

**UNOFFICIAL MINUTES- SUBJECT TO CORRECTIONS**  
LYON COUNTY BOARD OF COMMISSIONERS  
LYON COUNTY GOVERNMENT CENTER, MARSHALL, MN  
Ditch Maintenance Levy Minutes  
August 17, 2010

Meeting called to order by Chairman Stensrud.

4:00 p.m.- Meeting was called to order by Chairman Stensrud. Members present: Stensrud, Fenske, Ritter, Nelson, County Auditor/Treasurer Van Overbeke, and County Administrator Stomberg.

Absent: County Attorney Maes, Commissioner Goodenow

**County Ditch 9**

Ritter moved, seconded by Fenske to assess 20% of the benefits or \$7,177.00 for CD 9. Fenske – So are you considering consolidating this with 70? Hammer –Not at this time. At one point in time we did consider consolidating this with 70. A lot of this is in the city limits of Marshall now. I haven't thought about it lately. Fenske – There isn't much farm land is there. Hammer – Less and less. Ritter – Any cleaning? Hammer – No it is mainly all tile. All voted in favor.

**County Ditch 17**

Nelson moved, seconded by Ritter to assess 20% of the benefits or \$2,327.00 for CD 17. All voted in favor.

**County Ditch 29**

Hammer –This drains a portion of Garvin. It has a lot of tile. Fenske moved, seconded by Ritter to assess 10% of the benefits or \$4,798.40 for CD 29. Ritter-This is the one that goes up to the pumping station? Hammer – It is right in Garvin. A lot of the lagoon ponds and the outlet for that is right at highway 14, half a mile west of Garvin Corner. All voted in favor.

**County Ditch 32**

Nelson moved, seconded by Ritter to assess 20% of the benefits or \$4,458 for CD 32. All voted in favor.

**County Ditch 37 Lateral A**

Nelson moved, seconded by Ritter to assess 10% of the benefits or \$7,311.50 for CD 37 Lateral A. All voted in favor.

**County Ditch 55**

Ritter moved, seconded by Fenske to assess 12% of the benefits or \$2,742.24 for CD 55. Fenske – Some of these you have the year 1946, and that is? Hammer – That is when it was built. I am guessing it has not been re-determined by looking at the amount of benefits. Ritter – There was a comment of trees to be sprayed every year, is that being done. Hammer –I do it and have hired a contractor from Iowa to come and help. It is a constant problem. All voted in favor.

**County Ditch 63**

Fenske moved, seconded by Ritter to assess 5% or \$6,617.70 of the benefits for CD 63 for future cleaning. Gaylen Boerboom – If we clean it out were going to have more cat tails. I don't think we have a drainage problem in there. Hammer- We have a problem where we can kill the cat tails. They have to be killed in late August and early September. If we do that we need to have 16 feet on both sides so we don't run over crop. Do we have them stay away from the ditch? I don't want to drive over crops. Boerboom- The cat tails are the problem. We are too deep right now. The water is standing and not going through. Hammer – There are portions of the ditch that were dug too deep. Do you want to kill the cat tails? The biggest thing for me is to be able to work along the ditch without killing your crop. You have to spray the cat tails from both sides of the ditch to get them covered. We could get by with ten feet or eight feet. Stensrud – Is it full of cat tails all through? Boerboom – I don't think cleaning will help. If we go 30 cents per foot it is 11 miles of open ditch. Stomberg – It is about \$20,000. Stensrud – if you sprayed the whole thing? Boerboom - We have to do something with the cat tails. Boerboom – If you go though where Martens is I have CRP on both my sides. You have about 8 miles. Boerboom – I think we should try spray first. Ritter - That will be done next year at this time. Hammer – We have to talk to people. Boerboom – In the case that we spray it do we still need that much assessment on the ditch. All voted in favor.

4:18 p.m. Commissioner Goodenow arrived

**County Ditch 67**

Ritter moved, seconded by Nelson to assess 10% or \$2,147.20 to CD 67. All voted in favor.

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**County Ditch 69**

Ritter moved, seconded by Fenske to assess 4% or \$36,182.24 to CD 69. Fenske – There is a note that trees need to be removed every year is that being done? Hammer – Yes we are doing that. All voted in favor.

**County Ditch 70**

Hammer – We also have a culvert on the Don DeLanghe farm that we are considering repairing and replacing. There has been some conversation as to whether that crossing is even needed. He has access from the south. We are talking about 4<sup>th</sup> street by Marshall. We are talking about replacing the culvert going to the Weimer Farm. There is a metal pipe under the crossing a large 133 inch pipe. Robert Van De Putte – You got so much water down lower. We have five feet of fall to our tile. We lost our crops in all of the slough holes. Does anybody else on 70 know that they have drained 9 into there? There has to be a limit somewhere. County Ditch 70 is absolutely overloaded. It is practically a little river. Hammer – I know there is maintenance that needs to be done south of you. We started the conversation on the culvert and whether it needs to be there. Van De Putte – Isn't there a way you can relieve some of the pressure further down. Hammer- The trees that he is talking about is in the Meadowcreek area and I can't take trees out of the river. I wish I could. Van De Putte – I never knew about 9. It is running all the time. Goodenow moved, seconded by Ritter to assess 6% or \$10,249.08 to CD 70. Ritter – You said \$40,000 to put a new culvert in there? Hammer- It is a private road. Ritter- If it was an open ditch instead of a culvert utilities could come around the south. I think you should look at options. Nelson – Ditches are engineered and you are breaking the original plan of the ditch. Hammer- We have talked to the Corps of Engineers about taking it out. There has been a study. There is a history there. Nelson – At this point you aren't raising the money for that? Hammer –No. All voted in favor.

**County Ditch 18**

Byron Kosen– Did you get a chance to talk to landowners? Hammer –I haven't gotten any more information than we got on that day. Kosen – The rest of the patch cleaning are we still going to do that? Hammer – Yes I would like to do that this fall. Kosen – In 2007, you had \$657,000 balance on the total ditches. 2008 you had \$622,000 in 2009 you had \$657,000 and now you are going to have \$708,000. All alone it is all future ditch cleaning. Is this a way to pick up money in a slush fund? Hammer – It is a way for me to have the money so I don't have to go to Paula for a loan. Kosen – We aren't cleaning we need a little work done. Some of that stuff should be billed to the landowner. Hammer –What we are talking about is a wash out in a drainage ditch and the adjacent landowner would fill it with rocks. Is that a county problem or do we need to go to the landowner and say you need to fix it? Byron – I think he ran his system and ran into the county tile. Nelson – Is this a blow out from pressure? Hammer – It is probably an old metal pipe that washed out. Stensrud – There is \$16,000 in the ditch. Hammer – It is \$5,000 a mile to clean a ditch. Kosen – Didn't it use to be if you had to do work and they would pay it over a certain amount of time? VanOverbeke – That is how it was but that is illegal. Each ditch earns its own interest. They always had their own balance but never got their own interest but they do now.

**County Ditch 12**

Gene Heinis –We fixed it last year going to the south where I live. I had it lined up to fix on the north side and on the east side of the road but that got turned down. It is hard to get anyone in to fix the tile. It took me three years to finally get someone out there. Hammer – The problem is trees got planted and the roots are growing into the county tile and it is running through your grove.

**4:39 p.m. County Ditch Meeting adjourned**  
**4:39 p.m. JD Annual Ditch Maintenance Levy**

**Judicial Ditch 3 L, Y, and R**

Ritter moved, seconded by Goodenow to assess 20% of the benefits or \$3,653.50 to JD 3 L, Y and R. Fenske –Is this another situation where Redwood County sends the bill and we get charged? Hammer – Yes and there was direct work done other than and inspection fee. All voted in favor.

**Judicial Ditch 6 Fairview**

Ritter moved, seconded by Nelson to assess 4% of the benefits or \$6,397.66 to JD 6 Fairview. All voted in favor.

**Judicial Ditch 12 L and Y**

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Goodenow moved, seconded by Nelson to assess 8% of the benefits or \$5,582.40 to JD 12 L and Y. All voted in favor. Ritter – What is the estimated cost on the pump and motor? Hammer – About \$2,000. Ritter – Is there currently electricity there? Hammer – We will have a gas motor. All voted in favor.

**Judicial Ditch 13 L and L**

Fenske moved, seconded by Ritter to assess 10% or \$241.50 of the benefits to JD 13 L and L. All voted in favor.

**Judicial Ditch 18 L and R**

Ron Weidauer - I'm asking we replace about 1,200 feet of that tile. We should probably go into Tom's field a little bit and hook on. Hammer- The problem is it is gravel type soil and when this tile goes it makes a big hole. Ritter – If there is a \$24,000 bill do we need to assess the \$6,800? Hammer – There are trees. Ritter moved, seconded by Goodenow to assess 6% or \$6,809.10 of the benefits to JD 18 L and R. All voted in favor.

**Judicial Ditch 24 L and Y**

Fenske moved, seconded by Ritter to assess 10% or \$3,220.35 of the benefits to JD 24 L and Y. All voted in favor.

**Judicial Ditch 34 R and L**

Nelson moved, seconded by Ritter to assess 5% or \$8,883.05 of the benefits to JD 34 R and L. Goodenow – Why is that number getting so big is there something you are going to clean? Hammer – Yes. There is 14 miles of open ditch. All voted in favor.

5:10 p.m. Ritter moved, seconded by Goodenow to adjourn. All voted in favor.

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Rodney Stensrud, Chairman

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Attest: Loren Stomberg  
Lyon County Administrator