

BENTON COUNTY DITCH AUTHORITY
Tuesday, April 5, 2016
Benton County Board Room

The Benton County Ditch Authority met in special session on April 5, 2016 in the Benton County Board Room in Foley, MN with Board members Ed Popp, Jake Bauerly, Warren Peschl, Jim McMahon and Spencer Buerkle present. Also present was Chris Byrd, County Engineer; Monty Headley, County Administrator; and Vicki Feuling, Administrative Assistant.

Call to order by Chair Spencer Buerkle was at 12:17 PM.

Peschl/Bauerly unanimous to approve the agenda as written.

Popp/McMahon unanimous to approve the minutes of March 15, 2016 as written.

Chris Byrd, County Engineer, explained that he has received a petition from Chris Vannurden for the repair of County Ditch No. 6 ; MN Statute 103E.701 defines a repair as “restore all or a part of drainage system as nearly as practicable to same hydraulic capacity as originally constructed.” He stated, if the Board desires, he will inspect the property and create an engineer’s report detailing the extent of the repair and the estimated construction costs (all fees and costs relating to the repair, including inspections, engineering, viewing, and publications must be assessed against the benefited properties). Byrd indicated that a hearing on the report would be scheduled and all ditch beneficiaries would be notified; following the hearing, the Board would decide whether or not to move forward with the repair. Peschl inquired if this was a repair as opposed to a “total clean”; Byrd stated his belief that there is isolated blockage on this ditch and a repair would improve drainage. He stated that there is \$0 fund balance for Ditch 6; all costs will need to be assessed to benefited landowners.

McMahon inquired if the viewers would need to do a redetermination of benefits for Ditch 6. Byrd indicated that the Board can choose whether or not to proceed with a redetermination; this may be addressed in his Engineer’s report (if he estimates that the repair costs are going to exceed the original benefited amount, a redetermination may be recommended).

Bauerly/Peschl unanimous to authorize the County Engineer to view the ditch and prepare an Engineer’s Report.

Byrd provided an update on the redetermination process for County Ditch 13 and County Ditch 15—he has received the final report from the viewers, the next step is to file that report with the Auditor-Treasurer. Byrd noted that the report does supply some guidance on how to address the private ditch issue. He indicated that a hearing will be scheduled in the near future.

Bauerly/McMahon unanimous to adjourn at 12:27 PM.

Spencer C. Buerkle, Chair
Benton County Ditch Authority

ATTEST:

Montgomery Headley
Benton County Administrator

