RESOLUTION NO. 2017-16
RICE CREEK WATERSHED DISTRICT BOARD OF MANAGERS

ORDER ACCEPTING PLANS AND SPECIFICATIONS; DIRECTING THE SOLICITATION OF BIDS AND ALLOWING COSTS FOR THE REPAIR OF BRANCH 2 OF ANOKA COUNTY DITCH 53-62

Manager Bradley offered the following Resolution and moved its adoption, seconded by Manager Waller.

WHEREAS, on March 22, 2017, the Rice Creek Watershed District Board of Managers ("Board"), Drainage Authority for Anoka County Ditch 53-62 (ACD 53-62) adopted Resolution 2017-09 which was the Final Order directing the repair of Branch 2 of ACD 53-62 and implementing water management district charges for the repair; and

WHEREAS, Resolution 2017-09 directed the District's administrator to coordinate and take all subsequent actions necessary for implementation of the repair in a manner consistent and compliant with existing law; and

WHEREAS, as directed by the administrator, the engineer has prepared and submitted plans and specifications for the repair; and

WHEREAS, the Board's practice is to review and approve the plans and specifications prior to directing the solicitation of bids for any project; and

WHEREAS, the Board has reviewed the plans and specifications as well as the Engineer's recommendation; and

WHEREAS, based on the Board's review, the Board finds the plans and specifications for the project to be complete and to represent the intent of the Board's repair order; and

WHEREAS, the Board has reviewed the costs incurred to date for the project and finds them to be reasonable and necessary in furtherance of the Board's repair order; and

WHEREAS, on May 15, 2017, upon notice to all owners of property traversed by Branch 2 of ACD 53-62, the Board held an informational meeting to explain the repair process to the landowners and to inform them of the impacts to trees, vegetation and structures on their property that will be impacted by the repair; and

WHEREAS, at the meeting, the Board's staff explained the various easements and rights of entry associated with the drainage system and the Board's obligations of maintenance and inspection...
as Drainage Authority, took questions and comments from the public in attendance, gave answers and coordinated for site visits in order to structure the repair in a way to minimize disturbance and inconvenience to the landowners; and

WHEREAS, the engineer has developed plan sheets identifying the areas necessary for entry and occupation during the repair of the drainage system – including identification of the specific work to be performed and identification of the owner of property impacted by the repair; and

WHEREAS, based on the engineer’s prior analysis of the drainage system, historical review of the drainage system records, the records correction process, and the comments of those present at the May 15, 2017, meeting, the Board finds that the areas proposed to be impacted by the repair of Branch 2 of ACD 53-62 are within the limits of the area contemplated and included in the original establishment of the drainage system for which damages were awarded and paid at the time of establishment; and

WHEREAS, based on the foregoing finding, the Board further finds that the repair may proceed without appointment of viewers to determine additional damages related to the repair.

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

ORDER

A. The Board of Managers accepts the plans and specifications for the repair of Branch 2 of ACD 53-62 and directs the solicitation of bids according to the Engineer's recommendation for implementation of the repair and as required by law.

B. The Board of Managers directs its administrator to coordinate and take all subsequent actions necessary for implementation of the repair in a manner consistent and compliant with existing law. The Board reserves to itself, however, all subsequent actions required by law to proceed upon Board approval.

C. The Board of Managers further authorizes expenditures for the repair of Branch 2 of ACD 53-62 and the collection of revenues consistent with this order.
The question was on the adoption of the Resolution and there were 4 yea\nand 0 nay\nas follows:

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Upon vote, the Chair declared Resolution 2017-16 passed.

Michael Bradley, Secretary

Dated: June 28, 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 28th day of June, 2017.

Michael Bradley, Secretary