RESOLUTION 2017-11

RICE CREEK WATERSHED DISTRICT
BOARD of MANAGERS

SUPPORTING SPECIAL LEGISLATION
TRANSFERRING WJD 6 DRAINAGE AUTHORITY

Manager Walker offered the following resolution and moved its adoption, seconded by Manager Bradley:

WHEREAS, on January 25, 2017, the Rice Creek Watershed District (RCWD) Board of Managers authorized the Board President to sign a petition to the Board of Water and Soil Resources, to be submitted jointly with the Comfort Lake-Forest Lake Watershed District (CLFLWD), to adjust the common boundary within the City of Forest Lake to conform to hydrologic boundaries; and

WHEREAS, under the drainage code, Minnesota Statutes chapter 103E, the RCWD is the drainage authority for Washington Judicial Ditch (WJD) 6, a public drainage system consisting of a single main line about 2.0 miles in length, but the benefitted area of WJD 6 lies entirely within the area that would be transferred to the CLFLWD; and

WHEREAS, in authorizing the petition, the Board supported adoption of a resolution by the Washington County Board of Commissioners, pursuant to Minnesota Statutes §103D.625, withdrawing the WJD 6 drainage authority from the RCWD and conferring it on the CLFLWD; and

WHEREAS, subsequently, opposition developed to the procedure involving the County Board under Minnesota Statutes §103D.625; and

WHEREAS, pursuing special legislation to authorize the transfer of authority is the most expedient means by which to accomplish the transfer of drainage authority as part of the boundary adjustments.

THEREFORE BE IT RESOLVED, that the Board supports special legislation transferring the WJD 6 drainage authority from the RCWD to the CLFLWD for all portions of WJD 6 within the jurisdictional boundary of the CLFLWD;

BE IT FURTHER RESOLVED, that in accordance with the prior action of the Board, the RCWD shall support the efforts of the CLFLWD to adjust the common watershed boundary and to pursue the transfer of drainage authority for WJD 6, but shall not obligate itself financially to those efforts;
BE IT FURTHER RESOLVED, that the boundary change petition may be modified to reflect this adjusted process and that the Board President and RCWD Administrator may take all steps necessary or convenient, in their judgment and on advice of counsel, to complete the boundary change and transfer of drainage authority.

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

<table>
<thead>
<tr>
<th></th>
<th>Yea</th>
<th>Nay</th>
<th>Absent</th>
<th>Abstain</th>
</tr>
</thead>
<tbody>
<tr>
<td>WALLER</td>
<td>☑</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>HAAKE</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
<td>☐</td>
</tr>
<tr>
<td>BRADLEY</td>
<td>☑</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>WAGAMON</td>
<td>☑</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>PREINER</td>
<td>☑</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
</tbody>
</table>

Upon vote, the Chair declared the Resolution passed.

Michael Bradley, Secretary

Dated: March 22, 2013

I, Michael Bradley, Secretary of the Rice Creek Watershed District Board of Managers, do hereby certify that I have compared the above resolution with the original thereof as the same appears on record and on file in the District's offices and find the same to be a true and correct copy thereof.

IN TESTIMONY WHEREOF, I have hereunto set my hand this 22nd day of March, 2017.

Michael Bradley, Secretary