

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