

Final Hearing
Polk County Ditch 80 Improvements; and Establishment of Lateral 1 and Lateral 2
Sand Hill River Watershed District Office
Fertile, MN
August 7, 2018
1:30 PM

1. **Attendance:** Staff members present were Daniel Wilkens – SHRWD Administrator, and April Swenby SHRWD Administrative Assistant. District Engineer, Zach Herrmann – Houston Engineering. Managers present were Stuart Christian, Roger Hanson, and Dan Vesledahl. Viewers present include Edwin Johnson, Eddie Bernhardson, Dennis Olsen. Others in attendance included the following: Lawrence Ricard, Eric Solheim, Bruce VonHoldt, Pat Taylor, Stephen Taylor, and Alex Engelstad,
2. **Welcome:** Administrator Wilkens welcomed the group and introduced the Sand Hill River Watershed Board of Managers.
3. **Petition Review:** Herrmann reviewed the petition for the drainage project improvement and laterals, (already determined to be legal) with all matters pertaining to (1) the detailed survey report, (2) the viewers' report, and (3) the commissioner's final advisory report. 103E.335.
4. **Review of the detailed survey report:** Herrmann reviewed the Detailed Survey Report. A copy of the presentation is attached hereunto a copy of these minutes.
5. **Viewers Report:** Eddie Bernhardson read pages 1 and 2 of the viewers report, attached hereunto these minutes.
6. **Commissioner's Final Advisory Report:** Wilkens read aloud the Commissioner's Final Advisory Report.
7. **Audience Testimony:**

Larry Ricard: It was noted that Larry Ricard attended the regular monthly board meeting the morning of August 7, 2018 disputing the proposed assessment on his son's (Steve Ricard) behalf for the Ditch # 80 improvement project, stating that the water on Section 31 in the SE quarter of Onstad Township drains south out of the proposed system. Larry Ricard asked to record that he felt this project is too much money and he has never been in this much debt.

Bruce VonHoldt: His property starts at the beginning of Ditch #80 and asked who the district plans on hiring for contractors. Wilkens stated that bid advertising will take place and the contract is unknown at this time and will be selected according to the low responsible bidder. VonHoldt stated that if Lyle Wilkens is a contractor for the project, he would not allow him on his property. VonHoldt asked if this project is already a done deal and the bank is already set. Wilkens explained that the district is just the caretakers of this ditch. A petition was given to the district according to law and close to 95% of the landowners signed the petition and the people who signed the petition have to pay the costs if it fails. Wilkens stated this hearing is an opportunity for the landowners to provide input to help advise the board for their decisions. VonHoldt stated that at the last meeting, the MnDNR stated that the water flows South, but VonHoldt testifies that their water flows west seeping through the ridge.

VonHoldt stated that his assessment is \$101,000 and felt that was a lot of money and asked how that number was reached. Wilkens explained that the price per acre was given for each area and divided by the total estimated costs, noting that the costs were estimated high. VonHoldt stated that his mother lives off the rent from this property and added additional expenses to her fixed income, is detrimental to

her. Wilkens stated that the petitioners proposed this and wanted to move forward and VonHoldt commented that none of them are here today. VonHoldt did not think this project was needed and that it was too much money. VonHoldt challenged the board to sleep at night with a clear conscience by invoking this debt on landowners. VonHoldt did not agree that his renter would agree that the benefits outweigh the cost when his rent increases. VonHoldt suggests a more economical alternative and urges the board to balance affordability and practicality.

Larry Ricard: Ricard feels that this project puts him in danger of losing his farm. Ricard worries that he won't be able to afford to pay it.

Steve Taylor and Pat Taylor: Both Pat and Steve oppose spending money on this project. Pat commented that it was too expensive. Steve feels that the drainage system is adequate and was built years ago for drainage. Steve did not feel his land would drain any better with this system. VonHoldt and Ricard agreed that their land would not benefit from this system.

Eric Solheim: Solheim stated that the cost will not get any cheaper in the future and that the assessment is spread over 20 years.

Alex Engelstad: Engelstad and his dad farm this area and lose a lot of land each year due to poor drainage. Acres in section 25 produce no crop because the ditch is plugged due to poor drainage. Engelstad did not think they could afford not to proceed.

Larry Ricard: Ricard asked why the landowners can't just go back to cleaning the ditch like we used to. It was responded that the original system was never engineered to cover the laterals.

Hearing no more comment the public comment period was closed and opened up to board discussion.

8. **Proceeding:** The managers will review the concerns and comments that have been asked to be reviewed.
9. **Adjournment/Recess:** A **Motion** was made by Manager Hanson to recess the final hearing until August 23, 2018 at 7:00 AM at the district office at which time the boundary adjustments will be addressed and a determination made whether to order the project forward. **Seconded** by Manager Vesledahl, **Carried**. The meeting was recessed at 2:39 PM.