

1. Ditch Authority Meeting Agenda And Packet January 18, 2022

Documents:

[DITCH AUTHORITY PACKET\\_JANUARY 18, 2022.PDF](#)



*Providing excellent customer service in a fiscally responsible manner.*

**BENTON COUNTY DITCH AUTHORITY**

Tuesday, January 18, 2022, Approximately 9:55 AM or Upon Conclusion of  
the Regular Board Meeting  
Benton County Board Room  
AGENDA

1. Call to Order by Chair Steve Heinen
2. Approve or Amend the Agenda
3. Approve or Amend Minutes of Tuesday, December 28, 2021
4. Set a Time and Place for a Public Hearing on the Viewer's Report
5. Adjourn

**Virtual Meeting Information:**

**Benton County Board of Commissioners/Benton County Economic Development Authority/  
Benton County Ditch Authority**

**Please join my meeting from your computer, tablet or smartphone.**

<https://global.gotomeeting.com/join/834170141>

**You can also dial in using your phone.**

United States: [+1 \(571\) 317-3122](tel:+15713173122)

**Access Code:** 834-170-141

---

Ditch Authority:  
Scott Johnson, District 1  
Ed Popp, District 2  
Steve Heinen, District 3  
Jared J. Gapinski, District 4  
Beth Schlangen, District 5

531 Dewey Street  
P.O. Box 129  
Foley, MN 56329  
Benton County's Website:  
[www.co.benton.mn.us](http://www.co.benton.mn.us)

(320) 968-5000 Main  
(320) 968-5329 Fax  
(320) 968-8842 TDD  
Email Address:  
[info@co.benton.mn.us](mailto:info@co.benton.mn.us)

BENTON COUNTY DITCH AUTHORITY  
TUESDAY, DECEMBER 28, 2021  
BENTON COUNTY BOARD ROOM

The Benton County Ditch Authority met in regular session on December 28, 2021 in the Benton County Board Room in Foley, MN with Board members Beth Schlangen, Scott Johnson, Jared Gapinski, and Steve Heinen present. Commissioner Ed Popp was absent due to a prior commitment. Also present was Chris Byrd, County Engineer; Montgomery Headley, County Administrator; and Beth Stay, Executive Assistant.

Vice-Chair Heinen called the meeting to order at 10:50 AM.

Johnson/Gapinski to approve the agenda as written. Motion carried unanimously.

Gapinski/Johnson to approve the meeting minutes of December 14, 2021 as written. Motion carried unanimously.

County Engineer Chris Byrd provided an update on the status of Redetermination of Benefits. H2Overviewers are nearly completed with their work on the several county ditches. Soon we will have Benefits and Damages Statements on County Ditch (CD) 3, CD 4, CD 5, CD 6, CD 7, CD 9, CD 10, CD 11, CD 12 and CD 14. Byrd wanted to call special attention to CD 3 and CD 10 and the uniqueness of their watersheds.

On CD 3, in Sauk Rapids, Byrd received a valid Petition to Repair the ditch. Byrd stated that the ditch is acting more as an urban stormwater collection system instead of a rural agricultural drainage ditch. Byrd is questioning if the Ditch Authority is the most appropriate entity to be managing the ditch. We may not do any repairs for which the repair costs would exceed the value of benefits. Therefore, we must complete a Redetermination of Benefits. Byrd is looking for the best way to proceed. Heinen stated that they need to take the trees on both sides of the ditch for clean-up because there is a lot of deadfall in the area. Heinen asked Byrd if he would be in contact with the City of Sauk Rapids. Byrd stated that he will because "downstream is their responsibility and if the City is responsible for the assessments, they need to be made aware of it". Johnson asked if the County could vacate the ditch. Byrd stated that would require a petition by 25% of landowners to vacate the ditch, and the process would be very complicated.

Then Byrd reported on CD 10 (Mayhew Creek). Byrd stated that the viewers are ready to have a meeting with the benefitted landowners of CD 10. At the meeting, the viewers will ask landowners if any changes have been made to the land that could possibly affect assessments and benefits to the landowner's land. After that meeting, the viewers can make adjustments to their property value assessments. From there, we can hold a public hearing to finalize the viewer's findings. Byrd anticipates the meeting would be in February, and the ditch cleaning would not start until 2023 for most of the projects with the exception of a few smaller ditch projects that could still be completed within the next year.

Vice-Chair Heinen adjourned the meeting at 11:11 AM.

---

Steven J. Heinen, Vice-Chair  
Benton County Ditch Authority

ATTEST:

---

Montgomery Headley  
Benton County Administrator

DRAFT



**BENTON COUNTY DITCH AUTHORITY  
AGENDA ITEM REQUEST**

Meeting Date:	1/18/22	Regular Agenda:	X
Requesting Department:	Public Works	Consent Agenda:	

**Title of Requested Item As It Will Appear on Board Agenda:**

Set a time and Place for Public Hearing on the Viewers Report.

**Background Information:**

H2Overviewers have completed their work on the several county ditches. Benefits and Damages Statements are being mailed to affected landowners on CD 3, CD 4, CD 5, CD 6, CD 7, CD 9, CD 10, CD 11, CD 12, and CD 14. A Landowner meeting has been set for Tuesday February 8, 2022 at Henry's Event Center. The purpose of the landowner meeting is to inform the landowners, of the process and provide the opportunity to ask questions. After landowner meetings occur, the Ditch Authority must hold a public hearing to accept the viewers reports. I would like the Board to hold the hearing on Wednesday February 23.

**Action Requested:**

Set Time and Place for Public Hearing on the Viewers Reports

**Fiscal Impact:**

Estimated Cost (\$):	????
Source of Funds:	Assessments on benefitted landowners
New or Additional Revenue (\$):	N/A
Cost Budgeted in Current Year? (Yes/No)	N/A

Approved by:	Signature	Date
Chris Byrd		1-12-2022
County Attorney (for contracts)		

Amt of Time Requested	Specific Time on Agenda	Laptop Needed?	Overhead Needed?
15	No	No	Yes