

North Fork Crow River Watershed District Proposed Minutes – CD7 & 7A Public Hearing September 28th, 2016

Managers Present: Barchenger, Berndt, Wuertz, Brauchler, Hanson

Managers Absent: None

Staff Present: Tara Ostendorf, Christopher Lundeen

Others Present: Kurt Deter (Rinke-Noonan), Roger Walz, Troy Walz, Virgil Fuchs, Roger Lyon, Boyce Fischer, Others

Opening of Public Hearing

Chairperson Wuertz opened the hearing at 6:00 pm.

Purpose of Public Hearing – Kurt Deter

Chairperson Wuertz called on Kurt Deter, Rinke-Noonan, to state the purpose of the meeting. Deter stated that proceedings fall under MN Stat. 103E.715. The purpose of the meeting is to take comment on the engineer's plan for repair and to approve the repair if the Board finds that the system is out of repair.

Engineer's Repair Report and Public Comment and Questions – Chuck Brandel, Mark Origer, I & S Group

Chairperson Wuertz called on Brandel to present the engineer's report and recommendations for repair. Brandel and Origer gave summary of engineer's report, engineer's estimate of cost, repair recommendations, repair construction specifications and plan, schedule and permitting status, as well as proposed construction sequence.

The engineer's recommendations include excavation of between 1-2 feet of accumulated sediment on approximately 62,000 linear feet of open ditch. The report recommends a number of bank repairs, side inlet repairs and replacements, culvert repairs and replacements, tile outfall repairs and stabilization, and seeding of approximately 52 acres of buffer along the ditch system. The repair also considered environmental benefits and impacts, and listed a number of in-field practices that could be considered to be conducted with the repair, including water quality side inlets and drop pipes, water and sediment control basins, closure of open tile intakes and area for controlled drainage and water retention practices. Locations of all alternatives practices were identified.

Board took comment from the public. A major concern of the public in attendance was vegetation removal in those areas that were not identified as needing a repair. Brandel stated that they could add a separate line in the bid for vegetation removal only and include those extents as needed.

Virgil Fuchs informed the Board of the history of the ditch on his property. Fuchs was adamant that the ditch be cleaned to the outlet, which is stated on the plan set.

Public and Board discussed the private crossings that are recommended to be repaired. Engineers stated that any of the crossings to be repaired will be sized accordingly.

Additional discussion from the public and Board regarding the ongoing process of redetermination and the status of the viewers' reports.

Board and engineer discussed the timing for bidding the project. Public commented that the Board should consider Spring for the repair, and let the landowners know so that they don't plant within the right-of-way. Troy Walz asked if the Board could consider trying to make sure that the spoil piles are all on one side, so that the next time it is repaired, it can be built up on the other side. Virgil Fuchs stated that they have removed all of the spoil bank and berm on his property, and do not want it put back on again. Engineer stated that they typically do not specify the bank to put it on, but they could add it into the as-built, so the next time the engineer could decide to spoil on the opposite bank if possible.

Possible Action by Watershed District, as Drainage Authority – Kurt Deter

Deter explained the options to the District Board of Managers.

Manager Berndt requested that the Board table the decision due to poor attendance. Ostendorf clarified that the report and

the estimated cost has been available to the landowners on the website for a number of weeks. Both the informational meeting and the public hearing have been held with the same amount of attendance.

Motion to authorize the repair hearings contingent on the completion of the redetermination of benefits proceedings made by Manager Barchenger, seconded by Manager Hanson. Motion carried.

Hearing no additional comments, Chairperson Wuertz called for a motion to close public hearing. Motion to close hearing made by Manager Berndt, seconded by Manager Barchenger. Motion carried.

John Hanson, Secretary