

# North Fork Crow River Watershed District

## Approved Minutes

February 6, 2017

### CD 7 Redetermination of Benefits Public Hearing

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

**Managers Absent:** Hanson

**Staff Present:** Cris Skonard

**Others Present:** Debbie Rynda, Bryan Murphy, Larry Murphy, Gary Hanson, John Illies, Jon Roeschlein, Earl Kaspers, Boyce Fischer, Jim Weller, Roger Lyon, Scott Henderson, Fred Arceneau, Rob Roelike, Will Westbur, Tim Heinze, John Arceneau, Kurt Deter

**Open Public Hearing:** President Wuertz opened the public hearing at 1:00 pm.

**Record of Notices:** Skonard gave the record of notices as follows: Printed in the Bonanza Valley Voice for three consecutive weeks on January 19, 2017, January 26, 2017 and February 2, 2017. Printed in the Belgrade Observer for three consecutive weeks on January 18, 2017, January 25, 2017 and February 1, 2017. Printed in the Sauk Centre Herald for three consecutive weeks on January 19, 2017, January 26, 2017 and February 2, 2017. Noticed on the District website for three consecutive weeks and posted at the District office for three consecutive weeks. Landowner's were notified of the hearing by direct mailing of the Owner's reports and postcards.

**Purpose of Hearing:** Kurt Deter reported on the purpose of the hearing for information related to the findings in the viewer's report and a chance for public comment on the viewer's report. The Board ordered the process of redetermination of benefits for Stearns County Ditch 7 (CD 7) and Stearns County Ditch 7A (CD 7A) under MN Statute 103E.351 and contracted with H2Over Viewers as a three party viewer to determine lands benefited by the drainage system. If adopted, the the redetermined benefits and damages must be used in place of the original benefits and damages an in all subsequent proceedings related to the drainage system.

**Viewer's Report:** Bryan Murphy gave report on the methodology of the process of viewing of property benefitted by CD 7 and CD 7A, a description of definitions as presented in the report and a summary of the findings included in the viewer's report.

Motion to close oral portion of the hearing made by Barchenger, seconded by Brauchler. Motion carried.

#### **Public Comment and Questions:**

- Boyce Fischer commented on the location of the ditch and part of the grass buffer strip being on his property (Parcel ID: 11.06780.0000). Boyce agreed to \$450 increase in damages in lieu of having the property line surveyed.
- John Illies questioned whether the direction of water flow had been corrected in the final report.
- Fred Arceneau had questions about the grassed area.
- John Arceneau asked about a court order to not assess benefits to his property. No court action was located.
- H2Over Viewers stated all issues brought up at the individual land owners meeting held on January 17, 2017 had been accounted in the final report.

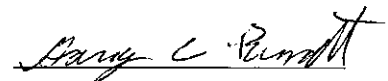
#### **Action by Drainage Authority:**

Motion was made by Manager Berndt to accept the viewer's report, with amendments and corrections related to the public comment, as presented by the viewers, to increase damages on the Boyce Fischer property by \$450 and payment for the grass buffer strip made effective as of June 1, 2017. Motion seconded by Manager Barchenger. Motion carried.

Motion made by Berndt to consider the consolidation of Stearns County Ditch 7 (CD7) and Stearns County Ditch 7A (CD7A). Seconded by Barchenger. Motion carried.

Motion made by Barchenger to adjourn. Seconded by Brauchler. Motion carried.

Meeting adjourned.



Gary Berndt – Acting Secretary