

1. Ditch Authority Meeting Agenda

Documents:

[DITCH AUTHORITY AGENDA_SEPTEMBER 3, 2019.PDF](#)

2. Ditch Authority Meeting Packet

Documents:

[DITCH AUTHORITY PACKET_SEPTEMBER 3, 2019.PDF](#)



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BENTON COUNTY DITCH AUTHORITY

Tuesday, September 3, 2019, Approximately 10:20 AM
Benton County Board Room

AGENDA

1. Call to Order by Chair Bauerly
2. Approve or Amend the Agenda
3. Approve or Amend Minutes of August 6, 2019
4. Petition for Repair of County Ditch 14
5. Adjourn

Ditch Authority:
Warren Peschl, District 1
Ed Popp, District 2
Steve Heinen, District 3
Spencer Buerkle, District 4
Jake Bauerly, District 5

531 Dewey Street
P.O. Box 129
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Benton County's Website:
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BENTON COUNTY DITCH AUTHORITY
Tuesday, August 6, 2019
Benton County Board Room

The Benton County Ditch Authority met in special session on August 6, 2019 in the Benton County Board Room in Foley, MN with Board members Jake Bauerly, Warren Peschl, Spencer Buerkle, Steve Heinen and Ed Popp present. Also present was Chris Byrd, County Engineer; Monty Headley, County Administrator; and Vicki Feuling, Administrative Assistant.

Call to order by Chair Jake Bauerly was at 10:50 AM.

Peschl/Heinen unanimous to approve the agenda as written.

Heinen/Buerkle unanimous to approve the minutes of July 16, 2019 as written.

Chris Byrd, County Engineer, presented a proposal from Houston Engineering, Inc. to provide engineering services on County Ditch 6. He stated that the proposal includes four different phases: 1) field survey of the way the ditch looks today, 2) plan development, 3) reviewing records of when the ditch was originally established and re-creating what the intent as, and recommending whether a redetermination of benefits is needed, and 4) develop a repair report with preliminary construction plans. Byrd confirmed that the proposal encompasses the whole ditch system, including the branch on the east end.

Byrd referenced previous Board discussion with regard to possibly expanding the scope and having Houston Engineering look at some other ditches as well. He stated that Houston Engineering is "more than happy to do that"; however, they are recommending individual contracts for each ditch system. Byrd pointed out that Houston Engineering plans to have surveyors at County Ditch 6 next week; further discussion can occur regarding looking at other ditches.

Bauerly inquired if a public hearing is required before the county can move forward with contracting for engineering services on Ditch 6. Byrd stated that he has received a petition for the cleaning of Ditch 6, adding "...I think the petition initiates us into action regardless if we have a ditch fund or not...you need to respond to them and do work to maintain your ditches (Ditch 6 has no ditch fund)..." Popp stated his belief that the cost of the engineering services could be assessed to the benefitted land owners. Bauerly suggested that the motion include the wording "subject to process approval by the County Attorney". Byrd added "...right now I believe, as your County Ditch Engineer, we are operating under statutes in response to the ditch petition to repair that ditch...if you read 103E, the ditch law, there are a lot of functions that say the County Auditor does this...the County Auditor does that..." Bauerly suggested that the process include a checklist/flow chart. Byrd noted that Houston Engineering could assist in developing that flow chart.

Popp/Peschl unanimous to approve the Professional Services Contract with Houston Engineering, Inc. to provide engineering services on County Ditch 6, subject to consistency with applicable MN statutes, and authorize the Chair to sign.

Byrd reiterated his intent to have conversations with Houston Engineering about using their services for other ditch systems as well. Bauerly noted that, from a timing viewpoint, fall would be the best time for

these services to be performed, adding "...if we could do this one, and maybe one more, before the first of November, that would be great..."

Peschl/Heinen unanimous to adjourn at 10:58 AM.

A. Jake Bauerly, Chair
Benton County Ditch Authority

ATTEST:

Montgomery Headley
Benton County Administrator



**BENTON COUNTY DITCH AUTHORITY
AGENDA ITEM REQUEST**

Meeting Date:	9/3/19	Regular Agenda:	X
Requesting Department:	Public Works	Consent Agenda:	

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

Petition for Repair of County Ditch 14

Background Information:

The Public Works Department has received a petition to repair County Ditch 14. According to Minn Statute 103E.715, the petition must be presented to the Ditch Authority at its next meeting.

After it is presented, the petition will be filed with the Auditor's Office. After the petition is file the Drainage Authority shall consider the petition and make a determination as to whether the drainage system needs repair. Before initiating a repair an Engineer's report will need to be completed. At the drainage authority's discretion, it may give notice an order a hearing on the petition for repair before making its determination and before appointing an engineer (Minn. Stat. 103E.715 subd. 2)

Action Requested:

Review the petition to repair County Ditch 14.

Fiscal Impact:

Estimated Cost (\$):	\$??
Source of Funds:	County Ditch 14 Fund
New or Additional Revenue (\$):	N/A
Cost Budgeted in Current Year? (Yes/No)	N/A

Approved by:	Signature	Date
Chris Byrd		8-28-19
County Attorney (for contracts)		

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

July 2, 2019

Benton County Engineer

Benton County Public Works
Chris Byrd, P.E.
7752 Highway 25 NE
Foley, MN 56329

I, Jason Alderink, owner of the below described property:

Parcel ID 080016603
Legal Description: 14-037-028 Sect-14 Twp.-037 Range-028 40.00 AC NE1/4 NE1/4

Hereby request that Benton County cleans Ditch #14 which runs through the Alderink property and is backing water up onto the property.



Jason Alderink, Owner

