

**DRAINAGE POLICY  
FOR  
MEEKER COUNTY PUBLIC DRAINAGE SYSTEM  
OPERATION, MAINTENANCE, & REPAIRS**

The following policy is intended to supplement Minnesota Statutes Chapter 103E in the operation, maintenance, and repair of public drainage systems within Meeker County. This policy shall not apply to a "Joint Drainage System" (multi-County), unless specifically adopted by a Joint Drainage Authority. If there are any discrepancies between this policy and Minn. Stat. ch. 103E, the statutes shall govern.

**1. DEFINITIONS:**

The definitions found in Minn. Stat. § 103E.005 are used in this document.

**Approved Herbicides:** Herbicides approved by the County Drainage Inspector and complying with all local, state, and federal restrictions.

**County Drainage Inspector:** Person appointed by the Drainage Authority, pursuant to Minn. Stat. § 103E.065, to inspect and administer the drainage systems of the Drainage Authority (i.e. the Meeker County Drainage Inspector or their delegee).

**2. PUBLIC DRAINAGE SYSTEM INSPECTIONS:**

The County Drainage Inspector shall inspect the public drainage systems under Meeker County's jurisdiction on a regular basis, at least once every five years. If a violation of the permanent strip of perennial vegetation requirement in Minn. Stat. § 103E.021 is found, the drainage system will be inspected annually at the location where the violation occurred until one year after the violation is corrected. As used in this section, a violation occurs if there is less permanent growth of perennial vegetation at the time of inspection that the width lawfully acquired and established consistent with ch. 103E.

The County Drainage Inspector shall also respond to any requests for inspection and examine the public drainage system as requested.

Open ditches shall be inspected for obstructions that impede water, such as trees, beaver dams, and other foreign or natural debris. Inspection under this section does not require, nor rely upon, any hydrologic or hydraulic engineering.

Covered drainage systems shall be visually inspected at the outlet and each inlet point for clogs or obstructions. The surface path of the covered drainage system shall also be visually inspected for blow-out points. An inspection pass does not require, nor rely upon, televising the pipe unless deemed necessary by the Drainage Inspector.

### 3. VEGETATION CONTROL:

**Spraying Program:** The purpose of vegetation control is to prevent the growth of any type of tree, brush, non-herbaceous vegetation, or noxious weed within the drainage system or its right-of-way in order to reduce frequency and cost of future maintenance and repairs. The County Drainage Inspector may conduct an annual review of the Drainage Systems to devise a spraying program. After review, the County Drainage Inspector may select areas within the drainage systems for spraying and create a reasonable spraying program to control vegetation. The County Drainage Inspector shall have discretion to select areas for spraying. Upon request, the County Drainage Inspector will provide a copy of the spraying program areas selected for spraying annually.

**Approved Herbicides:** Any landowner desiring to spray any area within the drainage system right-of-way on their property must first obtain permission from the County Drainage Inspector and use only Approved Herbicides.

**Opt Out of Spraying Program:** Property owners wanting to opt out of chemical spraying must notify the County Drainage Inspector in writing each year on or before March 1<sup>st</sup>. and install and maintain posted signs defining the no-spray area. Signs must be in-place by May 1<sup>st</sup> and be clearly visible to spraying personnel. Upon receipt of said written notification, the County Drainage Inspector shall provide a "spray start date" to the property owner who provided written notice. The property owner providing notice shall have the option to remove all trees and brush in the ditch right-of-way at their own expense. Upon completion, the property owner shall notify the County Drainage Inspector who shall then inspect the removal. If the removal of vegetation is satisfactory, as determined by the County Drainage Inspector, the County Drainage Inspector may remove the applicable area from that year's designated area for chemical spraying. If the removal is not satisfactory, or if not completed by the "spray start date," chemical spray will be applied as determined necessary and proper by the County Drainage Inspector.

**Tree Planting:** Pursuant to Section 22.28 of the Meeker County Land Development Ordinances, no person shall plant trees within 75 feet from the centerline of any county or judicial ditch except as follows: 1.) A property owner may plant trees to within 16.5 feet of the top the ditch within 100 feet of the ditch's inlet or outlet from a lake as measured from the lake's ordinary high-water level. This exception applies only to open ditches and not to covered drainage systems; 2.) A property owner receives written authorization from the Meeker County Zoning Department and Drainage Authority through a variance procedure.

No trees are to be planted over or within 75 feet of a Drainage System tile.

**Tree Removal:** Trees that need to be removed from a Drainage System will be removed in a manner that will reduce erosion to the extent possible. Trees will be piled, burned, and buried when dry, unless an alternative method of disposal is deemed appropriate by the County Drainage Inspector. Property owners may remove trees themselves at their own expense, but only after receiving written permission from the County Drainage Inspector prior to a maintenance or repair contract being awarded or any work being completed. Property owners

shall be liable for damage caused to the drainage system by removal of trees and brush in the drainage system's right-of-way. If, upon inspection, the removal of the trees and brush is not performed to the Drainage Inspector's satisfaction, the Drainage Inspector may order the physical removal of trees or brush or that chemical application be utilized consistent with this policy.

**Crop Damage:** During the course of the spraying and whenever crops are encountered, the Drainage Authority or its designee will use reasonable and prudent care in the operation of vehicles to minimize crop damage. The Drainage Authority may provide reasonable reimbursement for crop damage within areas where permanent construction easements or right-of-way have not been acquired by the drainage system. Any crop damage which occurs within the 16.5-foot designated right-of-way from the top of the ditch bank, or within areas where permanent construction easements or right-of-way have been acquired by the drainage system shall not be eligible for reimbursement.

**4. DRAINAGE SYSTEM REPAIRS:**

Repairs anticipated to cost more than \$10,000, shall be brought to the full Drainage Authority for consideration and approval before any work is done. All repair work documentation shall become part of the drainage system permanent record.

Damage payments will be calculated and payment made to the current property owner of record at a rate approved by the Drainage Authority.

**Minor Repair Authorization:** Minor repairs costing less than \$10,000 may be done on a request basis or at the discretion of the County Drainage Inspector. Minor repairs include, but are not limited to, ditch cleaning (commonly referred to locally as "dip outs") and tile repairs. Minor repair requests must be directed to the County Drainage Inspector in writing. The County Drainage Inspector may authorize the repair and arrange for an appropriate contractor to be involved with the repair.

**Scope of Work:** All minor repairs will be reviewed by the County Drainage Inspector to determine the appropriate limits of work so that any work done will return the drainage system to proper operating condition. Work may extend downstream and upstream of an area where a repair is requested, if necessary.

**5. DROP INLET PIPE STRUCTURES:**

The Drainage Authority will actively promote erosion control measures within its county drainage systems. The most common cause of erosion in ditches is a lack of adequate structures to control side inlet water flow into the ditch; therefore, the Drainage Authority will install drop inlet pipe structures where it determines necessary, in its discretion. When installing a drop inlet pipe structure, the Drainage System may, at its discretion, pay the following expenses:

- a. Forty (40) feet of pipe; dual wall plastic pipe preferred, the first twenty (20) feet adjacent to the ditch being non-perforated;
- b. The blind tee;
- c. The marker flags;
- d. Trash guard on perforated riser;
- e. Rodent guard on outlet pipe;
- f. A perforated riser, which must extend one (1) foot about ground level. A six (6) inch diameter hole must be cut in 2 sides of the riser starting 3 inches above ground level, to handle heavy rains; and
- g. Necessary excavation to install the drop inlet pipe structure.

All expenses associated with extending the horizontal pipe beyond forty (40) feet shall be paid by the property owner and/or the person requesting the extension.

In addition to, or in place of a drop inlet structure, the Drainage Authority may recommend additional water treatment measures in coordination with adjacent property owners. Additional treatment measures may include impoundment or water storage systems that would serve to attenuate surface water discharge and improve water quality.

The County Drainage Inspector shall select sites for drop inlet pipe structures based on requests received and inspections by the County Drainage Inspector. Drop inlet pipe installation authorization will rest with the County Drainage Inspector. The design of a drop inlet pipe structure must be approved by the County Drainage Inspector. If the combination of a drop inlet pipe and minor repair is expected to exceed \$10,000.00, the project shall be brought to the full Drainage Authority for consideration and approval.

Attached to this Policy as **Exhibit A** is a diagram depicting a typical drop inlet pipe structure.

## **6. BEAVER CONTROL:**

**Trapping:** When beaver or beaver dams are reported or discovered, a trapper will be retained by the County Drainage Inspector to remove the problem beaver. To receive compensation, trappers must demonstrate the number of beavers trapped and the location where trapped. The retained trapper may provide dated photographic evidence to the County Drainage Inspector of sufficient detail to prove, to the County Drainage Inspector's satisfaction, that the beaver were trapped. It is the trapper's responsibility to contact the Minnesota Department of Natural Resources or other government agency for appropriate approval for trapping beaver's out-of-season, and to retain a valid trapper's license. The Drainage Authority will set the rate of payment for removal of beaver.

**Beaver Dams:** After the beaver have been removed, the County Drainage Inspector may hire a contractor to remove the beaver dam(s) by mechanical means, if possible. If explosives are to be used, the contractor and removal process must be approved by the County Sheriff or other government agency and all proper permits and insurance must be obtained.

The Drainage Authority may participate in the State's nuisance control program for beavers if appropriate.

**7. PERMANENT STRIPS OF PERENNIAL VEGETATION (GRASS BUFFERS):**

**Compliance with Minn. Stat. §§ 103E.021 and 103F.48:** The Drainage Authority encourages the use of grass buffer strips beyond the 16.5 feet buffer established under Minn. Stat. § 103E.021 or 103F.48. Any violations of Minn. Stat. §§ 103E.021 or 103F.48 shall be handled in accordance with the applicable law.

**Meeker County Buffer Ordinance:** Property owners must comply with the Meeker County Buffer Ordinance which includes requirements for public drainage systems established under Minn. Stat. ch. 103E. The Ordinance applies to all waters shown on the "Buffer-protection map" as defined in Minn. Stat. § 103F.48

**8. PRIVATE APPROACHES AND CROSSINGS:**

The installation, repair, or replacement of a private approach or crossing requires written approval from the Drainage Authority before any work is done. The County Drainage Inspector will set the size of culvert needed to construct approaches and crossings and the width, depth, and size of the crossing. The Drainage Inspector may seek the advice of a licensed engineer to determine if the proposed crossing or culvert will impair the hydraulic capacity of the drainage system. The County Drainage Inspector will inspect the approach or crossing after installation. The property owner will be responsible for the costs of all design, including engineers' costs if necessary, materials, labor, the associated dirt work, and any other costs incurred by the Drainage Authority as a result of the private crossing request. Private crossings shall be maintained by the property owner to the extent required by the drainage code. . The Drainage Authority reserves the right to remove any crossings deemed hydraulically insufficient or causing an obstruction to water flow at the expense of the adjacent property owner(s).

**Irrigation Crossings:** Irrigation crossings will need to be of a bridge type that will not affect the flow of water, be installed in a manner that will not restrict repairs on a system, and be able to be removed easily. The use of multiple culverts, new or used, will not be allowed for the crossing of irrigation systems unless they are part of a present field crossing.

**9. ADDITIONAL DRAINAGE BY USING DITCHES AND NEW TILE:**

**Adding Drainage Within the Drainage System:** Property benefited by the drainage system may be improved for drainage into the system whether by open ditch or tile. Property owners are encouraged to share detailed design plans and name of the proposed contractor prior to the start of any work. When the work is completed, property owners are also encouraged to

provide a GPS map to the Drainage Authority, which includes the size of the tile, number of feet of each sized tile, location of each sized tile and the location of drop pipes used.

**Adding Drainage from Outside the Drainage System:** Property owners wishing to use an established drainage system as an outlet for property not benefited by the existing drainage system must follow Minn. Stat. § 103E.401. The Drainage Authority will determine the fee and prorated assessment base for adding land to the drainage system. This may include outlet fees and assessments for benefits.

**Construction Methods:** Open ditches must have drop pipes and enough elevation to drop water away from the slopes of the ditch. No tile outlets may be installed below the normal flow level water height of the ditch. Property owners are encouraged to work the County Drainage Inspector to ensure best practices for the drainage system are followed.

**Municipal Discharge:** Municipalities requesting to use a drainage system as an outlet must follow Minn. Stat. §103E.411.

**10. PRIVATE WORK ON THE PUBLIC DRAINAGE SYSTEM**

Small repairs may be completed by private land owners at their own expense with prior, written approval from the County Drainage Inspector. Some repairs completed by private property owners may be eligible for reimbursement from the Drainage Authority on a case-by-case basis. To be eligible for reimbursement the property owner must have prior, written approval from the County Drainage Inspector, an initial estimate, and proof of actual cost for the work completed. Repairs and/or costs deemed unreasonable by the County Drainage Inspector will not be reimbursed. Damages caused by private work on the public drainage system will be repaired at the expense of the individual responsible for the damage.

**11. DRAINAGE SYSTEM IMPROVEMENTS:**

All improvements to a drainage system shall follow Minn. Stat. ch. 103E.

**12. REVIEW OF BENEFITS:**

Prior to recommending any project herein, the County Drainage Inspector shall review the benefits for the affected drainage system and determine whether the project is cost effective for the most recent determination of property benefited. If the County Drainage Inspector determines that the benefits need to be reviewed and subsequently re-determined, he shall include a preliminary recommendation to the Drainage Authority prior to any work being performed.

**13. REMOVAL OF PROPERTY, ABANDONMENT OR PARTIAL ABANDONMENT:**

**Removal of Property:** If property within the benefited area of a drainage system no longer benefits from the drainage system, the owner of the benefited property may petition the drainage authority to have the property removed from the drainage system in accordance with Minn. Stat. § 103E.805.

**Abandonment of Drainage System:** If an owner of benefited property believes that a drainage system, or part of a drainage system, is no longer of public benefit and utility serves any useful purpose to any property or the general public or has ceased to function to the point that restoration is no longer feasible, the landowner may file a petition to abandon the entire drainage system, or part of the drainage system, in accordance with Minn. Stat. §§ 103E.811 or 103E.806, respectively.

**14. DRAINAGE SYSTEM REPAIR FUNDS:**

Minn. Stat. § 103E.735 allows the Drainage Authority to establish a repair fund for each separate drainage system account. The repair fund for each drainage system may not exceed 20% of the most recent benefit determination or \$100,000 whichever is greater. Assessments for a repair fund shall be pro-rated according to the determined benefits. The County Drainage Inspector, or other county staff, may recommend to the Drainage Authority which systems should have repair funds and the amount of any annual repair fund assessment. If land has drainage system benefits when it is sold and is assessed into the drainage system, the purchaser, even if it is the State or Federal government, should be responsible for paying future assessments.

**15. MISCELLANEOUS DRAINAGE SYSTEM ISSUES:**

**Livestock:** Livestock will not be allowed to be in a drainage ditch except to cross at approved locations. If livestock must cross a ditch, the preferred method is to utilize an elevated or installed crossing that prevents the livestock from entering the water. Livestock may be watered from a ditch; however, access to the ditch must be reasonably controlled to avoid causing any damage to the ditch. Livestock will be allowed to graze along a ditch for short periods of time and then must be removed. No over-grazing or trampling of the ditch banks will be allowed. Owners wishing to graze the spoils and slopes must contact the County Drainage Inspector to work out an approved rotation for the livestock to be allowed to graze. Any damage to a ditch caused by livestock shall be the responsibility of the owner of the cattle.

**Manure:** Manure shall be spread a minimum of 100 feet from the crown of the spoils, and any stockpiling of manure shall be a minimum of 300 feet from the crown of the spoils, unless greater distances are imposed by other authority.

**Feedlot Runoff:** Feedlot runoff shall be prevented from entering the public drainage system.

**Fences:** Fences installed closer than 16.5 feet from the crown of the spoils require written permission from the County Drainage Inspector. Fences that fall within this guideline shall include access gates to allow for inspection and maintenance of the drainage system. In the event of a drainage system repair for which the fence must be removed, the property owner shall be responsible for the removal and replacement of any fencing within 16.5 feet of the crown of the spoils.

**Erosion-Pollution:** If erosion or pollution issues are discovered, proper measures shall be taken to correct the problem to the extent possible. If erosion is discovered due to water entering the system over the spoil's bank, then drop inlet pipe structures should be installed in accordance with section 5 herein.

**Septic Systems:** No septic system will be allowed to discharge into a drainage system.

**Obstructions:** Obstructions that restrict capacity of the drainage system are prohibited.

**Deer Stands:** Deer stands and other facilities used for recreation should not be placed closer than 16.5 feet from the crown of the ditch. The Drainage Authority will remove any structure blocking maintenance to the ditch, regardless of its distance from the ditch.

**Rock and Debris:** Rocks or debris are prohibited within the in-slope of a drainage ditch. Debris shall not be dumped within 16.5 feet of the crown of the ditch. Property owners are encouraged to stockpile rock when removing from fields for later use as riprap. Rock piles, however, must not impede the drainage authority's ability to maintain the drainage system.

**Wetlands:** Wetland areas that are part of a drainage system should be used for temporary storage for large rain events. These areas should be allowed to drain out naturally to allow for future storage.

**Property Owner Rights:** None of these policies are intended to allow for additional access to property owner's property which is not already allowed by law. If possible, Contractors or Drainage Authority personnel should contact property owners before entering property.

Adopted the 20<sup>th</sup> day of May, 2003.

First revised on the 18<sup>th</sup> day of September, 2007.

This second revision is adopted by the Meeker County Drainage Authority on 4<sup>th</sup> day of February 2020.

This Drainage Policy for Meeker County Public Drainage System Operation, Maintenance and Repairs is effective the 4<sup>th</sup> day of February 2020.

Exhibit A

# MEEKER COUNTY DRAINAGE DITCH DROP INLET PIPE TYPICAL

- ① Forty foot of dual wall plastic pipe, or equivalent. The twenty feet preceding the outlet end must be non perforated pipe. Outlet required to have a rodent guard.  
All necessary excavation to install. Discharge point shall be near the top of the ordinary water level.
- ② Blind tee
- ③ Marker flag with minimum exposed height of five feet.
- ④ A perforated riser which must extend one foot above the ground level with trash guard.  
Two six inch diameter holes must be cut in the sides of the riser to begin three inches above ground level, to handle heavy rains. Surround inlet with 1½" rock (approx. 6" deep by 6' diameter) underlaid with non-woven geotextile. All necessary excavation to install.
- ⑤ Berm elevation to be at least six inches higher than top of perforated riser.



