

BENTON COUNTY DITCH AUTHORITY
TUESDAY, JANUARY 6, 2026
BENTON COUNTY BOARDROOM

The Benton County Ditch Authority met in regular session on January 6, 2026, in the County Boardroom in Foley, MN with County Board members Pam Benoit, Scott Johnson, Steve Heinen, Jared Gapinski and Ed Popp present. Also present was Montgomery Headley, County Administrator, and Beth Stay, Executive Assistant.

County Board Chair Heinen called the meeting to order at 10:40 AM.

Gapinski nominated Johnson for the 2026 Chair of the Drainage Authority. Nominations were closed and a unanimous ballot was cast for Johnson as the Chair of the 2026 Drainage Authority. Johnson asked for nominations for Vice-Chair of the 2026 Ditch Authority. Gapinski nominated Popp for the 2026 Vice-Chair of the Drainage Authority. Nominations were closed and a unanimous ballot was cast for Popp as the Vice-Chair of the Drainage Authority.

Johnson requested to add a standing Open Forum to every Ditch Authority Meeting, beginning with today's meeting. Popp/Heinen to approve the amended Agenda. Motion carried unanimously.

Next, Headley requested to schedule the regular meetings of the Ditch Authority for 2026. At the first organizational meeting of the year, the Ditch Authority shall adopt its schedule of regular meetings for the year. Once adopted and kept on file, no further notice of meetings is required. If a change is required in the date and time of a regular meeting, it becomes a "special meeting" under the MN Open Meeting Law and a three-day posted notice is required. Also, special meeting agendas may not be amended on the day of the meeting, whereas regular meeting agendas may be amended the day of. Headley requested consideration of the date of the meeting to discuss annual maintenance assessments. There was a consensus of the Drainage Authority to discuss date/time/location at the upcoming Annual Goal Setting Session on Monday, January 12, 2026. Headley proposed the 2026 Drainage Authority meeting dates follow the traditional meeting dates of the "first and third" Tuesday of each month at 9:00 AM with the exception of the first Tuesday in December which will be on Tuesday, December 1, 2026, at 6:00 PM to coincide with the "Truth in Taxation" meeting. Motion by Popp and seconded by Heinen to approve the regular meetings of the Drainage Authority for 2026. Motion carried unanimously.

Popp/Benoit to approve Consent Agenda item #1: 1) approve the Ditch Authority Meeting Minutes of December 16, 2025, as written. Motion carried unanimously.

Under Open Forum, Mike Deppa addressed the Drainage Authority with concerns about being assessed for County Ditch (CD) 7, arguing that past neighbor actions diverted water onto his property, forcing him to spend over \$30,000 on tiling and buffer zones to protect and drain his land. Deppa contended that CD 7 does not run through his property, that he and neighboring landowners paid for private drainage improvements themselves, and that it is unfair for him to continue paying CD 7 assessments. Johnson explained that he will reach out to H2OverViewers to explain to Deppa how his "benefit" was determined, and if still dissatisfied, Deppa may formally file a petition to be removed from the ditch system for the County Board to consider, which is the only statutory way to change Deppa's assessment. Popp and Gapinski also agreed to visit the area in question on Deppa's property.

The Ditch Authority Meeting adjourned 10:55 AM.

Scott Johnson, Chair
Benton County Ditch Authority

ATTEST:

Montgomery Headley
Benton County Administrator