to effectuate the requirements of this assessment order or the obligations of Minnesota Statutes, chapter 103E.

Seconded by Commissioner _____. After discussion, the Board Chair called the question. The question was on the adoption of the foregoing Resolution and there were _____ yeas, _____ nays, _____ absent, and _____ abstentions, as follows:

	Yea	Nay	Absent	Abstain
ANDERSON	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ANDRIES	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
CARLSON	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
WAKEFIELD	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
WOELBER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Upon vote, the Chair declared the motion passed and the Resolution adopted.

Murray Lyon Redwood Joint County Drainage Authority
Board of Commissioners for Judicial Ditch 20 MLR

By its Chair, Board of Commissioners

Dated: October 7, 2025

* * * * *

I, Heidi Winter, Auditor-Treasurer of Murray County, the majority county for Murray Lyon Redwood Judicial Ditch 20, do hereby certify that I have compared the above motion and Resolution with the original thereof as the same appears of record and on file with the Murray Lyon Redwood Joint County Drainage Authority Board of Commissioners and find the same to be a true and correct transcript thereof. The above Resolution was filed with me, Auditor-Treasurer of Murray County, the majority county for Murray Lyon Redwood Judicial Ditch 20, on October 7, 2025.

IN TESTIMONY WHEREOF, I hereunto set my hand this 7th day of October, 2025.

Heidi Winter, Auditor-Treasurer
Murray County, Minnesota