

**Otter Tail County Drainage Authority  
County Drainage System No. 23 Public Information Meeting Minutes  
Government Services Center – 515 W Fir Ave, Fergus Falls, MN  
Monday, June 24, 2013 – 7:00 p.m.**

The Otter Tail County Board of Commissioners convened as the Otter Tail County Drainage Authority at 7:00 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. 23, 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 7:00 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:

Dennis Cornelius	Jim Ebert	Merv Freeman
Phyllis Freeman	George Gouette	Daryl Lund
Lee Mindemann	Richard Preston	Cheryl Prosocki
Irene Sonju	Mark Steuart	Bob Stiras
Jim Wolters	Russ Worner	Dick York
Rita York		

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. If this drainage system is still needed, the benefits for this particular system should be re-determined since they have not been determined since the early 1900's and both land use and land value have changed significantly since the original benefit determination.
6. If the drainage system no longer serves a purpose then consideration should be given to proceeding with abandonment procedures.

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. 23  
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:

**Dennis Cornelius**  
**Carolyn Herron** (not on attendance sheet)  
**Lee Mindemann**

**Jim Ebert**  
**Dick York**

**George Gouette**  
**Daryl Lund**

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. Concern was expressed with additional water that might impact Star Lake by the potential use of County Drainage System No. 23 as an outlet for the Little McDonald, Paul and Kerbs Lake areas.
2. General information regarding the current condition of the drainage system was described.
3. Currently the only outlet for Star Lake is the Star Creek, which is controlled by the Department of Natural Resources.
4. The general consensus of those in attendance was County Drainage System No. 23 should not be abandoned.
5. The drainage system should be maintained and is needed as a relief value for the lake.
6. The recent high water and its impact to roads and homes were noted.
7. There were questions regarding the size and elevation of the pipe in the existing drainage system.
8. It was noted that the Department of Natural Resources will review where the Star Lake outlet elevation will be established.
9. The quality of the water in Star Lake was addressed. It was noted that the quality is dependent upon the separation of the water from the land.
10. It was suggested that if the drainage system is repaired a control structure should be placed on the outlet (inlet to the drainage system) from Star Lake to protect the downstream lakes.
11. The drainage system should be maintained as originally designed.
12. The drainage system could help control the bounce the lake experiences.
13. It was noted that Star Creek has served well for a long time and that there would not be much to gain from maintaining the drainage system.
14. Drainage System No. 23 was originally established to drain wetlands.
15. The drainage system is needed to control water levels.
16. The lakes upstream need Star Lake to solve their high water issues, which makes the drainage system important to the Star Lake property owners.
17. It was noted that it does not take long for the lake level to increase during extreme wet periods or if a heavy rain event should occur, but bringing the level back down can take considerable time even with an adequate outlet.
18. The need for an engineer's study was discussed briefly.
19. It was noted that the area benefited by Drainage System No. 23 would most likely be enlarged by a redetermination of benefits, but the benefited area would be established during the redetermination process and would most likely include the properties on Star Lake.
20. Department of Natural Resources considers Star Lake a real treasure.
21. Establishing a new drainage system under today's regulation and environment would be very difficult, if not impossible.


Hearing no other public comments, Doug Huebsch, Chair declared the public hearing of the Otter Tail County Drainage Authority adjourned at 7:52 p.m.

Respectfully submitted,

*Wayne Stein*

Wayne Stein  
County Auditor

**Otter Tail County  
Drainage Ditch #23**



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

---

---

---

---

---

---

---

---

**County Ditch #23 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 27, 1906
- **Purpose:** To drain away the overflow waters that by remaining upon the meadow and farming lands greatly lessen the farm products and also seriously endanger the public health. *(From Original Petition for Ditch- June 18, 1906)*
- **Course:** Starts at Star Lake and runs in a South Easterly direction for 4100ft, crossing under County Highway 35 and ending in Dead Lake
- **Events:** Petition was filed for Repair in 1993 to fix the culvert flowing from Star Lake, but due to the cleaning that was done by the DNR to Star Creek, the Repair was denied
- **Currently:** Star Lake is not flowing through Ditch 23. The benefitted properties for this system have not been re-determined since the date of original construction. There is a current balance of \$0.00 in the Maintenance Fund for Ditch #23

---

---

---

---

---

---

---

---

## Ditch #23 Photos



Star Lake Shoreline:  
Ditch 23 should outlet in this area

Western most portion of Ditch:  
Channel where water used to flow  
before being cut off from Star Lake




---

---

---

---

---

---

---

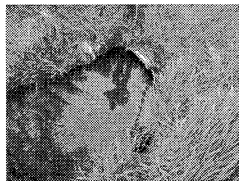
---

## Ditch #23 Photos



• Culvert flowing into Dead  
Lake under CSAH 35

Culvert flowing into Dead Lake under  
CSAH 35, after soil was pulled away  
to expose the culvert end




---

---

---

---

---

---

---

---

### Ditch #23 Photos



- Channel looking to the West from CSAH 35, small amount of water flowing

Culvert on West Side of CSAH 35




---

---

---

---

---

---

---

---

### 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.
- By Minnesota State Statute 103E.806 and 103E.811:
  - A Petition may be filed by at least 51% of the Benefitted Property Owners with the County Auditor asking for a full or partial abandonment of the Ditch if it is proven to show that there is no longer any Benefit derived from the Drainage Ditch

---

---

---

---

---

---

---

---

## Reason for Meeting

- Input from Benefitted Property Owners on County Ditch 23
- Since Ditch 23 has not been re-determined since it was established in 1906, 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
- Or a Petition for Partial or Full Abandonment may need to be filed with the County Auditor if a large majority of the Benefitted Owners feel the Ditch no longer serves a purpose
- If a Petition for Abandonment is filed, a public hearing will take place, where the decision on partial or full abandonment of the Ditch will be deemed feasible or unfeasible.

---

---

---

---

---

---

---

---

## Questions and Comments



---

---

---

---

---

---

---

---