RESOLUTION NO. 2017-01

RICE CREEK WATERSHED DISTRICT BOARD OF MANAGERS, DRAINAGE AUTHORITY
FOR ANOKA COUNTY DITCH 53-62

ACCEPTING THE ENGINEER’S REPAIR REPORT FOR ANOKA COUNTY DITCH 53-62,
BRANCH 2, ACCEPTING THE COSTS ALLOCATION RECOMMENDATION, AND DIRECTING
FURTHER REPAIR PROCEEDINGS

Manager [Name] offered the following Resolution and moved its adoption, seconded by Manager [Name].

WHEREAS, the Rice Creek Watershed District Board of Managers ("Board"), Drainage Authority for Anoka County Ditch (ACD) 53-62, by resolution 2015-33, adopted findings and an order directing repair proceedings for the repair of ACD 53-62, Branch 2; and

WHEREAS, by resolution 2015-33, the Board initiated repair proceedings to restore Branch 2 of ACD 53-62 to its ACSIC or as closely thereto as is practical and appointed and directed its engineer to prepare an allocation of costs for the recommended scope of repair, that allocates costs between those necessary to restore the basic drainage function of the system and those necessary to achieve compliance with water quality, ecological or other environmental standards or objectives set by the Board; and

WHEREAS, the Engineer has provided, after consultation with the Board, a repair plan to implement the recommended repair alternative for Branch 2 of ACD 53-62; and

WHEREAS, the Engineer has provided, after consultation with the Board, an opinion of probable cost for the recommended repair alternative and a charge analysis with recommended allocation of costs under a water management district charge system; and

WHEREAS, the charge analysis recommends an allocation of costs between water management charges and ad valorem taxes. The recommended allocation, developed in consultation with the Board, takes into consideration past legal authorizations and policies of the Board related to drainage system maintenance; current policies as articulated in the District’s Watershed Management Plan; district-wide benefits of the ecological and floodplain management components of the repair alternative; and direct, localized benefit of restoring core drainage function and accommodating future stormwater demands; and

WHEREAS, the Engineer’s Recommended Repair Alternative, contained in the Final Repair Report dated November 1, 2016, provides for the restoration of beneficial drainage within the drainage area of the system, minimizes adverse environmental impacts, and creates environmental enhancements; and
WHEREAS, a repair, consistent with the Engineer’s Recommended Repair Alternative, will restore predictable drainage efficiency within the drainage area of the system to support current beneficial land uses and future stormwater management demands; and

WHEREAS, the Engineer’s Recommended Repair Alternative is consistent with the Watershed Management Plan and District rules. This alternative represents the least environmentally damaging practicable alternative; and

WHEREAS, it is the Board’s policy to hold an informational meeting for landowners prior to proceeding with a final hearing on the repair report and cost allocation.

THEREFORE, the Rice Creek Watershed District Board of Managers makes the following:

ORDER

A. The Board of Managers accepts the Engineer’s Final Repair Report for the repair of Branch 2 of ACD 53-62 and concurs with the Engineer’s Recommended Repair Alternative.

B. The Board of Managers accepts the charge analysis and recommended allocation of costs for the repair of Branch 2 of ACD 53-62.

C. Further proceedings for the repair of Branch 2 of ACD 53-62 shall occur utilizing the additional authorities provided in Minnesota Statutes Section 103D.621 Subd. 4.

D. Both the Recommended Repair Alternative and allocation of costs are subject to modification and final Board approval after public hearings.

E. The Board of Managers directs its administrator to notice acceptance of the Repair Report and Cost Allocation Recommendation and to open a 30-day period for review and comment and to set and notice the following meetings and hearings:

   • An informational meeting to present the Recommended Repair Alternative and allocation of costs and to answer general questions from the owners of property, municipal and private entities affected by the proposed repair and cost allocation to be held on February 6, 2017 at 6:30 p.m. in the Blaine City Hall Cloverleaf Farm Room, 10801 Town Square Drive Northeast, Blaine, MN.
   • A final hearing at which the Board shall take public comment and consider an order adopting and directing construction of the Recommended Repair Alternative and adopting and authorizing implementation of water management charges as part of the proposed cost allocation to be held on March 8, 2017 at 9:00 a.m. in the Shoreview City Council Chambers, 4600 North Victoria Street, Shoreview, Minnesota.
F. Notice of the final hearing shall be provided as follows:

- Transmission of the repair plan to the Corps, BWSR and the DNR for review and comment.
- Notice of the availability of the reports for review published once in the county where property affected by the drainage system is located.
- Notice of the hearing by publication before the date of the hearing in a legal newspaper, published in the county where property affected by the drainage system is located.
- Notice of the hearing by mail ten days prior to the hearing to the DNR and the counties or municipalities entirely or partly within the area affected by the drainage system and the water management district charge.
- Notice of the hearing shall state the time and location of the hearing; the general nature of the work; the estimated cost of the work; and the method by which the cost of the work is to be paid, including the cost to be allocated to each affected county, municipality or the state government.
- Additional notice to landowners as required by local rule.

The question was on the adoption of the Resolution and there were 4 yeas and 0 nays as follows:

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Upon vote, the Chair declared resolution 2017-01 passed.

Michael Bradley, Secretary  
Dated: January 11, 2017
I, Michael Bradley, Secretary of the Rice Creek Watershed District, do hereby certify that I have compared the above Resolution with the original thereof as the same appears of record and on file with the District and find the same to be a true and correct transcript thereof.

IN TESTIMONY WHEREOF, I hereunto set my hand this 11th day of January 2017.

Michael Bradley, Secretary