RESOLUTION NO. 2014-43
RICE CREEK WATERSHED DISTRICT
BOARD OF MANAGERS

ORDERING the BALD EAGLE LAKE DAM REPAIR PROJECT
PURSUANT to MINNESOTA STATUTES §103B.251

Manager [ Signature ] offered the following resolution and moved its adoption, seconded by Manager [ Signature ]:

WHEREAS the Rice Creek Watershed District ("District") has adopted a water resource management plan (WRMP) in accordance with Minnesota Statutes §103B.231;

WHEREAS Bald Eagle Lake, which lies within the City of Lino Lakes in Anoka County, the City of Hugo in Washington County and White Bear Township in Ramsey County, all in Minnesota, accepts stormwater runoff from the three aforementioned municipalities as well as the Cities of Dellwood and Grant in Washington County and the City of White Bear Lake in Ramsey County, all in Minnesota;

WHEREAS Bald Eagle Lake’s normal water level is maintained by a dam within the road embankment for 129th Street North, in the City of Hugo, that originally was built in about 1889, presently serves only to maintain lake levels on Bald Eagle Lake, and is of uncertain ownership;

WHEREAS Bald Eagle Lake and areas riparian to it lie within several municipalities and counties within the District and the lake is accessed and used by the general public for recreational purposes;

WHEREAS the dam’s water control structure consists of a 40-foot long rubble masonry weir located on the downstream side of the embankment with five corrugated metal pipes conveying flow under the road, and inspections of the dam’s embankment, roadway and water control structure have shown the need to reconstruct the water control structure to ensure that it continues to serve that function;

WHEREAS in June 2008 the City of Hugo developed plans for the 129th Street Bridge Improvements ("Improvements"), of which the Bald Eagle Lake Dam Repair Project ("Project"), is a part, and the WRMP capital improvement program includes the Project within “Implementation of the Bald Eagle Lake TMDL,” which has a budget of $2.0 million in 2013-2020;

WHEREAS the City of Hugo intends to construct the Improvements, including the Project, and has received a $160,000 Dam Safety grant from the Minnesota Department of Natural Resources for the Project;

WHEREAS on October 22, 2014, the District Board of Managers ("Board") approved a memorandum of agreement with the City of Hugo to cooperate in financing the Project;

WHEREAS the District engineer reviewed the design and estimated cost of the Improvements, and of that part of the Bridge Improvements constituting the Project, as prepared by the City of Hugo, and on the basis of that review the Board determined that the District should contribute $113,000, to be applied to the Project and not to the remainder of the Improvements consisting of
bridge and roadway improvements, and the memorandum of agreement accordingly specifies a
District funding contribution in that amount, on the District’s receipt of as-built plans confirming
construction of the Project in accordance with the approved plans;

WHEREAS in accordance with Minnesota Statutes § 103B.251, subdivision 3, the District duly
provided notice of a public hearing to be held on December 10, 2014, regarding the
establishment and ordering of the Bald Eagle Lake Dam Repair Project, which notice advised of
an estimated District share of Project cost of $113,000.00 to be funded by the District’s ad
valorem property tax levy;

WHEREAS on December 10, 2014, at the Shoreview City Council Chambers, a public hearing
was held before the Board of Managers pursuant to the public notice, at which time all interested
parties had the opportunity to speak for and against the Project;

WHEREAS the Board has considered the findings and recommendations of the District
administrator and engineer and the public comment offered, and finds that the Project is feasible,
will be conducive to public health and promote the general welfare, and is in compliance with
Minnesota Statutes §§ 103B.205 to 103B.255 and the WRMP adopted pursuant to §103B.231;

THEREFORE BE IT RESOLVED that pursuant to Minnesota Statutes § 103B.251 and the
WRMP, the Project is ordered.

The question was on the adoption of the resolution and there were 5 yeas and 0 nays as
follows:

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Upon vote, the Chair declared the Resolution adopted.

Harley Ogata, Secretary
Dated: December 10, 2014

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I, Harley Ogata, 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 have set my hand this 10th day of December, 2014.

Harley Ogata, Secretary