

BENTON COUNTY DITCH AUTHORITY
TUESDAY, MARCH 1, 2022
BENTON COUNTY BOARD ROOM

The Benton County Ditch Authority met in regular session on March 1, 2022 in the Benton County Board Room in Foley, MN with Board members Beth Schlangen, Scott Johnson, Steve Heinen, Jared Gapinski and Ed Popp present. Also present was Chris Byrd, County Engineer; Montgomery Headley, County Administrator; and Beth Stay, Executive Assistant.

Chair Heinen called the meeting to order at 11:43 AM.

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

Johnson/Popp to approve the Meeting Minutes of February 15, 2022 as written. Motion carried unanimously.

County Engineer Chris Byrd provided an update on the ditches and stated we had two informational landowner meetings, which about 150 to 160 people total attended the meetings. Byrd stated we will be having the Public Hearing in-person and virtually on Wednesday, March 9, 2022 beginning at 8:30 AM at Henry's Event Center in Foley, MN to hear the Viewer's Report on County Ditches (CD) 3, 4, 5, 6, 7, 9, 10, 11, 12 and 14. Byrd stated that the notices for the public hearing were mailed and should have been received by the beneficiaries, and there was a notice published in the paper. Byrd stated he has received one mailed in comment, which he will bring into the public hearing to read into the record. After the Public Hearing has closed, the County Board will have the option to accept the Viewer's Report, or we could stay the proceedings and order the Viewer's to go back and reevaluate the findings. The intent at the Landowner Meetings was to establish who determines the values, and if landowners have questions or concerns, hopefully landowners addressed them then.

Assistant County Attorney Michelle Meyer will draft a Findings of Order that will need to be read into the record at the public hearing. After the Viewer's Reports are accepted, we have some repair petitions that we received, and we will be moving forward with them. Meyer added that once we get the redetermination, so that we meet our threshold for repair, we can then move forward with a petition. Meyer recommends we move forward rather quickly to meet the 30-day deadline, and to move forward with the public hearings next. Meyer stated she will provide the Board with a script for the Public Hearing.

Byrd stated that before getting into the determination of benefits, we were working towards repair, starting with County Ditch (CD) 6. In 2016, we received a letter from a landowner to look at the ditch and our own inspections spurred getting that going. We initiated repair proceedings and we stayed those proceedings to do this Redetermination of Benefits. Byrd stated we also received a Repair Petition on CD 3, CD 14, and CD 9. This all happened before the Redetermination of Benefits process. Byrd stated we started the repair process and then stayed them. Heinen stated "this is why we got all the ditches together to Houston Engineering to get a better price for repair". Popp stated that "it took us six years to get to CD 6, and this should have never taken six years to get to a ditch". Johnson added that this should be a priority amongst this Board to move forward with the ditches. Johnson added that once the ditches are complete, we need to look into a maintenance program. Byrd stated that once the Viewers Reports are accepted, we will have to have a Public Hearing to order the repair, which will likely be at the second Regular Board Meeting in March. The Public Hearing will authorize us to get bids to acquire a contractor to begin the process of cleaning the ditches. Johnson added that "we should start CD 3 sooner than later", mainly due to the weather which could hinder us from cleaning the ditch in a timely manner.

The Ditch Authority Meeting adjourned at 11:53 AM.

Steven J. Heinen, Chair
Benton County Ditch Authority

ATTEST:

Montgomery Headley
Benton County Administrator