

Stearns County Ditch 28 Project
Public Input Report

November 17, 2020

Prepared by Land Services



COUNTY OF STEARNS

PROPERTY SERVICES DIVISION

Land Services

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November 17, 2020

Stearns County Board of Commissioners
Administration Center, Room 121
705 Courthouse Square
St. Cloud, MN 56303

RE: Stearns County Ditch 28 Project – Public Input Report

Commissioners:

The Stearns County Ditch 28 Project – Public Input Report provides a summary of the responses collected from some property owners on their opinions about contracting for services to have an Engineer's Repair Report completed on County Ditch 28 (CD28). Staff solicited input from 2,232 property owners within the ditch system and in the CD28 watershed defined by engineers who have been working with the Stearns County Drainage Authority. Information accompanied by a survey were sent to them via postal mail during the week of September 21st. They were contacted in this manner in lieu of participating in any public informational meetings on the topic due to COVID-19 health risks.

To promote this information and the completion of the survey, all property owners were encouraged to access the CD28 Project webpage to review a video presentation and additional resources. A brief explanation of this project and potentially others along with a description of the processes and timelines to be followed were offered. Property owners who were unable to obtain these materials through a computer were asked to contact Land Services for paper copies. Everyone was invited to send correspondence, call or write with questions or concerns, and submit a survey by postal mail, email, or electronically online before 4:30 p.m. on Friday, October 23rd.

Staff attended the Albany City Council meeting on Wednesday, August 19th, and the Albany Township Board meeting on Monday, August 24th, to discuss CD28 and educate their members on the proposed project and estimated costs. Representatives from Land Services also publicized this ditch matter by appearing on two KASM radio programs held on Wednesday, September 9th, and Monday, October 12th. Lastly, the Albany Township Board hosted a moderated, interactive public forum on Monday, October 26th, at the Arban Church located on the grounds of the Pioneer Club in Albany where some property owners took part. The Land

Services Manager attended this meeting remotely to provide information and answer questions.

During this 30-day period of engagement, the public presented their views. A total of 273 YouTube screenings were reported, 51 telephone calls were handled, 43 emails were addressed, and 328 surveys were returned. This record comprised an essential component of the outreach process and provided specifics sought from the public. Results of this survey together with the many comments shared by property owners are summarized in the following public input report prepared by staff.

This report serves as a valuable resource to help both Land Services and the County Board of Commissioners gauge the public's attitude toward an engineering repair report and other conceivable projects. It is a summary of what opinions have been presented and does not purport a position by staff on whether this project should be pursued, or if any specific project was preferred over another project. This report and its supporting appendices are provided for your consideration and is publicly available online after the November 17th County Board Meeting.

If you have questions or wish to discuss the report, please feel free to contact Chad Martini, Land Services Manager, or me.

Sincerely,



Jeffery D. Johnson, SAMA
Property Services Director

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PURPOSE

At the August 11, 2020 Stearns County Board of Commissioners meeting, the Commissioners heard a summary presentation by Chad Martini and Jeff Johnson from Property Services regarding an Engineers Conditions Report the Commissioners had ordered on December 17, 2019.

When the presentation was complete, the Commissioners directed staff to gather feedback from property owners who may be impacted by future projects, including those property owners who may be brought into the County Ditch 28 (CD28) drainage system through a ditch redetermination process if one was so ordered.

Staff was directed to bring the findings of any informational sharing and feedback gathering to the Board of Commissioners at a future date.

BACKGROUND

Stearns County has a legal responsibility to maintain drainage systems. The Drainage Authority is the only legal entity that can approve projects in the CD28 Drainage System. The five County Commissioners comprise the Drainage Authority for CD28.

In an effort to investigate flooding complaints in and around Two Rivers Lake related to CD28, the following events have taken place since 2013:

- October 2013 – Informational Meeting to discuss flooding with residents. Presentation shared by Stearns County, DNR, and Soil Water and Conservation District.
- November 2015 – Repair in two locations for a total of 200 feet funded by the Lake Association.
- April 2018 – Inspection Report for CD28 presented to Board of Commissioners, Drainage Authority.
- April 2018 – Reestablishment of Records completed.
- June 2020 – Engineers Conditions Report completed showing impacts of potential repair and fish trap removal.
- June 2020 – Tree removal at trestle bridge in Holdingford.
- August 2020 – Tree removal north of Two Rivers Lake.
- September 2020 – Property owners mailed information and a survey about contracting for services to complete an engineering repair report and other possible projects.
- October 2020 – Fish trap removed from Two Rivers Lake outlet.
- November 2020 – Public Input Report completed and submitted to County Board for consideration.

METHODOLOGY

Because of COVID-19 restrictions on large gatherings, staff determined early on that in-person meetings would not be feasible. The educational outreach focused on media outreach through KASM radio, mailing of a letter explaining the situation and need for property owner feedback, and a survey regarding property owner opinions.

The survey was mailed to each property owner identified as owning property within the estimated CD28 watershed as estimated by H2O Viewers and Houston Engineering. The survey was also available digitally through the Stearns County website. It is necessary to note that the boundary used for mailing property owners which estimated what a redetermined ditch system could look like is only an estimate. There is no way to know for certain which properties may be impacted by redetermination without completing that project.

A phone number was created specifically for taking phone calls from property owners and all calls flowed through a calling tree to avoid the need for callers to have to leave a voicemail.

Staff joined KASM radio on two occasions to discuss the project and educate the region regarding the proposed repair projects and estimated costs. Staff was invited to attend an Albany City Council meeting and two Albany Township meetings to answer questions.

RESULTS

Property owners were asked to complete the survey by October 23, 2020 to provide staff with adequate time to summarize the information and provide the County Commissioners time to review the results prior to making any decisions about CD28. Phone calls were also taken by Stearns County staff to answer questions.

Survey

The survey consisted of 7 questions:

1. What type of property do you have?
2. Have you visited the County's ditch website and reviewed the history, maps, photographs, reports, and other data regarding CD 28?
3. Is property you own affected by CD 28?
4. Are you in favor of the County proceeding to hire an engineer to prepare an engineer's repair report?
5. Based on the information made known to you today, do you believe repairing CD 28 is in the best interests of the property owners affected by CD 28?
6. If a repair report or contract for repair is awarded for CD 28, are you in favor of the County redetermining benefits for CD 28?
7. Please share comments and opinions of the pros and cons that you would like the Stearns County Board of Commissioners to consider when deciding whether or not to move forward with an Engineer's Repair Report?

As of November 2, 2020, 334 surveys have been received out of 2,232 letters sent to property owners for a return rate of 15%. The question response are summarized on the following pages.

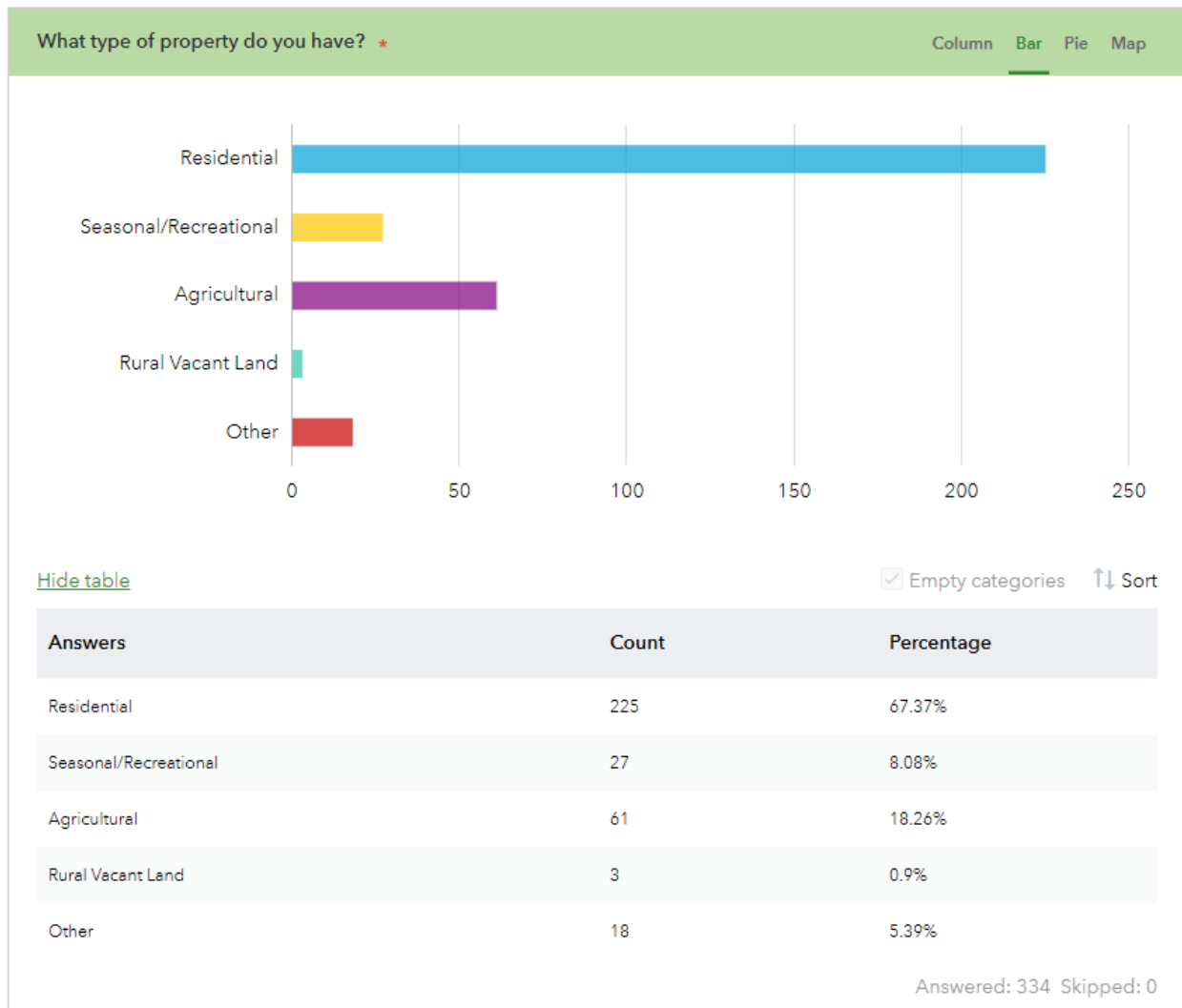
Question number 7 is an open text box for property owners to share their thoughts. The full comments are found in Appendix A – Comments. The comments are free form text and include a lot of different opinions, but the content can generally be summarize into one of the following categories:

- Property owner is not affected.
- Property owner does not want to pay to fix other people's problem.
- Property owner does not want to pay for project as taxes are already too high.
- Property owner has a flooding concern and a fix is needed.

A statistical summary of the responses to each question follows. The data was collected and its analysis facilitated by the Stearns County GIS group using in-house GIS software named Survey 1-2-3.

Question 1

What type of property do you have?



Question 2

Have you visited the County's ditch website and reviewed the history, maps, photographs, reports, and other data regarding CD 28?



Question 3

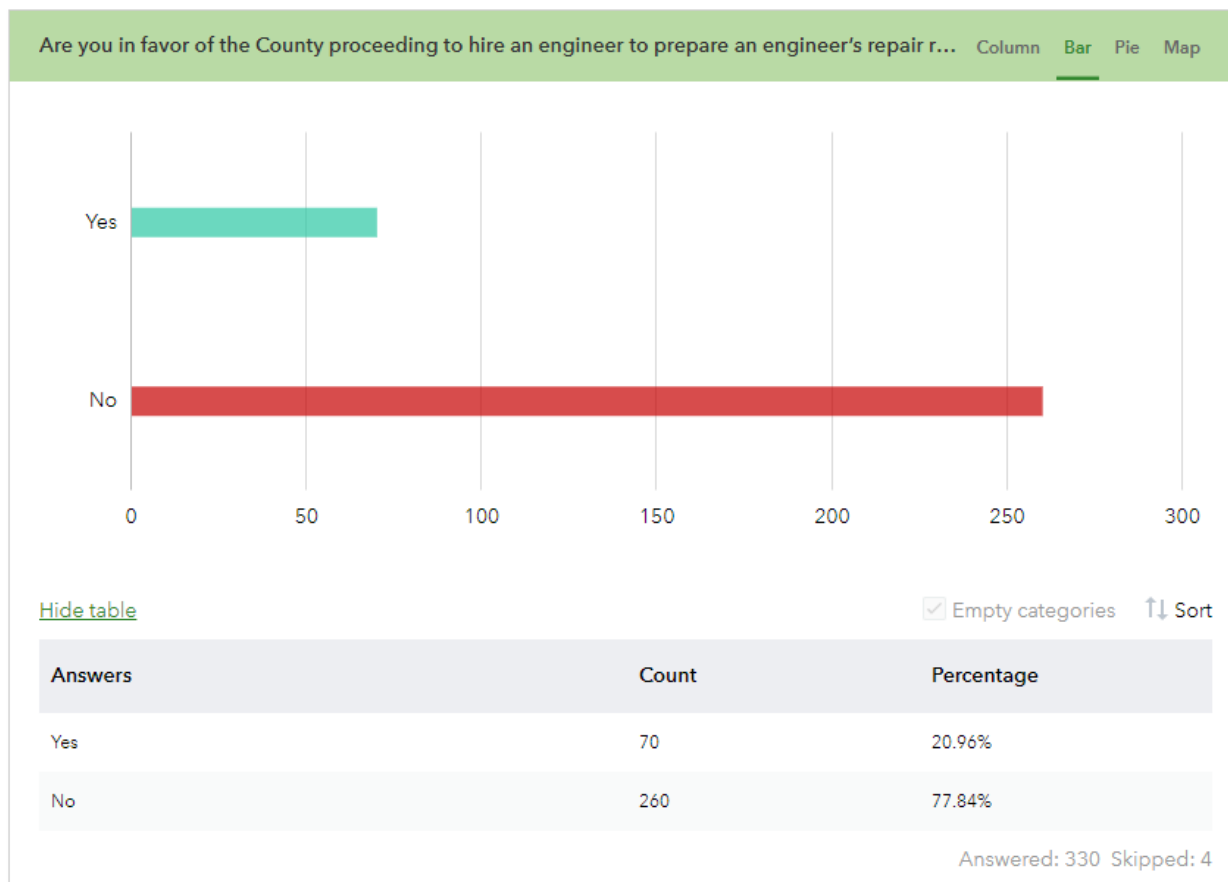
Is property you own affected by CD 28?



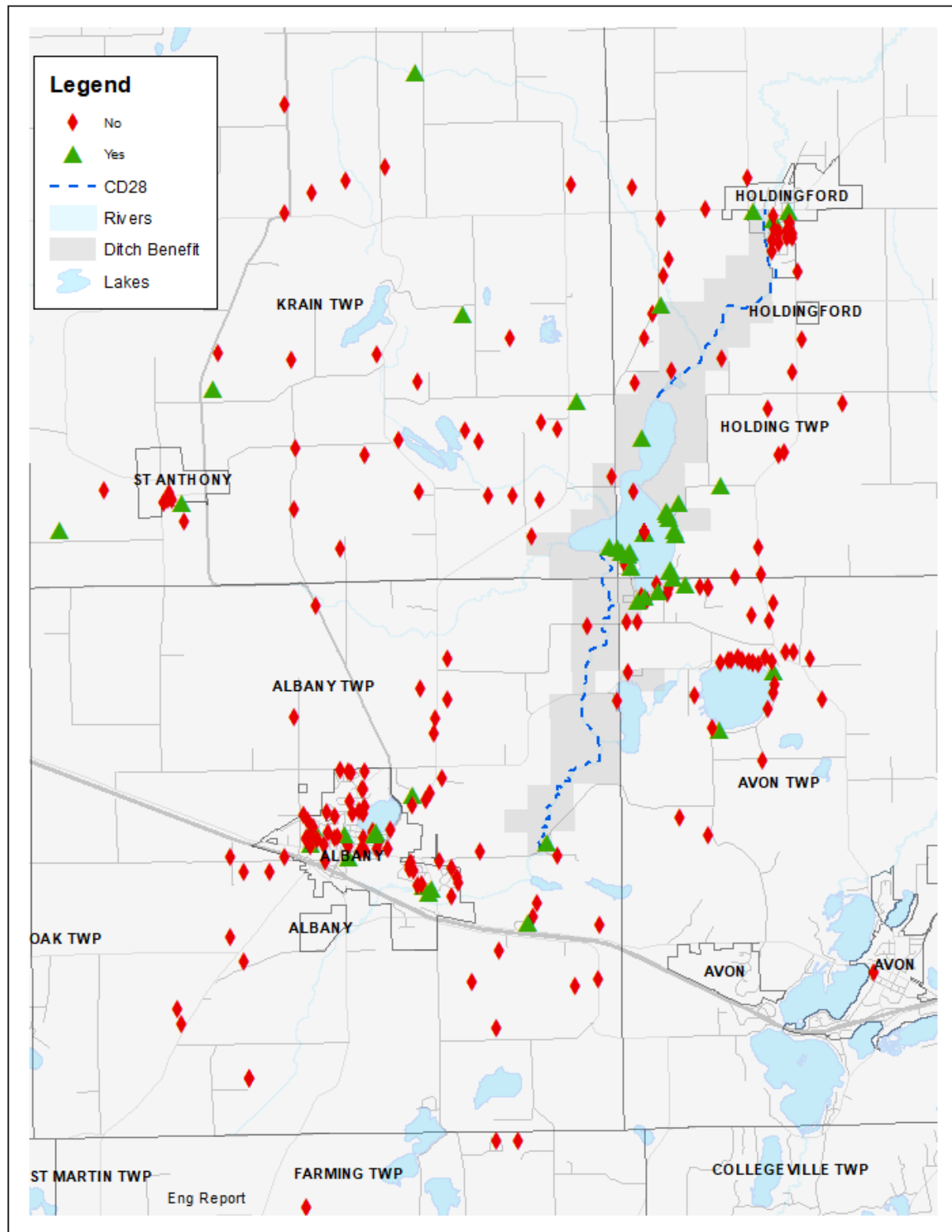
Question 4

Because the estimated costs to contract for construction of the repair of CD 28 are approximately \$200,000, the County must follow specific procedures in Minn. Stat. § 103E.715 to repair the drainage system. These procedures require appointing an engineer to prepare a repair report showing the necessary repairs, estimated cost of the repairs, and all details, plans, and specifications necessary to prepare and award a contract for the repairs.

Are you in favor of the County proceeding to hire an engineer to prepare an engineer's repair report?



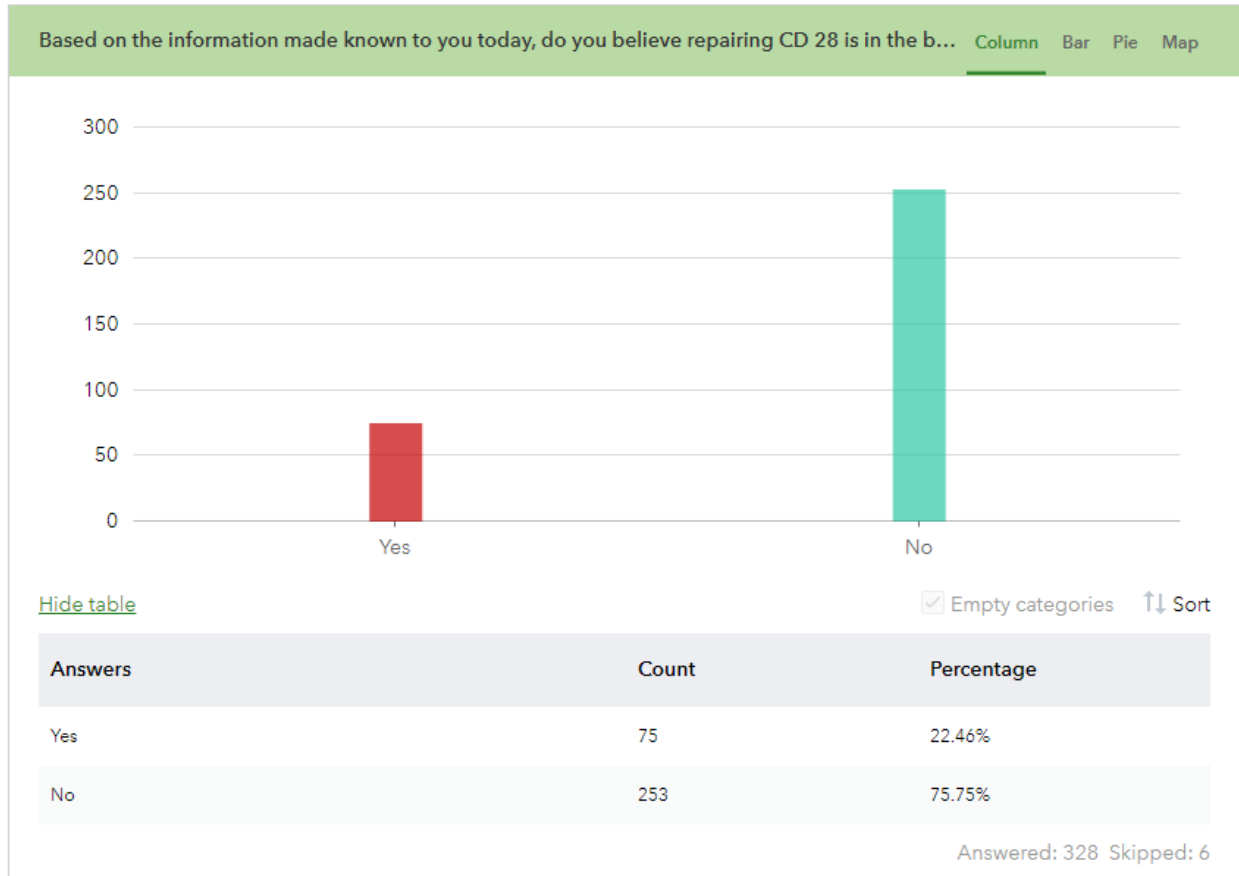
Map – Are you in favor of the County proceeding to hire an engineer to prepare an engineer’s repair report?



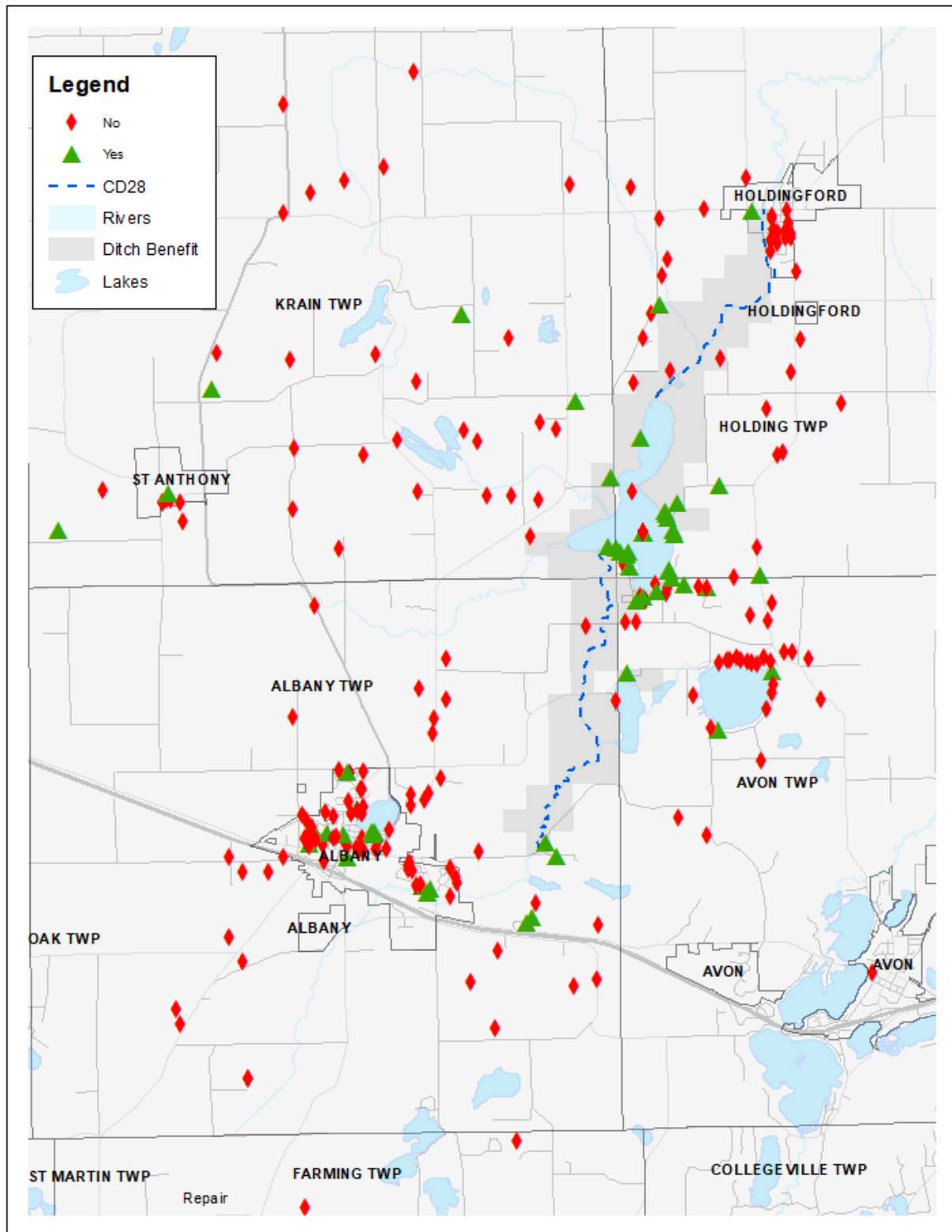
Question 5

A ditch repair would restore County Ditch 28 to its as constructed or subsequently improved condition.

Based on the information made known to you today, do you believe repairing CD 28 is in the best interests of the property owners affected by CD 28?



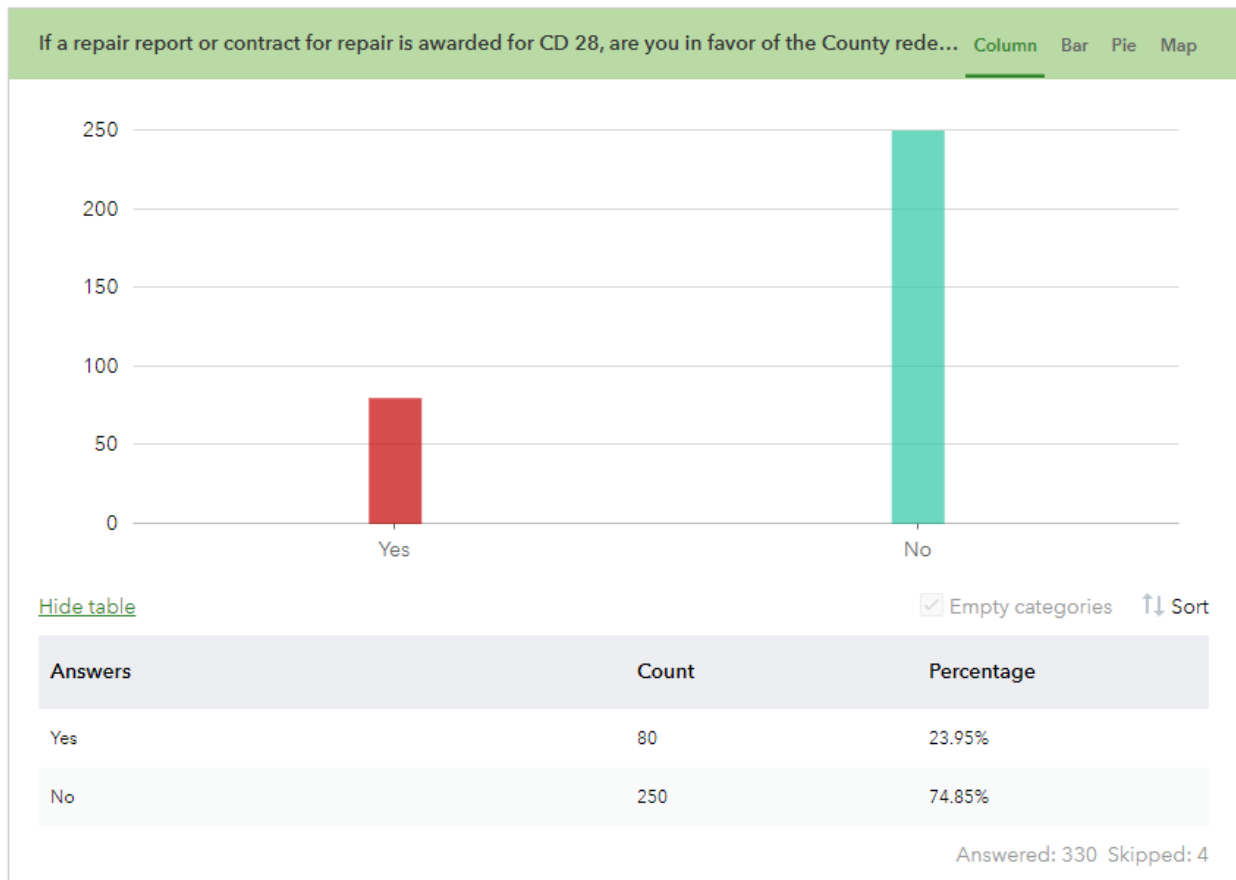
Map – Do you believe repairing CD28 is in the best interests of the property owners affected by CD28?



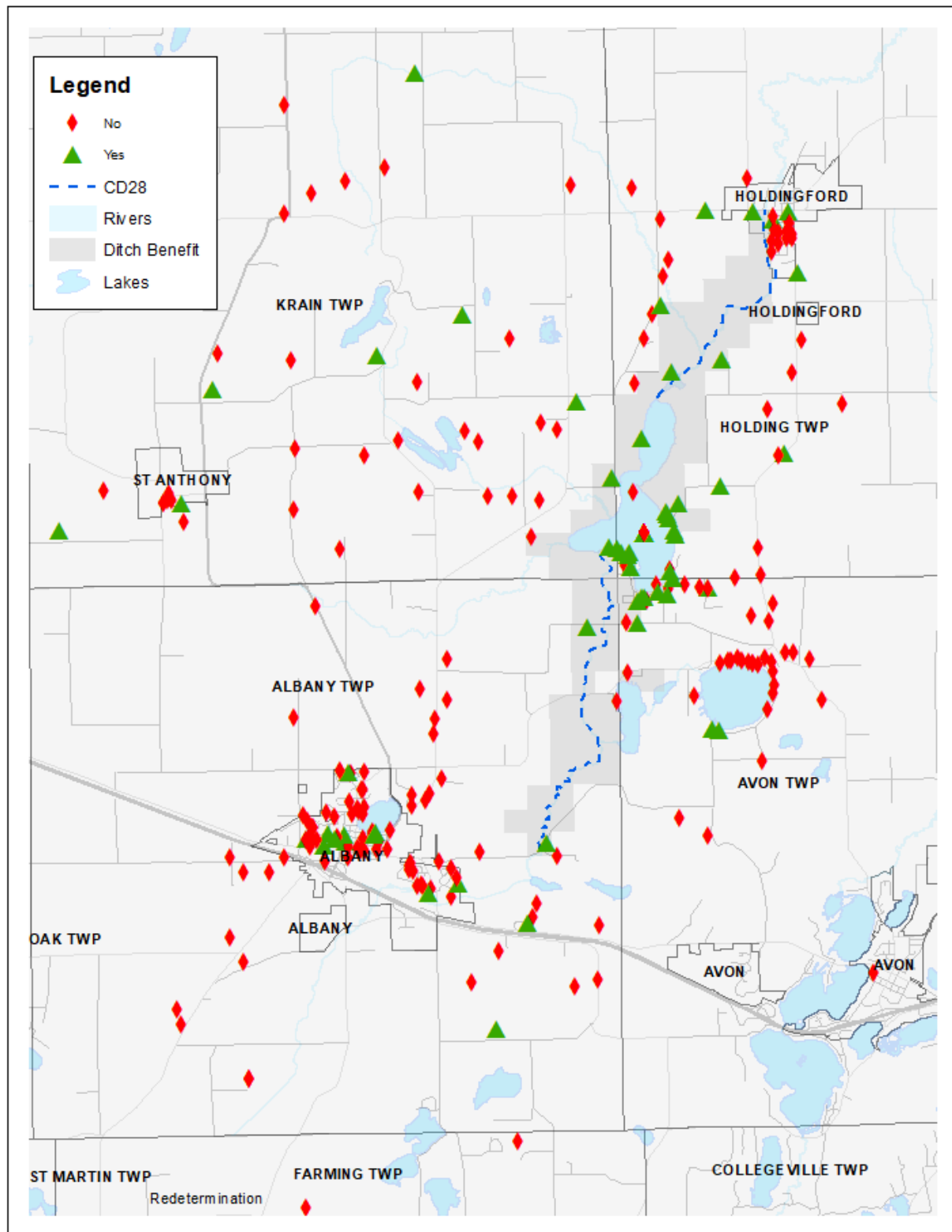
Question 6

The costs of proceedings to order a repair of a drainage system, including the cost to contract for construction of the repair, are apportioned to landowners who were determined to have benefited from the drainage system when it was originally established. The benefits to CD 28 can be redetermined by appointing “viewers” to inspect the drainage system and report to the County on the properties presently benefited by CD 28. A public hearing is held on the viewers’ report and, once approved, is used to apportion costs, including repair costs, for all future proceedings.

If a repair report or contract for repair is awarded for CD 28, are you in favor of the County redetermining benefits for CD 28?



Map – If a repair report or contract for repair is awarded for CD28, are you in favor of the County redetermining benefits for CD28?



Question 7

Please share comments and opinions of the pros and cons that you would like the Stearns County Board of Commissioners to consider when deciding whether or not to move forward with an Engineer's Repair Report?

A summary of property owner feedback can be found in Appendix A.

Call log

From September 2020 to October 23, Stearns County received 51 phone calls and 45 email from property owners who received the letter regarding CD28.

APPENDIX A – COMMENTS ---

Please share comments and opinions of the pros and cons that you would like the Stearns County Board of Commissioner to consider when deciding whether or not to move forward with an Engineer's Repair Report

03.00731.0010

Two Rivers has always flooded and always will! You can't fix elevation, it's the layout of the land. Yes, Two Rivers has nice shorelines, but doesn't mean it should be built on. Don't make a few people's problems more peoples problem by expanding area! The County had money from failed watershed district, which by the way, most money was provided by Albany tax payers. This money was used to construct a park that is used very little! It should have been used for water issues.

Nature should be allowed to determine it's own drainage. We have changed water flow and habitats too much in the past, we need to allow things to return to their natural state and not continue to disturb habitats. While I empathize with lakeshore property owners, especially farmers trying to grow food for all of us, they need to accept the risks associated with such properties. My property is lower then many around me, I may experience water issues because of that; it's a risk of property ownership and one that I accepted when I purchased a property down hill from others.

We don't need throwing money at a engineer . When we have tons of experience in Stearns county already that can do this at a fraction of the cost. If this is anything like the Sauk water township issue. It's not going to be good.

Glen Klasen

Please reply to me who every reads this.

As I and am in the watershed, any repair on the cd28 would only impact me with more taxes and have no benefit. If repairs are indeed needed, then those that benefit should bear the expense.

I fish two rivers lake a lot. Looks like all that is being done is getting water out of two rivers lake faster to prevent flooding, which has been going on for many years. Why isn't anything being looked at for slowing water coming into the lake? Is the flooding from excessive unregulated tiling of fields??? The lake was lower all year compared to past few years. Leave the carp trap and leave it alone. I would rather see water quality issues being addressed from water flowing into the lake. I receive no benefit from the ditch repair. Maybe a public access for boats should be considered by sno flyers club, since the county wants to go in and disturb all the wetland area.

I am not actually sure if I am impacted by sharing the costs. I am in the Watershed district, but it doesn't look like CD28 crosses my property. If something was going to be done South of Two Rivers Lake I would have more concerns. Also my home elevation is quite aways above the Lake I am not very concerned about flooding.

13.07858.0000

CD 28 serves no benefit or impact to my property therefore I am not in favor of moving the boundary as described. I have a designated wetland on my property due to the land to the north and west of our property that drains into my wetland. There rarely if ever is drainage out of my wetland as it is dry 99% of the time unless we have a significant rain event. In the end, my property is already doing the work for CD 28.

<p>The Ditch Re-determination cost is excessive, as the repair. Not all things in life need to be 100% perfect. The Ditch is what it is. The cost associated with this will only burden the hard working taxpayers of this area. Thanks</p>
<p>It looks like removing the carp barrier is easy and projected to provide the most benefit. The report, redetermination, and repair cost a lot of money to provide only a few more inches of relief during 2yr peak rains and the benefit is just to the few people who have a house on Two Rivers Lake. With climate change and heavier rains I think the property owners will have issues continuing anyway, and will have to do more drastic measures- move/raise houses? Berms? Widen the ditch beyond original design to handle more water?</p>
<p>Engineering is not needed for a ditch cleaning. The County must have plenty of engineers on staff that can handle this project. A good contractor and a county engineer and landowners could accomplish it for a lot less money. We need to slow our run off not increase it like SRWD did. Utilize money to increase flood areas. Take land off tax roles if its being flooded during heavy rains. What they did in 1906 allowed more land to be farmed. Farmers continue to get more production out of an acre of land and yet prices fall. So buy or lease more land to make up the losses. When the biggest resource they need is water. Wait till the next drought comes and see who wants ditching done.</p> <p>If the engineering firm makes a mistake they are never held liable. So the tax payer from some bogus determination of benefits get the bill. I ask you does not everyone in the CD28 district benefit by clean water including the residents of Albany. The commissioners should be talking with their constituents.</p>
<p>Our property consists of 2, 2 acre lots. We do not send runoff water from our lots to CD 28 since rain falling on our property percolates into the soil in an onsite low area and is not ditched offsite. Redetermining the benefits for CD 28, just so that the county can get me (and some of our neighbors) to pay for this project is just an unfair practice!!</p>
<p>Since my property is so far away from county ditch 28 I don't believe I should have to pay anything for an improvement to that ditch. I have no financial or physical benefit from this project.</p>
<p>The DIRECT property owners that have benefited from and will continue to benefit from this ditch since 1906 should be the properties that are assessed any costs for maintenance or repairs. The improvements that are done in a city, such as sewer, water and sidewalks are assessed to the adjacent property owners only, not everyone in the county. This ditch repair should be handled in the same manner. We do not want to be involved in paying for this project.</p>
<p>People should not be building home in areas that are swamps or wet land areas. If they do they are the ones that should pay for the drainage system so their properties don't flood.</p>
<p>I do not believe that this project will benefit landowners in the part of Albany where I live. I would like to have this explained.</p> <p>I do not see any value in redetermining CD28. I do not see where there would be any benefits outside the current boundaries and do not think other property owners should be forced to pay for their benefits. Also, I would expect the property taxes collected to support watershed districts should be used for such projects instead of the wasteful spending to create a fishing pier and park on Two Rivers Lake.</p>

While I question the estimated cost of the redetermination, it is imperative that it be done. It is obvious that the list of benefited acres currently being used is inaccurate and unjustified. There are many property owners out there who have caused the current problems with the ditch and the flooding issues on the lake. Those property owners have also benefited all these years from using the ditch. It is now time for those same property owners to start sharing in the costs. The lake association has already borne costs on this ditch that were the legal responsibility of the County. In addition, property owners on the lake have suffered personal losses due to the repeated flooding. We have had enough.

N/A

During this given time, people are living in a global pandemic worried about jobs, and health. Nobody wants increased costs for a project when they don't even know how much it will be. This could make people have to sell their homes if they already have lost wages due to Covid. Especially since it's on the rise and possibly future shutdowns. It should be put on hold for now. I would be upset having to pay when I already have to pay money to fix a poorly constructed easement road.

my answer was no but I think the assessments should weigh very heavily on the lake property owners whos property value would be most effected by either doing or not doing the ditch work. on the other hand MN DNR thinks they own everything water and hopefully now when "their" waterway needs repair they step up and pay . This of course would indirectly come back to Minnesotans via higher fishing license etc but it would be a lot less burden as there is a larger appropriation of fees instead of a couple property owners. just my 2 cents in 2 different scenarios. thank you.

I am not in favor of paying for something that does not affect me.

Our property has never been flooded as a result of a problem with Two River River/Ditch 28. The properties that have been flooded are the properties that have been "affected" by this. Since this is actually a designated river, shouldn't the DNR be taking care of this?

I have no idea where the ditch is so why would I help pay for it.

We are not affected by the ditch, the drainage or the lake. We are high ground. We have never had flooding, ditch drainage issues or lake flooding issues. We are opposed to project.

No I am not in favor of redetermination. So people made a personal choice to live on a lake and now are upset that it floods when it rains heavily? Why do I have to pay to make someone life and property better. It's like people buying a house in the flight path of an airport and complaining about the noise and demanding others that don't live near the airport pay to put up barriers and such to satisfy their poor personal decision!!!!!!

I pay the city of Albany to handle my storm water disposal. And , the city of Albany was founded before ditch 28. The ditch is only to benefit those that are currently in the determined area. I refuse to pay for something that does not impact me. I am tired of government taking my money and spending it on others because they made poor choices.

In the three and a half years that I've owned this property, there has never been runoff that has entered CD28 or any ditch which connects to it. All winter melt runoff is collected in the City of Albany storm sewer system. I have never experienced any large amount of rain runoff that has gone anywhere else. Rain runoff is very limited as 95% of the rain that falls on the property is soaked into the ground (based on the square footage of my driveway versus the total square footage of the property).

Stearns Electric would like to remain neutral in this endeavor, but is in favor of the most cost effective approach to move forward. It appears obvious by the maps and data that removing the fish trap would likely bring the most benefit and least cost. If that is not the case, the data should be presented in an easy way understand the added benefits of hundreds of thousands of dollars of extra work.

First of all I do not believe that I my residence is in the cd 28 watershed. Secondly I am certainly not in favor of being taxed to have a ditch repaired way over by Two Rivers Lake which is nowhere near me. If some peoples lake homes are flooding out that is not my problem. I have my own property tax to pay.

Two Rivers lake is really just a big muddy pond and has always flooded and it is 4 miles from my place. And none of our water flows that way. If people cant handle the flooding out there then they shouldn't live on the lake. No way in hell am I going to pay an assessment tax to keep some people's lake homes from flooding 4 miles away from me.

The city of albany should be picking up a lot of the cost for this ditch because of the waste and storm water they are pumping into this ditch. Hope this isn't all happening just to keep the albany golf course from flooding it seems that the only people that are really benefiting from all this work is the over payed engineer's. let the backhoe do the engineering and quit playing with other peoples money

I've been living at the cabin for 40 + years owned it for 10. I saw back in 1979 to 1980 yards and yards of dirt being hauled in the west side of lake. this was mostly swamp land. Shortly after that they built large homes on the swamp and know complaining about flooding. yes fixing the ditch will help some but what will it do for me? I live up on a hill which is about 40 ft. above flood plain.I see no benefit to us on the east side. is the public welcome to come to the meeting on the 17 of Nov.?

We currently are outside the area being looked at. On our property where that ditch runs thru it is meadow/lowland and does not effect us when it floods. So being the impact to our property does not effect our home we would not be in favor of having an engineer's report completed as we see no benefit.

Are you going to bring wet land back to the 1906 time frame maybe flooding in the area would not be such a problem if people where not allow to drain all there wet lands, also what has happen to the additional taxes that were tax on the original watershed area, if nothing has been done since 1906 there must be a pole of money to do work now it has been a 100 years of saving for this problem I hope

Too many taxes already, not needed now. Doesn't seem to have much benefit for the substantial cost.

I own approximately 62 acres, most of which is swamp. We have never harvested any crop from this property. We do have several small food plots for wildlife. Certainly circumstances have changed since 1906 and it seems appropriate that all property owners in the watershed should be assessed for these repairs. Farmland and lakeshore owners alike benefit from the ditch.
If there are ongoing flooding issues, an engineering report should proceed, however, the affected area seems focused in the existing property boundaries. As an owner on the southern end of the redetermination area, I have a hard time with both the new boundaries along with the cost to re-determine the new area. It is nearly doubling the projected cost in order to establish greater cost sharing which seems incredibly counter productive.
As a residential owner in the City of Albany, I can't see how I am directly affected by this and I don't know how certain agriculture properties are affected - at this point, I could use more information before I would approve another property assessment - still paying for our new sewer lines.....
It seems this is not a good time to be bringing additional costs to farmers and landowners with all that is happening in our world. If this is really necessary to do at this time, please be conscious of the costs incurred and not be spending other's money as freely as you like. People have a lot to deal with now and this would just be another financial concern for some which could be very difficult to handle. Please use good judgement.
The ditch does not affect me directly, and I do not feel it is fair to have to take on additional costs on behalf CD28.
I am not in favor of a redetermination affecting all property owners within a drainageways entire watershed. The benefit of this ditch is directly related to the functionality and the value of the property owners along its path. The water level on my property is not affected by the ditch in its current state nor would it be improved by repairs to the system. I feel that the cost of draining land should be the responsibility of property owners that chose to purchase and build in an area where flooding is a frequent occurrence.
I do not feel that this project will benefit my property in any way. I do not support this project. My acreage is cropped for agricultural purposes. Therefore, I do not want my land impacted when it already serves a purpose without any issues. This project will hinder my property and take away from the agricultural purposes that it serves.
Why do people not directly effected by the drainage system but in the "zone" have to pay for it?
Why do you have to do all the way back to when it was "originally established". For example Gretchell Creek is now worse as far as flooding and water quality.
It seems obvious that repairing the ditch will minimize flooding. My question is , will less flooding eventually result in a cleaner lake?
N/A
We understand the need to make modifications to a ditch if it is the cause of re-occurring flooding issues, however feel that our property should be considered to be outside of the boundary of property that would have any sort of affect on the flooding issue.

I dont have an issue with the repair. However, I would encourage the Commissioners to use the latest available technology, not traditional viewing teams, to provide the ROB. I would also like to see an analysis of non-contributing areas within the drafted map of the CD28 watershed. I believe that any areas that can be shown to be non-contributing catchments should be excluded or assigned a reduced benefit as those acres are not actually drained by CD28, and will not see a "benefit" of a ditch repair. I would also encourage the Commissioners to set aside funding specific to this project and work with Stearns SWCD or the project engineer to identify multi-purpose drainage management practices that can be part of the project to increase water quality and save costs to the system in the long-run.

We think that those in the flood plain should have to pay the cost to fix it.

I haven no issue with project itself. Certainly the County needs to maintain the drainage system. I do have an issue with treating the project as a special assessment to the full area of the CD28 Watershed map. For assessments to be justified, they need to show an added value to the property. I highly doubt most properties in this area will have actual added value as shown by an appraisal for the amount of a proposed assessment. I would think if the County is challenged on this, they will not prevail. Although I certainly think there may be benefit to the properties along Two Rivers Lake & an assessment for them is probably appropriate. If the County really wants to do this project, they should do it as a County wide project & the cost would be spread across all County property owners just like a highway or road project.

IF IT MAKES IT BETTER FOR THE RESIDENTS/FARMERS/LANDOWNER--

YES--GO FOR IT

BERNARD KOLTES 10-3-2020

We are not affected by this and do not want you expanding by redetermination, so that we are in the effected area. I live in town and do not wish to pay for this project.

The flood plain maps do not show a significant impact to those outside of the current CD28 watershed lines and do not warrant a boundary redetermination. If repairs are necessary, those within the current watershed should be the ones to provide input and be responsible for the costs. I do not agree with sharing the costs of these repairs when I will reap no benefit or mitigate any risk to my property.

Our natural resources must be maintained.

This is my parents address and I own the 20 acres next to them. I emailed and tried to get an established address but have not heard back from them.

I believe those in the flood plain should have to pay for the cost as this does not pertain to me.

By repairing Ditch 28 from Two Rivers lake to County Rd. 17 you are doing nothing but dropping the lake level. The same amount of water is going to be coming in via all 7 inlets. You need to concentrate your efforts, engineering reports, and dollars to the watershed around the lake and specifically south of Interstate 94. This watershed has been aloud to nearly triple in size since the 1950's. This ditch was not designed for the load it has been recieving because of ditching and tiling everywhere. The water simply has no place to go to other than the ditch. Create places for the water to go other than just the ditch or the lake. Spending \$300,000+ to lower the lake is nothing but a bandaid on an open wound. Lets do something that will benefit future generations. Not just this one.

The current report shows the benefits if the fish trap is 100% plugged. This makes the report numbers show some change. Being the trap is not 100% plugged the change would be significantly smaller. Over 100 year average a max of 2.88 inches benefit with a trap 100% plugged doesn't make any sense. What about a report with the fish trap open and not starting plugged.

This also shows me that worst case scenario anybody 2.88" above plugged fish trap have no benefit at all. Can I use the property that directly benefits from this? I think the true beneficiaries would so no.

To spend \$175,000 to split a \$200,000 job doesn't make sense. I can see that the people who would directly benefit from this would stack a report in their favor and want more people who don't benefit for it to help pay for it.

Please do not be fooled by this.

Thanks.

This ia a very expensive project, with minimal benefit solely for property owners directly on Two Rivers Lake. I do not believe the county should proceed.

questionable if my property is affected

1. Increasing the flow of Ditch 28 will have unintended consequences of downstream flooding. There would be more properties harmed by flooding than those that might be benefitted by the ditch work.
2. If any action is taken to reduce flooding on Two River Lake it should be by creating holding ponds upstream, not by making the water go faster downstream. That would benefit more properties in the watershed area and not cause increased flooding downstream.
3. The County should partner with the City of Albany to increase the capacity in and around North Lake and south of the City, thereby lessening downstream flooding.
4. Tax payers in the watershed have already paid taxes to the previous but now disbanded watershed district. Those funds were diverted to the County Parks system. The County should first contribute funds in that amount (\$100k?) to any improvements in the watershed area.

Where has the money from the property owners taxes to maintain the ditch gone. The cost seems rather high I feel the D.N.R should pay for the repair that's what are license fees are to help cover not to just buy them new trucks and four wheelers each year.

When we receive large amounts of rain, Two Rivers Lake will flood. It has done so for years. We live on Pelican Lake. We do not flood. If it would benefit the 3.089 acres -231 properties-then let them pay for it. This is the most ignorant thing I have heard for quite some time, "Properties that send water to CD28 would be part of the system and responsible for paying expenses incurred." I have buckthorn, box elder and thistle that I try to control and remove every year. Could you have some "viewers" inspect the 43,791 acres and 3,000 properties and determine where the birds and wind are bringing the seeds from and have the property owners pay for the removal expenses for me?

How about start with the fish barrier removal and the people who directly benefit from it pay the bill; and if that doesn't work, then do additional repair and the people who directly benefit can also pay for that or all the commissioners can donate their salary for one year and that should about cover it.

Flooding and lake level fluctuation on Two Rivers Lake is very annoying.

If the ditch can't be larger, there is no point. Lake always floods and the homes are too low. I've been on the lake since 1960 and that is just the way it is.

Our opinion is to remove the fish trap. The cost should be taken care of by the DNR. Very simple on our part, when the water is high we don't farm the meadow. I am absolutely against incurring any more costs on this issue. I contacted commissioner Notch on the first study done on the ditch. He assured me that it was nothing to worry about. I asked about cost and he said not to worry about it. Then I get a bill for \$284.34. I am not pleased with this. Do we really need to spend 400,000 dollars to remove a fish trap? I will not benefit from any changes done to CD28 in the future. It has always been low ground on my property and always will. Again Please do not spend our dollars needlessly.

We are concerned about the continual flooding and damage to our property from the inability of controlling the water level of Two Rivers lake. You would think in this day and age measures could be taken to monitor and control this. We are are highly optimistic this project is a step in the right direction.

I feel that the property owners that build their homes in a flood zone should be responsible for the cost to clean out the ditch. Why did the State, county and townships allow them to build there in the first place?? It should have never happened !! Now they want everyone to fix the problem. So make the property owners who live in this flood zone area pay for it themselves. Thanks for letting us know about issue.

I will no pay for this! WE pay enough here in Stearns County for taxes. Cut the social services benefits and use tax money already collected. I'm sick of paying for programs to those in need. Stearns County wastes so much tax money it's unreal. I'd love for you to show me how this will benefit my property!!!!!!

We have no computer. This has nothing to do with our land. We don't even have a drainage and ditches by us. Thanks Janice
I'm not in the CD28 Watershed.

The more property owners paying for the project the better to help spread the cost to keep each residence cost minimal. Looking for this project to be a one time cost.
The Pelican lake area residents have already completed several projects , coordinated by the Pelican lake association . Several thousands of dollars were spent to add upstream holding ponds , wetland restoration, run off control work and improvements at the Lake outlet . This works has minimized the impact on run off from heavy rain events and surges of flow out of the lake due to them, minimizing the affect downstream. For this reason, I do not think the Pelican lake area residents should be included in any tax increases due to work on the CD 28 ditch. The residents of the CD 28 area did not contribute to the improvements around Pelican lake even though they were helped by this. The residents now shown in the current CD 28 area should be involved in deciding what is done but don't try to pull others into it just to defer the cost. That would be like New Orleans charging us for flood projects on our property taxes just because some of the water there comes from Minnesota. Ridiculous!
I feel that draining the ditch, you are not going to gain much. My water doesn't get to ditch 28.
Address will no longer be active after 10/1/20. I saw firsthand the hurt feelings of being conned many of the landowners felt who were struck with monstrous bill and fees associated with the Getchell Creek work done to reduce flooding in that area. Meetings were held and decisions made without all who would be affected being notified. Then, with no choice, these landowners were billed ridiculous amounts and for what? Continuous flooding. It just looked a little different. Feels more like a money making venture.
The river need to be ditched from Quaker Rd all the way to Two Rivers Lake.
Tax the people that will benefit from this project. It does not help the value of my property.
We are on a hill nowhere close to ditch 28. We have no water drainage to ditch 28.
We do not feel this is worth the time, effort and cost and we do not benefit from it so we don't want to contribute toward it! We are urging the Stearns County Board of Commissioners to say no to this costly project! If certain people benefit from this and want it done then they should be responsible for it and not everybody else. Maybe they shouldn't have built on a flood zone? We Vote NO
Removing the fish barrier, in my opinion, seems like the best decision to achieve significant benefit while minimizing costs to tax payers and minimizing the environmental impact!
All properties in the watershed benefit from CD28 and should share the expense to maintain it.

I don't want to pay for lakeshore property owners problems on Two Rivers Lake. If there is a problem, they should pay for it, no city residents in Holdingford or elsewhere. This is similar to Lake Shamineau and those people who own property on the lake should pay for remediation of this problem. Why is this considered a drainage ditch? It is S Two Rivers River and should be left in natural state of a river regardless of what was done in the past to the flowage. (Probably illegally done by todays standards) It appears that this only goes as far as CO Rd 17 in Holdingford, so the water rushes through this "improved" ditch down to Co Rd 17 and then what? N + E of CR17 is the river again and may not be able to take this increased flow. Causing a back up of water elsewhere. It looks like lake owners on the lake just want to dump their problem on someone else and have someone else help pay for it.

Since I moved here in 1993, I have not had any problem with water flowing past my property. Note: I suppose what has to be done, will be done.

First of all, I'm on the high end of the ditch. Second, in 1973 I cleaned out the entire ditch on my property and payed for all of it.

Redetermination is the only fair and cost sharing way to go as the landowners who are responsible for routing the water to the lake need to pay there fair share.

I have 40 acres behind my home. I never realized it was part of county ditch 28.

This project would only potentially help a select few people on the south end of Two Rivers Lake and is not worth the costs involved and risk of upsetting many landowners involved that will see no benefit.

I feel costs should be shared by all. Everyone wants to enjoy but we all should help to have the ditch restored.

According to everything we have read and heard including the youtube video, we do not think that we will benefit from this so we are not in favor of it.

We are not affected by this.

NO

Waste of money

an attempt at taxing the many to benefit the very few

The people who built in the flood plain knew what they were getting into. Why should I have to pay for people making poor decisions? They bought on a flood plain and should not impact everyone else.

We already had this discussion in the past. Why are we talking about it again? This is truly frustrating.

Nathan and Amy Swenson

<p>The only people that benefit from cleaning the ditch are the people on the lake</p> <p>These people (all or most of them) bought their property in this condition</p> <p>Lake levels rise and fall all the time and if they want to regulate it they should have to pay for it</p> <p>Will cleaning the ditch solve the problem</p>
<p>We own a seasonal cabin on the west side of Pine Lake and every spring/summer/fall we, along with many of our neighbors, deal with frequent flooding of our yard between the cabin and the lake. This typically occurs after periods of heavy rain and it can take weeks for the water level to recede to the point where the yard is no longer flooded.</p> <p>We would like to know how the repair strategies outlined in the engineer's reports/recommendations will impact the flooding issues experienced by the property owners on Pine Lake. The interactive GIS map appears to focus only on how the various levels of repair will impact flooding on Two Rivers Lake but it does not indicate how the repairs will impact Pine Lake as it is connected directly to Two Rivers Lake via CD 28.</p> <p>Thanks!</p>
<p>The only people repairs will benefit are the people/ property owners of the Current C D Ditch 28 Boundary. Why should property owners of Krain, Albany, Farming, Avon and Holdingford Township have to pay for mistakes made in the past. The county should never have permitted all the building in the low lying areas previously flooded . I asked a person how he got a permit to build on a lot on Two River Lake a lot previously declared an un buildable lot. He proudly said money talks.</p>
<p>I think this ditch isn't in any way helping the majority of the people who are expected to pay for the benefits. Therefore, I feel that the people who will benefit from the project should be responsible for the charges.</p>
<p>I answered yes to the last question if the amounts are reasonable. I would not be interested in paying thousands of dollars. That could be a burden for many in this area,</p>
<p>I don't want to be taxed for something that does not benefit me. The land around Two River Lake is too low and should not have been allowed to be built on in the first place.</p>

It is concerning that this is just coming to property owners now, even though it appears that there has been recent discussion again.

It is also concerning that the link in the mailing has a period at the end of the link, which makes it an inactive link. This could impact homeowners who would like to give input.

We should not have to pay for the mistakes of others.

We are not in support!

Stop spending money we don't have. The ditch is fine!

I do not think it is a good time to add additional expense to framers or land owners with the tough times agriculture is having at the present time and city people with loss of jobs due to covid.

I believe that the landowners who own and benefit from the construction and repair of CD28 should incur any and all costs to this project including the engineers repair report.

We currently pay for upkeep of our own ditch. In the past, people who have not maintained their ditch negatively affected miles of other property including washing out Karin Township roads. there have been no consequences to property owners, no authoritative body willing to enforce removal of beaver dams or ditch neglect by property owners. DNR involvement included penalizing the property owner who wanted beaver dam removal. No other taxpayer shared the financial costs to maintain our ditch including 4 feet of top soil drained through and filling the ditch on our property from neighbor. Not maintaining appropriate ditch buffers. Land owners on Two River Lake built on low land subject to flooding and should be responsible for the cost of their own decisions. Add more cost to landowners already responsible for maintaining their own water way without financial help from governing bodies is not something I support.

I own approximately half an acre of land that will not benefit from ditch 28 repair. You are draining a wetland.

This is not the time to burden people with additional financial strain. We are against this.

Remove fish trap on north end of Two Rivers Lake.

I have been part of our property for 52 years. I have hunted and fished down the river or on the lake. the land is very flat and digging or redirecting this water will no impact anyone on the lake. The few land owners that own on the watershed will not be effected at all. The water is not moving at Holding for or by the carp trap. Stop tiling the farm land. Stop the record amounts of rain fall, stop building in wetland.

We have discussed this before and this not of interest or benefit me. I am not in favor of the county redetermining the benefits of DC 28.

<p>1965 and 1986 years should have made that part of the lake non-buildable and 2011 when everyones septic failed. 320 river st west never had a problem til 1976 and the culverts went in the ground on co.rd 17. to bring back things to anything original, you would need to consider the ditching that brings extra water to the lake faster. put conservation dams on the inlets to regulate flow. there is really no quick fix or cheap way out. lived 66years by ditch 28 and seen a lot of water go by and walked across it years it was dry and not got wet feet and a spring flow back in to the lake. i wish you luck on what ever you do.</p>
<p>It is our opinion that this project is unnecessary as it appears the fish trap at Two Rivers Lake, the clogged ditch north of two Rivers Lake, a man made road/dam across the road from the Gondringer property and a few other man made obstructions are the main problems in the flow of this ditch. This being said and along with the fact that many of the problem area homes around Two Rivers Lake that flood are built on actual lake bottom or at best below the normal highwater level of the lake there is no benefit that we can see to us. If we understand correctly, the "new" boundary of possibly extends miles away from the ditch. If that is so that is ridiculous. If we've misinterpreted the mapping showing benefitted properties, please accept our apologies. Our property is at an elevation of around 1300 ft. above sea level, is heavily wooded and and is separated by a paved township road. Thank you for your consideration . Your jobs are not easy, but his project is clearly overkill.</p>
<p>The State of Minnesota has awarded grant money to do this project.</p>
<p>This sounds like a lot of wasted money, our money! When landowners purchased their property, this drainage system was taken in account. Now you're going to possibly redetermine the drainage system? This could not only affect me by the initial cost, but my home owners insurance, my land, and my buildings could all be affected! No! I id my research! Why should the facts be changed!</p>
<p>If someone wants to build on low ground where water backs up by nature, they should pay for there own problem. My ground does not use this ground. I am not connected to any ditches. Why should I pay for there bad judgement in building!!!!</p>
<p>Persons that are directly affected should be responsible for repair and up keep. As an older person with my home located in this area, should not make me liable for changes and upkeep.</p>
<p>According to your CD28 watershed map, my residence is not in the watershed.</p>
<p>All this is going to do is raise some more on our taxes and I'm on a fixed income and that would be another big ouch for me. Where's the return envelope?</p>
<p>My runoff flows into Two Rivers Lake. Is the lake part of CD28? What ever the problem is with CD28, it has not affected me. Apparently the house and lake cabin owners are having problems again! The real question is why were building permits given for that area?</p>
<p>Please keep CD28 current boundary as is! Total waste of taxpayer money!</p>

I have nothing to do with this. It will not affect me.
I have nothing to do with this. It will not affect me.
I believe those that live in the area of the flooding and chose to build in that area should be responsible for the costs incurred, since they will benefit.
I believe those that live in the area of the flooding and chose to build in that area should be responsible for the costs incurred, since they will benefit.
After watching the video and using the interactive map my conclusion is the benefit in the 2, 10 and 100 year rain events is not sufficient to spend over \$400,000. The benefit is too small and helps only a handful of property owners relative to total cost and number of owners projected to pay. It has been widely known that there has been flooding on Two River's Lake. When looking for property 15+ years ago we focused on Pelican Lake instead of Two Rivers due to this issue. Thanks
i have a residence, agriculture, rural vacant land, and seasonal\recreational land. My property will not be affected by this, will not provide any benefit to it and will only benefit the land owners who own or have built on land that is in a flood plan. No other tax payer should have to pay for decisions made by the property owners. If they will benefit they can pay for the cost of it.
If you build in a swamp, "you can take care of it." Many people are on fixed income and could not pay the cost, just like the Sauk River.
Why don't you go after all the farmers that put in drain tile or irrigation ditches?
We/I understand that this project may impact the tax assessments of our property. We understand that the cost will not be assessed equally among property owners, but will be assessed by acreage.
Submitted a letter
We talked about this by phone.
Summary due to length: Cleans trees out himself and doesn't get compensated. Most water is soaked up by land, but Albany has runoff. Skip engineers and bid project.
Times are tough with Covid19. We do not need another assessment to our properties. Budget for this repair and prioritize the work needed.
Two Rivers Lake homeowners have built their houses in unsuitable wetlands for building houses. The other side of the story is the Village of Albany has expanded residents to where they are contributing more water to CD28. The city, which owns the golf course, has been blaming agriculture for excessive drainage which is not the truth. Also the city golf course used to be wetlands back in the early 70's. It was owned by Delmar Klug at that time and he sold to City. It couldn't even pasture it for cattle. If they want to proceed with an engineering report, that should be up to Two Rivers responsible owners and the city. I've lived here many years to see what happened to this matter.

<p>The people that build in the swamp are the ones that should be paying more, but I do know that water comes from many places to get to the ditch and river and lake.</p> <p>If you access by lot size, or by acres, who will be paying more? Or does it go by the distance you live from the ditch?</p>
<p>who benefits from this other than property owners on two rivers lake ??????? they should be responsible for at a minimum 50% Lake assoc. put fish trap in and caused the problem and the rest of land owners should pay. (Not Fair.)</p>
<p>We, on the council of Holdingford want to know why the engineer repair drainage report is only looking at CD 28 up to County Road 17. Do you think the water magically will go away once it hits the County Road 17 culverts? It does not. You are wanting to clear the waterway so it flows faster, and you are doing nothing to make sure that Holdingford and its residents and infrastructure remains safe once water flow reaches Holdingford. That is totally irresponsible and not putting the best interests of everyone in play. Holdingford, with our Waste Water Treatment plant and lift stations will have substantial flooding, with all residents, 700 plus put in jeopardy. If you are doing a Engineers Repair Report do it the right way and involve the Cty Road 17 culverts and the river beyond County Road 17 to ensure that the water is kept moving.</p>
<p>Redesign ditch profile to meet year 2020's drainage requirements to protect our property and the water quality for ecology and fishery recreation. The original ditch design in 1906 will not satisfy the environmental requirements for our laws today in year 2020. Redetermination of benefitted property must be updated to included the other 2800 property owners.</p>
<p>Under the current conditions of CD28, our property is about 3 1/2 miles away West of the Ditch. But if the County expands the area, our property would be included. We believe it is unfair to include our property as you expanded the area from 3,000 acres to almost 44,000 acres. We do not agree that the area should be expanded to that extent. We encourage the Commissioners to not approve the CD28 as presented. Respectfully, Larry & Jan Mareck</p>
<p>We pay way to much in taxes already! This would not benefit us at all. Why don't they remove the fish barrier? It wouldn't cost the taxpayers and monitor it for a few years first before spending all this money. 65%!! That is a huge achievement alone.</p>
<p>We have already been burdened by costs to repair the ditch that our water drains to. Our water does not have anything to do with CD28. Our property does not and will not in the future access CD28. We have been assessed enough dollars to repair the ditch we use thanks to SRWD and will not pay anymore.</p>

Remove the carp trap that would be 2 year 6.48 inches and on the 10 year 3.72 and 20 years you are back to where you started then another \$400,000 plus. Pull the fish trap and be happy. If you build on a flood plain that's what you get, flooded. For the long term it looks like a bandaid. The water will be back up.
Run off from my property does enter Pine Lake, which runs into the river, but I would see no benefit to having it cleaned. I see a great value in cleaning/restoring the ditch for the land owners affected. I will not benefit from the ditch being cleaned, therefore don't want any part of it. My property does use the ditch because my water runs into Pine Lake, which drains into the ditch, but what we have currently is more than sufficient for me and most of the surrounding properties. If certain properties need the ditch cleaned they could be added to the list of properties that need to help pay for the project.
When you look at the south side of Two Rivers Lake, where people build there house, how can you feel sorry for them?
I do not feel this pertains to our residential address.
We are property owners effected by the ditch, we have already paid for the study. we are in favor of all members of the watershed association paying for the project. We cannot afford to pay the total bill for the project under the current CD28 boundary.
It only benefits a small number of people and everyone in the area shouldn't have to pay for something that only benefits a few.
I guess it depends on weather people build or should not build too. Then when the weather gets bad they want to complain.
I live on a fixed income. Any increase in my taxes are a hardship I would like to avoid. Now is a bad time for everyone -loss of jobs and limited income. The county and all government agencies have to realize you can't get blood out of a turnip. I have to live on a budget, why can't the town, county, and state do the same. When my monthly check is gone, I have nowhere to go for more. Food for thought.
The cost should not put on the people that live in the area, there are many who live on fixed income and this would be a heavy burden on us who live here. there should be income guidelines and grants available for those who cannot afford this.
Complete and total waste of time and money. Who is actually impacted? Never seen a flood in this area and would be the apocalypse if it ever does. Water would have to rise perhaps 30 fee for me to be impacted. I'm on top of a hill. NO NEW TAXES OR ASSEMENTS. TAXES ARE HIGH ENOUGH IN THIS STATE. NEVER SEEN A FLOOD IN THIS AREA EVER!! Near Two Rivers Lake? I believe that is about 8 to 10 miles from here!!! They can pay! Have the people that build in the flood area pay for their flooding or move out of flood plain.
The present benefit acres is inaccurate. All the properties prior to the lake need to be taxed for the benefits as well. Thank you for starting the repair and accessing more residents.
Your online survey was no accessible.
Don't waste tax payers money.

My property gets flooded with as little as a few inches of rain pretty regularly. Anything we can do to help alleviate this would be greatly appreciated. I spoke at length with Chad Martini about it. I am also a member of the Two Rivers Lake Association, who I know is encouraging members to support this project also.

Thanks,

Terry Garrity

We have read/discussed all written & online documents. Nowhere is there reference how these projects will benefit Pelican Lake/Lagoon, only that high costs of the projects lead to the "Redetermination". If any repairs are approved, only repairs the current Ditch 28 properties can afford should be included. Pelican Lake does not flood, quite the opposite. Pelican Lake/Lagoon struggles with low levels. This summer many owners could not get their boats in/out of their lifts due to the low water level. Any additional flow out of Pelican Lake would be detrimental. Stearns County enforces stringent requirements for newer and remodeled construction to be built above flood stage. We adamantly oppose all three projects within the "County Ditch 28 Potential Projects". Comments on behalf of Pelican Lake Lagoon property owners: 368th Street: 18727-Mosiman/18685-Wiersema/18659-Cheney...367th Street: 18732-Blonigan/18718-Smith/18696-Dunn/18682-Brutger/18668-Hawkinson/18656-Petron/18644-Davids

The redetermination of the drainage system is most important. A vast amount of water is coming into the system from a larger area than the current boundary area. Farmland drainage, culvert upgrades, road construction and property improvements are all leading to a larger amount of water coming into the system and Two Rivers Lake is often fluctuating as a result. Limited homeowners should not bear the financial responsibility along. This burden should be distributed among all land owners benefitting within this watershed district. An even flow of water entering into this system and existing should be the ultimate goal of this CD improvement.

Would not affect us because of our higher elevation. Farmers end up paying most of the costs and benefit the least. They do and pay for their own ditching. Why should farmers pay for Two Rivers Lake property owners choice? 100% NO!!

By the watershed map, yes property is in, but no by proximity, as this property would be on the fringe area.

I don't think my property would be affected by the ditch project.

I am not in favor of redetermining benefits for ditch CD28. I have just been assessed and paid for extensive storm sewer replacement, as well as a holding pond at the high school, which is where our watershed is directed.

I don't live anywhere close to this area and fixing would not benefit my home. You will not receive any money from me at any time. You could of at least sent a pre-paid response envelope.

I need to know if I would be affected. I also need a mothly/yearly cost. Saying \$400,000 doesn't help me budget!!

The reduction in lake level identified in the interactive map are minimal at best. In a 10 or 100 year rainfall most properties are flooded. In the event this project is approved does it change the OHW? My property is the very south portion of the lake. In dry years, like this spring, I have plenty of beach, I don't need more. From the report it appears that the large rain events that cause the majority of the concerns would not be significantly reduced. Probably best not to try and control a situation that you have little to no control of anyway. Some of the properties on the southwestern side of the lake should be raised. Some, the newer ones, should have been built higher to begin with. Given the projected lake level reductions, or lack thereof, this project is not worth any further investment.

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From my viewpoint on Pelican Lake, I see CD 28 yielding no advantages to my lake. The modeling provided was clear that there is no direct impact. However, without contour lines on the maps provided it is difficult to ascertain the extent of the drainage improvement on Pelican. In the event that it does improve draining away from Pelican, the large, beautiful wetlands on the south end of the lake would be threatened. I saw and understand the modeling for excessive rain but no models for 100-year drought conditions.

Based on the information provided, I believe it is fair to conclude that rainfall modeling shows no potential positive impact on Pelican Lake. Therefore, I am left to conclude the foreseeable result of CD28 would be a potential negative to our wetlands. The risk in my case does not offset the rewards of this project.

I own land identified in your presentation as contributing to water reaching Ditch 28. I own this land with two other partners that make up Tri-R Farm in Krain township. We own the land and have participated in the CRP program in order to give back to conservation. When deciding to buy this land, we would not have known that we were going to be assessed tax money to fund improvements to a ditch designed to protect homeowners from flooding in areas where building (based upon 50, 100 year storm events and wet cycles) would have been considered highly inadvisable based upon your slide presentation. Assessing a tax burden on the many in order to help only a few sounds once again like the offerings of a government whom has been granted too much power. Further, what I fear as much as anything else is unlikelihood (in my opinion) that you will be able to meet your est. budgets as well as additional dollars that will be required that are not specified in this description rendition.

The private ditch that is across my property flows east to un-named lake (73-189w). I do not think that this lake has an outlet.

This would not benefit me as my property drains to a pond with no outlet. Also, this has been a tough year for many, and with looming talks of another shut down, this is a bad time to talk about extra financial burdens on families.

Our property is physically so far away from the proposed ditch improvement

Any County Ditch 28 improvement would have no positive impact on our property and certainly would not add any increase in value.

The imposition of A special assessment on our property would constitute an unlawful taking under MN Chapter 429. Pelican Lake Would never benefit from a project on Two River Lake. too much money has already been spent with no benefit to anyone and I believe this has been studied and Engineered in the past. Maybe even more than once in the past years. Steve Hanson at Bonestro Engineering, Dan Lais at DNR, John Haffley at US Fish & Wildlife, and numerous others would agree with us that this is not a navigable waterway. These homes should never have been built in an unbuildable area. This effects only a few homes that are in a small flood plane area on one side of Two River Lake and a few farm fields that drain into it.

If a redetermination and repair are completed, who will be responsible for making sure the repair worked? Who will be responsible for following up every year or two to make sure the sediment or trees have not re-occurred?

We have owned property on the lake since 1972. We have weathered MANY flooding issues. Why does it take so long to acknowledge there is a problem?

It seems there is a big question of "who is in charge or responsible". County, DNR or Corp of Engineers.

We have read and discussed the documents/information in regards to this project. We do not see any reference on how these improvements, which seem to be very costly, will benefit our property on Pine Lake. On Pine Lake, we actually struggle with having our lake level too low. Our lake doesn't flood and we surely do not want to improve flow. In fact, we are having to get our channel re-dug (which is not a cheap expense after having to obtain a permit and pay the contractor) due to the water level being too low resulting in us not even being able to use our channel. It is something we struggle with every year as we are unable to get our boat in/out of it and it is very frustrating. Any additional flow out would not be good. As a property on Pine Lake, my husband and I oppose all three projects within the Ditch 28 project.

Please fix survey to select more than one option for the type of property a landowner has. If you remove fishtrap & cattails, water drainage would not be an issue. We don't feel we should be assessed fees to fix homes built in low-lying areas that flood on occasion. Stearns County SHOULDN'T GRANT PERMITS to build in swamps and flood plains. It's NOT FAIR larger acreage properties will be assessed higher fees & many don't live/farm alongside the lake. It SHOULD BE ASSESSED EQUALLY between the properties subjected to CD 28. This & watersheds will always be a problem when you change the natural flow of water. Always a problem when lowlands for residential. Stearns Co. ONLY looks at money to be made. With the effects of COVID, job layoffs/losses, increased property taxes, election, is this a good idea to finance this project? People will leave Stearns County for the above reasons. Neighbors are upset & talking. Ridiculous redetermination fees! Affected property owners should vote on it.

It's obvious that something needs to be done. To repair would be a good solution, but not redetermination. You're going to bankrupt these farmers with 160 acres at a cost of \$10,000+. It's easy to spend money that isn't yours. You should be looking at grants or other ways to supplement the cost of this.

As a property owner in the City of Albany, I am not in favor of this project because it appears to only benefit the residents /landowners who have property on Two Rivers Lake. If the project is to proceed, those residents/landowners should be assessed with the cost. I also own lakeshore property on Pine Lake.

As a non-profit organization, we could not afford the cost of proceeding with this project. Remove the fish trap at the north end of Two Rivers Lake to reduce the water levels.

We've owned property on Pelican Lake since 1978. As long as I can remember I've heard how people built on non build able lots on Two River Lake. I have friends that live on the lake and have flooding issues, they knew all along there was a problem with the water level at times on the lake. I'm not sure how some of these cabins, homes were built in the first place, the county had to know these lots were a problem. I just don't understand how they can allow their problem to become everybody else's problem in the watershed, Being a non-homestead property we've never had a vote on anything pertaining to taxes, voting for our township or county leaders, just continue to pay lakeshore property taxes. Please don't burden us with another assessment that will do nothing to increase are property value. Thank You Steve & Nancy Bartz

In the past 100 years, Two Rivers Lake had issues with flooding and water being too low. Landowners are unable to control the weather and repairing of CD28 ditch will not cure the problem.

Without the approval of the DNR to allow Stearns County to clean the river bed north of county road 17, the CD28 drainage issue will not be resolved. It is unnecessary to correct the CD28 drainage problem south of county road 17 if the rest of the drainage system issues are not addressed.

Some of the landowners around Two Rivers Lake have built in a high water table area. The land was not suitable for homes. This action has created a flooding issue for them. CD28 Ditch was created so farmers were able to cut hay off the meadows surrounding Two Rivers River. It was not designed for landowners to build homes around the lake. Other landowners should not have to pay additional taxes to fix their problem.

Haven't you gotten a report from Friends of Two Rivers? With tiling and building so much more water is handled through this ditch. We get no tax relief with the flooding we get every year or two but it certainly effect our property value.

I do believe it's the only probable way but also know if you want to live on the lake that your problem and you should deal with it. I didn't want flooding problems so I stayed away from a lake. I don't want to pay for a problem I don't have.

The golf course and the city of Albany would benefit the most from a project like this. Rural land owners know when it rains a lot, it takes time for the excess water to run away. If there was less drain tile in the ground there wouldn't be a problem. If the rural area still had low areas that held water there would be less run off. The problem comes from not letting nature take its course. If the public is expected to pay for this project, all residents whether rural or not would need to help pay for this because everybody causes issues in some way. the city has road and building run off and the rural has excess tilling and roads and buildings. Everybody's involved.

No

I've had property on Two Rivers Lake now for 56 years. I hope to have many more years on the lake. This flooding issue never used to occur as it does now or be an issue. My land never dries out anymore and always is mushy by the lake. It was always firm but now no one can barley walk on it. Getting this ditch repaired can only help.

Just remove the carp trap, period!

Totally against! Too many reasons to even start explaining!

Talk with Craig Blonigan, he has a much cheaper and smarter plan.

I believe the people who drained their land for more land to use should be responsible for paying for the project.

<p>I don't see how this should affect me. I already am a part of the solution and have drain tile from fields onto my property. Seems as though I am far out of the affected areas.</p> <p>If this does go through will there be a possibility of some ponds created on my property if i am forced to participate?</p>
<p>We feel that if the people that bought land or buildings around the lake need to pay for trying to remove excess water. As farmers know year to year the water will increase or decrease. Since we have land by Krain Creek we deal with the rise and fall of the water yearly. Nobody helps us with the cost of this. Because of the drainage of the swamp to put in the Albany Golf Course this has increased the water to the Two Rivers Lake!!!</p>
<p>What's concerning me if ditch is cleaned out will the culverts in Holdingford Co Rd 17 take the water. After seeing lots of heavy rains thats where most of flow is being restricted.</p> <p>I live at 40994 190th Ave. There was a driveway put in last fall with a culvert that restricts flow. Before the water ran freely across the road now is restricted following heavy rains. I am concerned it will back up close to my house. And if any drain tiling is done to the west of my property it will cause more water to dam up here.</p> <p>I am sending a picture from this summer when we had 2.5 inches of rain. This needs to be checked out before it becomes a big problem.</p>
<p>We are not in favor of a repair of CD28 drainage system. Now is not the time to be taxing people \$402,500. The cost is ridiculous to benefit a few. Please, please, consider other options, like removing the fish trap! Again, we are totally against a project that only benefits a few landowners. Sincerely, Dennis and Mary</p>
<p>Building permits should not have been issued on lots deemed non buildable to prevent this issue.</p>
<p>The whole area contributes, so why not all contributors pay? I would rather leave it alone since we already are taxed too much.</p> <p>Ask the lake owners on the south end if they know that they are living in a filled in swamp! And when the dry years come again, and they will, you can bet they will complain that the lake is to low. Then they will want us to build a dam.</p>
<p>Ditch 28 has been functioning very well as long as anyone of us can remember. The only time it floods is the south end of Two Rivers lake where homes should have never been built!!!</p>
<p>I hope that the Commissioners will be fair in making any adjustments.</p>
<p>People that decide to build in a certain area should be responsible for their own expenses.</p>
<p>Keep the original boundaries</p>
<p>My property is totally different then it was in 1906. If the ditch was there or not, it wouldn't affect me. The people expected to pay for it - no. People on Two Rivers who won't pay.</p> <p>People on Two Rivers Lake and Albany should pay most of the cost. Doesn't the storm sewers from Holdingford drain there?</p> <p>Everyone in the CD28 watershed should pay or no one should pay in order to make it fair and affordable. Or let it go back to nature.</p> <p>That ditch should never have been dug in the first place.</p>

I am not in a flood plain. I assume your talking about Two Rivers River. You don't say.
I have some land that touches the river. I think that what I and many other call South Two Rivers River, you call CD28? In 2019 some of my land was too boggy and so may benefit from your proposed improvement. I am not sure how much i would have to pay through and would like to that.
The land I own is a meadow.
Let's stop looking for ways to waste money. The Dem's are doing that for us.
We had to take care of our own water issues we don't want to be assessed to pay for someone else.
We pay enough taxes here in Minnesota. We are the highest state in the US. There should be enough money coming in St. Paul to cover fixing bridges and rivers that need it. We have to budget our money better.
If they do so, I expect a lot better detail. As a recent home purchaser in the area, it appears that a lot of property is being added so a few property owners greatly benefit. If approved and redetermination occurs, I would expect those who directly benefit would and should bear the vast majority of the cost of the update.
I live on a fixed income and I don't want to pay more taxes! Just remove the fish trap to allow the water to flow out of the Two Rivers more freely.
I believe all benefitted acres need to be involved.
All farms in the expanded map should be documented drain tiles, all properties need to be included as they fast track water to ??? causes the flooding when conflicting gov agencies have different ideas or no ideas who can tell or clean the ditch and where.
I'm not in favor of this project. I don't understand how the portion of CD28 in question affects me. I already pay property taxes.
Remove the fish barrier. Construct storm water holding pond south of I-94. I oppose the assessment which only affects very few property owners on Two Rivers Lake.
Please send me paper copies of the information on CD28.
Is there a way to just clean the ditch and not spend all that money on engineer report and ditch redetermination cost should go to every one that has water going in to it.
Who does this actually benefit?
I feel there is more of an issue with Two Rivers north of the culverts in Holdingford. Ex. trees and other debris slowing the flow down.

APPENDIX B – SUBMISSIONS BY LETTER _____

ALBANY TOWNSHIP

STEARNS COUNTY, MINNESOTA
P.O. Box 344 ALBANY MN 56307
WWW.ALBANYTOWNSHIP.COM

SUPERVISORS

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miller1@albanytel.com

Mary Rosen
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320-241-4951,
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CLERK/TREASURER

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320-224-9616,
albanytwp@albanytel.com

PLANNING COMMISSION

Joe Peternell, Chair
320-250-3289
albanymfg@albanytel.com

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320-845-6989
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Gary Bloch
320-845-2694

ZONING ADMINISTRATOR

Jerry Forster
320-845-2637,
fjforster@albantel.com

October 26, 2020

To: Stearns County Land Services Dept.
Attn: Chad Martini, Project Manager
705 Courthouse Sq., RM 148
St Cloud MN 56303

REF: Stearns County Ditch 28 Repair Projects and Re-determination

Albany Township is aware of the route CD28 takes through the township, because of this, we have the following recommendations:

1. We are NOT in favor of the County hiring an engineer to prepare an engineers report.
2. Based on information known today, we do not feel dredging the ditch in Albany Township will benefit our residents and property owners. Making the water move faster north of Two Rivers Lake will cause additional flooding downstream north of Holdingford and into Morrison County. Previous studies have recommended retaining water in the watershed, not making it go faster.
3. We are NOT in favor of redetermining benefits for CD 28. This would only cost our residents and property owners. The benefits would only affect the residents on Two Rivers Lake.
4. In August of 2006 the South Two River Watershed District was terminated by BWSR. There was approximately \$101,000 remaining, of which \$3,800 went towards the remaining unpaid bills, the remaining balance was split between Stearns County, (97.47%) and Morrison County (2.53%). This money was used to develop the South Two River Park. That was taxpayer money that could have been used for watershed projects. We propose the County first contribute funds in that amount to this ditch project.

We appreciate the time you have spent educating us and our residents on the status of Ditch 28.

Sincerely,



Tim Nierenhausen
Chair Albany Township



320-845-4244
320-845-2346 Fax
P. O. Box 370
Albany, Minnesota 56307

October 22, 2020

Stearns County Land Services Dept.
Attn: Chad Martini, Project Manager
705 Courthouse Sq., RM #148
St. Cloud, MN 56303

Reference: Stearns County Ditch 28 Repair Projects and Redetermination

We have reviewed your letter regarding County Ditch 28 (CD 28) and appreciate the time you spent presenting the information at our City Council meeting in August. The City of Albany is very mindful of the amount of flow generated within the City and sent to CD 28, which is largely routed through the Albany Golf Course. Because of this, the City has made significant investments in local and regional ponding, filtration basins, and rain gardens upstream of the golf course and CD 28. A significant drainage area from adjacent townships properties enters the Albany City limits from the north, into North Lake, and from the south side of I-94, into the Golf Course. The City is forced to make accommodations for all this extra flow coming through the City, and it results in significant costs in larger diameter storm sewers and in flood control and sediment removal at the golf course.

Of the options presented in the letter, and described during the City Council meeting, the removal of the fish barrier at the outlet of Two Rivers Lake, would appear to provide an immediate impact and would be supported by the City of Albany.

Based on experience with ditch excavation/maintenance, it is very likely that those improvements will result in issues for downstream property owners, because the water will be getting to them faster and potentially overwhelming downstream culverts. The City would not be in favor of the County expending additional dollars to further study or to conduct this work.

The City has always been an advocate of Public/Private partnerships and has been consistently looking for partners to assist with potential improvement projects upstream of Albany, to reduce the burden on the golf course and to reduce flows to CD 28. Multiple projects of this nature were evaluated in 2015 by the Stearns County Soil and Water Conservation District and RESPEC (report attached). One specific project they highlight is an expanded wetland on the south side of I-94 (page A-24 in the attached report) where an estimated \$130,000 improvement cost could provide three plus acre-feet of storm water storage upstream of the Albany golf course and CD 28. The South Two River drainage way is lined with historical wetland between Albany and Two River Lake, where similar water improvement or wetland expansion should be evaluated before ditch cleaning and sending water downstream faster. The City of Albany's storm water funds would be better served on best management practices that reduce the loading on properties instead of ones that create problems downstream.

Regarding the redetermination of CD 28 benefits, the City acknowledges that certain costs to benefiting landowners, including the City, would be appropriate. The City would strongly encourage that the determination of costs assessed to the City should not just be based on gross acreage. As mentioned above, the City has spent a lot of time, effort, and tax dollars to infiltrate and/or control the amount of water that is conveyed downstream, much more so than other adjacent and benefitting landowners. An

assessment based on the actual discharge of water at the Albany City limits should be considered, minus the flow draining from the township properties into the north side of the City and the drainage coming from the south side of I-94, directly into the Albany Golf Course.

Thank you for sharing your information and keeping the City of Albany updated.

Sincerely,

A handwritten signature in black ink, appearing to read "Tom Kasner". The signature is fluid and cursive, with a long horizontal stroke at the end.

Tom Kasner, Mayor

Cc: Commissioner Steven Notch
Commissioner Jeff Mergen

Martini, Chad

From: Notch, Steve
Sent: Tuesday, October 13, 2020 10:53 AM
To: Martini, Chad; Johnson, Jeff; Schreifels, Randy
Subject: Joseph Lang Past Commissioner letter regarding watershed
Attachments: Vince and Don Commissioners letter in 2006 to James Haertel at BWSR to terminate STRWD watershed district.docx

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From: Joe <jblpelican@albanytel.com>
Sent: Friday, October 9, 2020 6:16:44 AM
To: CountyDrainage <County.Drainage@co.stearns.mn.us>
Cc: Lenzmeier, Leigh <Leigh.Lenzmeier@co.stearns.mn.us>; Mergen, Jeff <Jeff.Mergen@co.stearns.mn.us>; Clark, Tarryl <Tarryl.Clark@co.stearns.mn.us>; Perske, Joseph <Joseph.Perske@co.stearns.mn.us>; Notch, Steve <Steve.Notch@co.stearns.mn.us>
Subject: Stearns county Ditch 28

It was in 2006 this letter was written to BWSR to terminate STRWD Notice the reasons for closing STRWD from two Stearns County Commissioners at the time.

The tax base is too small and no one supports it not the city of Albany Holdingford or any of the townships.

It is unreasonable to expect the people living in Two Rivers Water shed to pay for the projects being purposed to Stearns county Ditch 28. I say again remove the trees and brush in the ditch. If that's doesn't take care of the flow problem make changes to the carp trap so it doesn't have the effect of a dam at the outlet of two rivers lake.

Back around 2005 we removed a beaver dam North of County road 17 in Holdingford that needs to be checked on again if the water level at Holdingford is high in the ditch28.

There are much cheaper ways to take care of Ditch 28 then what is being proposed.

Times are hard enough these days without adding more burden to the people.

Office of the County Administrator

Administration Center Rm 121 • 705 Courthouse Square • St. Cloud, MN 56303
320-656-3601 • Fax 320-656-6393 • www.co.stearns.mn.us

June 22, 2006

Mr. James Haertel
Water Management Specialist
Board of Water and Soil Resources
520 Lafayette Road N.
St. Paul, MN 55155

Re: South Two Rivers Watershed District

Dear Mr. Haertel:

Thank you for conducting the recent public hearings in Albany on the future of the South Two Rivers Watershed District. Considering the subject, the hearing was held in a very professional and respectful manner. BWSR staff as well as representatives of the Watershed District did a great job informing the public of the merits of this and other watershed districts. Public testimony was also very informative and allowed us to better understand the concerns and reservations of other local public officials as well as our constituents.

Based on this testimony which reflects an overwhelming desire to see the District discontinued, we recommend that you concur with their sentiment to allow the South Two Rivers Watershed District to be abolished. Our view as individual Stearns County Commissioners relates to concerns we've had for some time as well as those concerns expressed by local officials and the general public.

Among these concerns are the following:

- 1) The lack of support expressed by key local governments. The cities of Albany and Holdingford along with Brockway and Krain Townships have expressed their desire to see the District abolished.
- 2) A limited tax base. Unlike other watershed districts, the South Two Rivers Watershed District Board has difficulty generating adequate revenue through property taxes required to conduct activities beneficial to its constituents. Compared to other districts, this watershed district's proportional share of local property taxes is, in our opinion, unreasonably high.

BWSR
June 22, 2006
Page 2

3) The lack of public support. Based on accounts since its establishment, the South Two Rivers Watershed District has never enjoyed popular support. It is clear through the testimony at your public hearing, the general public has never embraced the need for this unit of government.

4) Other mechanisms available to achieve goals of the watershed district. Public testimony suggests that targeted efforts to specific problems may be the best way to address water quality issues in this area of the County.

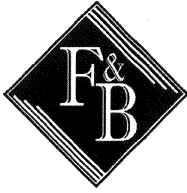
In summary, we again wish to thank you for all that you've done to support the efforts of those interested in maintaining a viable watershed district in this area. District managers and staff have worked hard to create a viable mechanism to address our growing water quality problems and meet the demands of constituents. However, the citizens within the boundaries of the watershed district, along with their elected representatives made it clear that they do not support a watershed district in this area of Stearns County. Hopefully, other opportunities become available to address specific water quality issues that need attention in this area of the County.

Sincerely,

Vince Schaefer
District 3 Commissioner
Stearns County Board of Commissioners

Don Otte
District 5 Commissioner
Stearns County Board of Commissioners

GMR:mmj



FOSTER & BREVER, PLLC

ATTORNEYS AT LAW

ROBERT J. FOSTER (612) 436-3290
THOMAS E. BREVER (612) 436-3291
ANDREW T. BREVER (612) 455-8942
OF COUNSEL, ERIC B. BREVER (612) 436-3294

October 12, 2020

Stearns County Board of Commissioners

RE: County Ditch 28

I am writing to express my concern with the proposal to redetermine the properties and area purportedly benefitted by County Ditch 28 and therefore subjected to a special assessment for its improvement costs. My wife and I own property located at 18129 County Rd 154, a location not currently subject to assessment for County Ditch 28, but which is proposed to be redetermined to be included in the assessment area.

Minnesota statutes carefully circumscribe authority to levy special assessments. The statute states that a county may assess the "costs of any improvement...upon any property benefitted by the improvement, based upon the benefits received." There are three limiting conditions to a county levying a special assessment: (1) The land must receive a special benefit from the improvement; (2) the assessment must be uniform upon the source class of property; and (3) the assessment must not exceed the special benefit. Carlson-Long Realty Co. v. City of Windom, 240 N.W. 2d 517, 519 (Minn. 1976). A "special benefit" means an increase in the market value of the property subjected to the assessment. In re Village of Burnsville Assessments, 287 N.W. 2d 375, 377 (Minn. 1979). An assessment that exceeds the benefit constitutes an unlawful taking of the property without fair benefits in violation of the Fourteenth Amendment. Carlson-Long Realty Co., supra: at 519. This principle is well established in Minnesota law: Oliver Iron Min. Co., 151 N.W. 545, 547 (Minn. 1915). This requires determining whether the amount of the special assessment exceeds the special benefit. Minn. Stat. §429.051; Buettner v. City of St. Cloud, 277 N.W. 2d 199, 203 (Minn. 1979).

Here, our property is physically distant from the proposed ditch improvement. The ditch improvement will have no positive impact on our property and certainly results in no increase in value. Imposition of a special assessment on our property will, therefore, constitute an unlawful taking under Minn. Chapter 429.

Respectfully submitted,

Thomas E. Brever

TEB/brb

9/30/2020

Tom M. Schneider
105 Whispering Oaks Lane
Albany, MN

- Residential property
- 320.845.4244 (w)
- 320.980.3580 (c)

If there are 3,000+/- parcels within the watershed boundary, the City residents and businesses would make up 1/3 and therefore, pay the most again, just like when taxes were collected by the former South Two River Watershed District. How much storm water flow does the City actually contribute to the South Two River? What is the flow from Albany Township which dumps into the City? The Township storm water enters the City from the north and west. The City collects the township water in POND 893 north of the former Soo Line Railroad and in North Lake. The Albany Golf course collects the township storm water from south and west of I94 and City storm water too. The City has met with members of the Stearns County Soil and Water Conservation District in hopes of getting approval from property owners south of I94 to construct storm water holding ponds to slow down the amount of storm water flowing into the golf course and reduce the flooding on Two River Lake. However, no property owners agreed to this idea and we really didn't know who would pay for these storm water ponds not to mention obtaining flowage easements from property owners upstream of the storm water ponds. The City, developers, property owners, and Stearns County Soil and Water Conservation District, has paid hundreds of thousands of dollars for the construction of several storm water ponds and rain gardens in the City preventing or limiting the flooding over the past 25 years. I can only think of "one" storm water pond that has been constructed in Albany Township during this time and that being most recently in 2019 related to a commercial storage facility constructed adjacent to the City limits because of stricter requirements enforced by County Environmental Services, not the Township. I would have also liked to see the County not have spent \$90,000+/- on the development of a parking lot in Two Rivers Park west of Two River Lake, but rather squirrel those funds away for a short period of time from the disbanded South Two River Watershed District for future storm water improvements to ditch 28.

I agree with Houston's recommendation to immediately remove the fish trap on the north end of the lake which seems like the cheapest option and lowers the elevation of the lake nearly 6" during a 2-year rain events. The maximum reduction of the lake elevation is 9.96" if a full reconstruction of the ditch were done, but during larger rain events, properties on the lake will continue to see their properties flooded as stated in the report. Removal of deadfall trees and other debris is also the cheapest and should be considered. How long before sediment fills in the ditch again after reconstruction? Will the county be cleaning the ditch again in 10 or 20 years and who will be assessed again? Should we not consider asking Morrison County's to consider cleaning out the ditch/river beginning at the outlet on the Mississippi River and work back to Two River's Lake? Has anyone talked to Morrison County? Cleaning out the ditch north of Two River Lake will increase the flow for those properties' northeast of Holdingford and potentially create potential lawsuits due to loss of cropland/yields. I do not recommend the county commissioners consider authorizing an Engineer's Repair Report or the overall ditch repair.

Martini, Chad

From: Lynda Lund <lyndalund@yahoo.com>
Sent: Tuesday, October 20, 2020 4:29 PM
To: CountyDrainage
Subject: RESPONDED Ditch 28

Mr Martini or who it my concern,

My husband, Gary and I are opposed to ditch 28. We have reviewed the information and are opposed to all of it. Our property, 18201 County Rd 154, Avon, on Pelican Lake is not affected and we're not in favor of hiring an engineer for the county to redetermine benefits of ditch 28. People that built on the flood plain knew of the problems, which we should not be responsible for.

We that live On Pelican Lake have No interest in ditch 28, and shouldn't have to pay for something that doesn't involve us.

Gary and Lynda Lund

Martini, Chad

From: Michael Peters <e.michael.peters@gmail.com>
Sent: Thursday, October 22, 2020 7:54 PM
To: CountyDrainage
Subject: Michael Peters Comments Stearns County Ditch 28 Potential Projects

Hello

We feel this is an attempt to patch up a problem where permits were issued for building sites that should have never been allowed because they were in a flood zone. Now those few who are affected cannot afford to fix this on their own because of the enormous cost involved, so you are making this appear that it is a much larger problem so people who are truly NOT affected can help pay for the few who are.

We had a watershed district and it was disbanded because under its management, no projects were completed, and the members committed fraud and no one was ever held accountable. The left over money was used for a county park that is hardly used other than a spot for the county sheriff's officers to sit and do paper work in their cars.

Our property taxes are going up each year and I know a lot of people on fixed incomes who are having a hard time making ends meet, but the county seems to not care.

Our founding Fathers believed in a democracy and we are now being told what is going to happen. Why punish all when just a few should be involved?

Thank You
Mke and Deb Peters
37796 186th ave
Avon, MN 56310

APPENDIX C – EXAMPLE LETTER SENT _____



COUNTY OF STEARNS

PROPERTY SERVICES DIVISION

Land Services

Service Center Rm 2310 • 3301 County Road 138 • Waite Park, MN 56387
320-656-4684 • www.co.stearns.mn.us

XXXXXXXXXXXX
XXXXXX XXXXX RD
AVON MN 56310

RE: Stearns County Ditch 28 Potential Projects

Dear Property owner,

My name is Chad Martini, Land Services Manager, and I serve as the Stearns County Drainage Administrator working out of the Property Services Division. I am writing today to share news about potential projects on Stearns County Ditch 28 (CD28) designed to restore the system and alleviate flooding in and near Two Rivers Lake that may impact you as a property owner.

At the August 11, 2020 Board of Commissioners meeting, staff was directed to collect feedback from property owners about contracting for services to have an engineering repair report completed on CD28. This study would provide the Drainage Authority with detailed steps regarding possible ditch repairs. It is essentially the first step that must be taken before deciding on any CD28 repair projects.

Another part of this process that may interest you is a legal review called a ditch redetermination. CD28 was established in 1906 with a team of ditch viewers evaluating which properties should be included in the drainage system. Because so much has changed to the landscape over time, it is advisable that the boundary of the system be updated so all property owners who use the utility of CD28 to move water contribute to its maintenance and repair costs. The engineers who have been working with the Drainage Authority have defined the CD28 watershed as the area which sends water to the ditch. (A map showing the location of this area is attached.) We expect a redetermination of benefits, if undertaken and performed by ditch viewers, to look something like the attached map which will greatly expand the CD28 system of property owners.

In a legal drainage system, only those properties which are deemed to participate and use the ditch pay the costs incurred by maintenance activities. The redetermination process is meant to update the system to account for changes and make the group of property owners who pay for the system fair and equitable based on who uses the system as a drainage utility. If the redetermined ditch benefit were to change, we expect the number of acres might increase from 3,089 to roughly 43,791 acres. This makeover would mean approximately 2,800 more property owners could be added to the ditch benefit resulting in any CD28 project costs to be shared with them.

At the November 17, 2020 Board of Commissioners meeting, the Commissioners will make a decision about ordering an Engineer's Report of Repair to CD28 at an estimated cost of \$25,000 to \$30,000. If this action item is approved, it could lead to a repair project and a redetermination of benefits to CD28. However, before they act on this matter, we will be collecting information from property owners on their thoughts regarding this subject through a survey. All submitted responses will be compiled by staff

and summarized in a report to be presented at this same meeting for the Board's review and consideration.

To facilitate your understanding of CD28, potential projects, and the processes and timelines to be followed, we have created a webpage with information and resources to assist you. We encourage you to read this material and watch the CD28 Property Owner Presentation available online at:

https://gis.co.stearns.mn.us/Ditches/cd28/cd28_2020.html.

If you are unable to access the webpage by computer, please contact us either by postal mail, email, or telephone (contact information listed below) and paper copies will be provided. Additionally, we ask for your participation by either completing the enclosed survey or the one available online at:

<https://arccg.is/1uWaGr>

The survey will close on 4:30 p.m., Friday, October 23rd. All surveys received by postal mail or submitted electronically by this date and time will be included in the report shared with the Commissioners acting as the Stearns County Drainage Authority.

Please send any correspondence or surveys via postal mail to:

Land Services
Stearns County Service Center
3301 County Road 138
Waite Park, MN 56387

Alternatively, you may send information via electronic mail to County.Drainage@co.stearns.mn.us or call us with questions or concerns at 320-654-4703.

Thank you,




Chad Martini
Land Services Manager

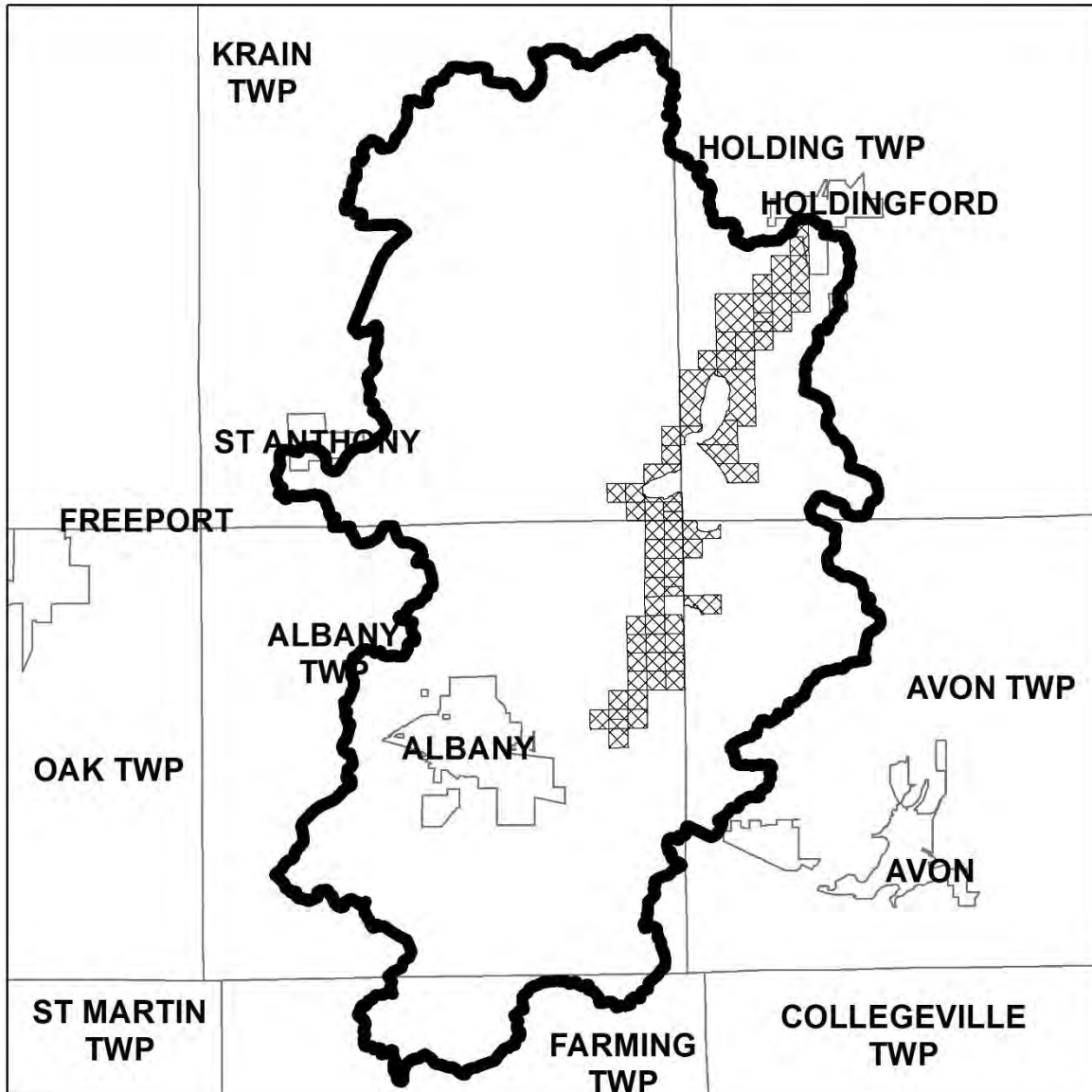
Enclosures: (2)

CD28 WATERSHED MAP

The watershed boundary shows the geographic area which sends water to County Ditch 28. If a redetermination of the drainage system occurred, it should be expected that property owners within the CD28 watershed boundary (black line) would be responsible for costs incurred by the ditch. This is only an estimate and subject to change if a redetermination project was approved.

Legend

-  CD28 Watershed
-  CD28 Current Boundary
-  Township / City



All property owners within the CD28 are responsible for any costs incurred by the ditch system.

County Ditch Survey Regarding Approval of Engineer's Repair Report

You are being asked for comments to share with the Stearns County Board of Commissioners, drainage authority for County Ditch 28, regarding whether to proceed with ordering preparation of a repair report showing necessary repairs, estimated costs of repairs, and all details, plans, and specifications necessary to prepare and award a contract for the repairs of CD 28.

A "repair" means to restore all or a part of the CD 28 drainage system as nearly as practicable to the same hydraulic capacity as originally constructed and subsequently improved. If the Board determines to proceed with ordering preparation of a repair report, a public hearing would be held on the engineer's repair report to determine whether the repairs recommended by the engineer are necessary for the best interests of affected property owners.

Costs incurred to complete the repair procedures required by Minnesota Statutes, and to contract for construction of the repair, are charged to all benefited landowners on the CD 28 system.

These costs are preliminary estimates for planning purposes only. Actual costs are subject to change:

- Engineer's Report - \$27,500
- Ditch Redetermination – approximate cost is \$175,000
- Ditch Repair – approximate cost is \$200,000

Please visit https://gis.co.stearns.mn.us/Ditches/cd28/cd28_2020.html for additional information about the projects discussed in this survey. (*Copy and paste link above into another browser*)

Name: _____

Address: _____

E-mail address (optional): _____

Phone Number (optional): _____

Question 1 - What type of property do you have? (Please circle one)

Residential - Seasonal/Recreational – Agricultural - Rural Vacant Land - Other

Question 2 - Have you visited the County's ditch website and reviewed the history, maps, photographs, reports, and other data regarding CD 28?

Yes | No

Question 3 - Is property you own affected by CD 28?

Yes | No

Because the estimated costs to contract for construction of the repair of CD 28 are approximately \$200,000, the County must follow specific procedures in Minn. Stat. § 103E.715 to repair the drainage system. These procedures require appointing an engineer to prepare a repair report showing the necessary repairs, estimated cost of the repairs, and all details, plans, and specifications necessary to prepare and award a contract for the repairs.

Question 4 - Are you in favor of the County proceeding to hire an engineer to prepare an engineer's repair report?

Yes | No

A ditch repair would restore County Ditch 28 to its as constructed or subsequently improved condition:

Question 5 - Based on the information made known to you today, do you believe repairing CD 28 is in the best interests of the property owners affected by CD 28?

Yes | No

The costs of proceedings to order a repair of a drainage system, including the cost to contract for construction of the repair, are apportioned to landowners who were determined to have benefited from the drainage system when it was originally established. The benefits to CD 28 can be redetermined by appointing "viewers" to inspect the drainage system and report to the County on the properties presently benefited by CD 28. A public hearing is held on the viewers' report and, once approved, is used to apportion costs, including repair costs, for all future proceedings.

Question 6 - If a repair report or contract for repair is awarded for CD 28, are you in favor of the County redetermining benefits for CD 28?

Yes | No

Question 7 - Please share comments and opinions of the pros and cons that you would like the Stearns County Board of Commissioners to consider when deciding whether or not to move forward with an Engineer's Repair Report? *(Feel free to use back page for more space)*

APPENDIX D – MAP OF AREA _____

CD28 Watershed

Current Benefit – 3,089 acres – 231 properties

CD28 Watershed – 43,791 acres – 3,000 properties

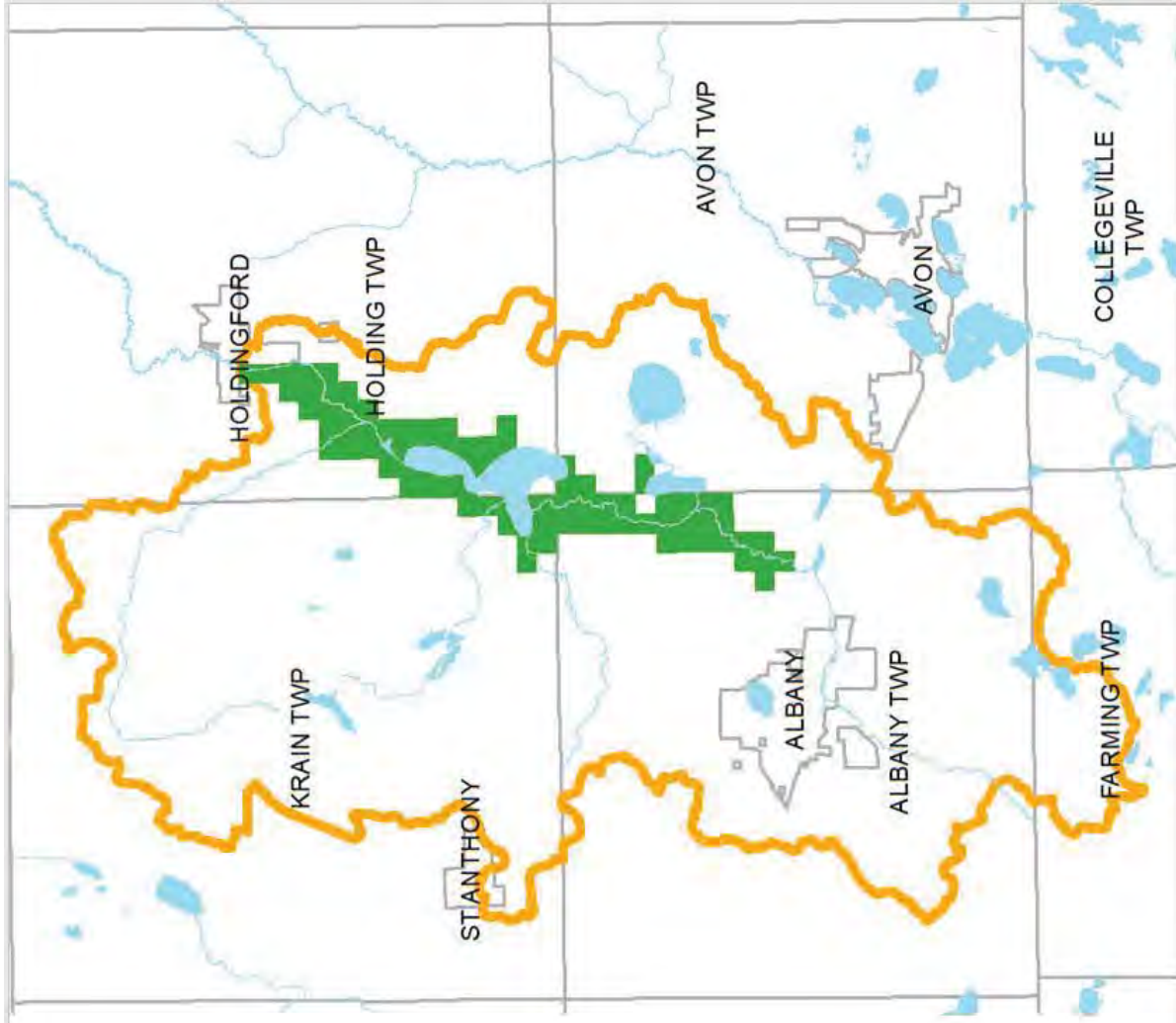
Redetermination will update the drainage system based on what properties contribute water

Properties that send water to CD28 would be part of the system and responsible for paying expenses incurred

Current County Ditch 28 Property owners

Estimated County Ditch 28 watershed (area that sends water to the ditch)

It is estimated that a redetermined drainage system would resemble the orange boundary



APPENDIX E – MAP OF PROJECT LOCATION _____

Ditch Repair Project Location

