

**Otter Tail County Drainage Authority
County Drainage System No. 28 Public Information Meeting Minutes
Government Services Center – 515 W Fir Ave, Fergus Falls, MN
Monday, June 24, 2013 – 8:00 p.m.**

The Otter Tail County Board of Commissioners convened as the Otter Tail County Drainage Authority at 8:00 p.m. on Monday, June 24, 2013 at the Otter Tail County Government Services Center in Fergus Falls, MN for the purpose of discussing the status of County Ditch No. 28, to review Minnesota Ditch proceedings as authorized by Minnesota statutes and to receive input from benefited property owners and other property owners within the immediate drainage area regarding the potential abandonment or redetermination of benefits for this drainage system.

Doug Huebsch, Chair called the meeting to order at 8:00 p.m. and welcomed those in attendance before introducing the following County personnel who were in attendance:

Doug Huebsch, Chair - First District Commissioner
Wayne D. Johnson, Vice Chair - Second District Commissioner
John Lindquist – Third District Commissioner
Roger Froemming – Fourth District Commissioner
Lee Rogness – Fifth District Commissioner
David Hauser – County Attorney
Rick West - Public Works Director
Kevin Fellbaum – County Ditch Inspector
Bill Kalar – Otter Tail County Director of Land and Resources Management
Wayne Stein – County Auditor

The following persons from the public were in attendance and signed the attendance sheets:

Randy Anderson	Dennis Hanselman	Cheryl Harris
Mike Harris	Derene Johnson	Gary Kaiser
Ron Larsen	Daryl Lund	James McAllister
Don Mercer	Brian Nelson	Terry Nelson
Cheryl Proski	Eric Roberts	Spencer Schram
Irene Sonju	Mark Steuart	Jim Wolters

David Hauser, Otter Tail County Attorney noted the following:

1. There is no pending petition for either a repair or an improvement.
2. The County Board is the drainage authority.
3. This is an informational meeting for the purpose of gathering public input.
4. Drainage systems are owned by the benefited property owners of the drainage system.
5. Reference was made to Minnesota Statute 103E, which governs drainage systems.

Kevin Fellbaum, Otter Tail County Ditch Inspector, presented a power point presentation, which is attached to and incorporated as an official part of the minutes. Mr. Fellbaum's presentation addressed the following general topics:

History of County Drainage System No. 25
Photos of the Existing System
Ditch Proceedings
 Minnesota Statute 103E.351 (Redetermination of Benefits)
 Minnesota Statute 103E.806 and 103E.811 (Abandonment)
Reason for the Meeting
Questions and Comments

The following persons addressed comments and questions to the Otter Tail County Board Drainage Authority:

Randy Anderson	Merv Freeman (signed the County Drainage System No. 23 attendance sheet)	
Phyllis Freeman (signed the County Drainage System No. 23 attendance sheet)		
Cheryl Harris	Mike Harris	Daryl Lund
James McAllister	Don Mercer	Eric Roberts
Jim Wolters		

The public information meeting for County Drainage System No. 23 was held immediately prior to the public information meeting for County Drainage System No. 28 and some attendees signed the attendance sheet for County Drainage System No. 23 before the attendance sheet was made available for the County Drainage System No. 28 public information meeting

The following is the County Auditor's brief summary of the public input shared by those persons that choose to address the Board at the public information meeting:

1. This drainage system travels from Dead Lake to Walker Lake and is very important to the fish hatchery.
2. It was noted that the drainage system has become the Dead River. The Dead River no longer exists.
3. Benefits should be re-determined.
4. The general consensus of those in attendance was County Drainage System No. 28 should not be abandoned.
5. The Stony Arch Bridge which spans the drainage system was discussed. It was noted that the bridge is not a part of the drainage system. It was noted that the bridge needs repair and should be saved. It is a historical site.
6. The Department of Natural Resources does not want the drainage system abandoned.
7. Because Drainage System No. 25 outlets into Star Lake and Drainage System No. 23 outlets into Dead Lake, it is important to keep Drainage System No. 28 operational.
8. The question was also raised if County Drainage Systems 23, 25 and 28 should be one consolidated system.
9. It was suggested renaming County Drainage System No. 28 to Dead River. If this was done control over the system would shift from the drainage authority to the Department of Natural Resources.
10. The drainage system provides Dead Lake property owners with protection from high water and needs to be maintained.
11. The existence of a maintenance fund for future needs and the ability to generate a maintenance fund was discussed. The current day benefited property owners need to be established before re-establishing a maintenance fund.
12. The dam on Dead Lake and its ownership were mentioned. The dam was not a part of the drainage system when the system was constructed. The dam was a WPA project. The dam does control the water level. An ownership determination would be in the best interest of all parties.
13. Drainage System No. 28 is the only outlet for Dead Lake because the Dead River does not exist.

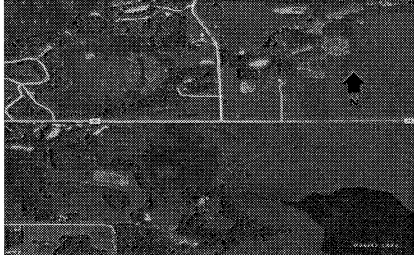
Hearing no other public comments, Doug Huebsch, Chair declared the public hearing of the Otter Tail County Drainage Authority adjourned at 8:35 p.m.

Respectfully submitted,

Wayne Stein

Wayne Stein
County Auditor

**Otter Tail County
Drainage Ditch #28**



Presented by:
Kevin Fellbaum
Otter Tail County Ditch Inspector
June/24/2013

County Ditch #28 Presentation

- Introductions
- History
- Photos
- Ditch Proceedings
- Reason for Meeting
- Questions and Comments

Introductions

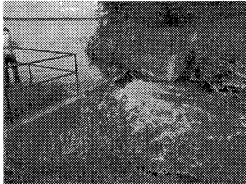
- Opening Comments: OTC Board Chair- Doug Huebsch
- County Employee Introductions
- Comments: OTC Attorney- David Hauser



History

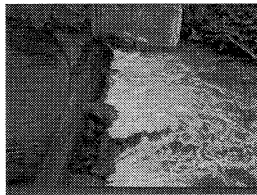
- **Established:** July 19, 1907
- **Purpose:** To reclaim and render tillable a large quantity of waste lands which are now marshy, boggy and worthless for any purpose and dangerous to public health in that the same are covered with stagnant and polluted waters giving forth malaria, noxious odors and disease germs. *(From Original Petition for Ditch- July 28, 1906)*
- **Course:** Starts at the South Side of Dead Lake and runs in a South Easterly direction into Indian Lake, then crossing under CSAH 32 still traveling in a South Easterly direction it discharges into Davies Lake and ending at the Dead River. The total length of the Ditch is 3600ft.
- **Structures:** There is an outflow dam structure in place at the beginning of Ditch 28, the structure has an outflow elevation of 1326.89 ft. The elevation of water on Dead Lake (6/11/13) was 1328.24 ft. The elevation of the lake before the Ditch was put in place was 1327.00 ft.
 - Old bridge structure which is South of Indian Lake, it is in disrepair, it crosses the Ditch System but is not apart of the system.
- **Currently:** There is good flow going through Ditch 28. There is quite a bit of tree dead fall that should be cleaned up so that in the future they don't plug the culverts under CSAH 32. This Ditch System has not had it's Benefits Re-determined since its original construction in 1906. There is a current balance of \$0.00 in the Ditch Maintenance Fund.

Ditch #28 Photos

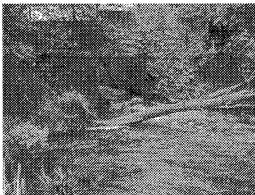


Outlet Control Structure on Dead Lake

Flow of water going over the Outlet Structure, the water is 1.35 ft higher than the elevation of the outlet



Ditch #28 Photos



Ditch Channel looking from the bridge, Some bank erosion and more deadfall

- Bridge Structure, along with deadfall



Ditch #28 Photos



- Davies Lake in the background, channel flowing to CSAH 32 and CSAH 32 culverts

Ditch 28 channel flowing towards Davies Lake



Ditch Proceedings

- County Ditches are owned by all Benefitted Property Owners within that given Ditch System
- County Ditches are controlled by the Drainage Authority (County Board)
- County Ditches are inspected by the County Ditch Inspector (who reports information and issues of the Ditches to the Drainage Authority)
- Ditch Viewers are appointed by the Drainage Authority to view and report how and which properties are affected by the in place Ditch System
- Any costs associated with the Ditch system are the responsibility of All the Benefitted Property Owners.

Ditch Proceedings

- By Minnesota State Statute 103E.351:
 - The Drainage Authority has the responsibility if they feel that the Original Benefits that were determined when the drainage system was put in place no longer reflects present day land values and or the benefitted areas have changed, to appoint Ditch Viewers to review and make a report on which properties are affected and how they are affected by the Ditch.

Reason for Meeting

- Input from Benefitted Property Owners on County Ditch 28
- Since Ditch 28 has not been Re-determined since it was established in 1907, the Benefits of the Ditch need to be re-established
- Once the Benefits are Re-determined, a maintenance fund for the Ditch will be able to be established for any future maintenance that would need to be performed on the Ditch

Questions and Comments