

RESOLUTION 2025-06

RICE CREEK WATERSHED DISTRICT BOARD OF MANAGERS DRAINAGE AUTHORITY FOR ANOKA COUNTY DITCH 72

FINDINGS AND ORDER ACCEPTING ENGINEER'S REVIEW REPORT AND DIRECTING FURTHER PROCEEDINGS

Manager Robertson offered the following Resolution and moved its adoption, seconded by Manager Waller:

FINDINGS

1. Original Petitioners, U.S. Home Corporation, Hal Leibel and Watermark Homeowners Association, with its consultant, John Bender, P.E., of James R. Hill, Inc., petitioned the Board of Managers of the Rice Creek Watershed District (RCWD), Drainage Authority for the Anoka County Ditch 72 system (CD 72), to abandon re-align portions of CD 72. The petitioned actions are for the beneficial purpose of facilitating development of property owned by Petitioner and platted for development of the Peltier Ponds development project – a single-family and townhome housing development.
2. Following receipt of the original petition, the Board, by Resolution 2025-04, appointed Houston Engineering Inc., to investigate the effect of the originally petitioned action under the standards found in sections 103E.227 and 103E.806 and file a report of findings.
3. While preparation of the engineer's report was pending, the Petitioners revised their petition to include an additional party and to change the scope of the petitioned action.
4. Amended Petitioners, U.S. Home, LLC (Petitioner), property owner Hal Leibel (Co-petitioner), property owner Watermark HOA (Co-petitioner), and property owner Hampton Properties VIII, LLC (Co-petitioner) now formally petition the Rice Creek Watershed District (RCWD), as the drainage authority for Anoka County Ditch (ACD) 72, for permission to abandon portions of the Anoka County Ditch (ACD) 72 system. The amended petition removes any express or implied intention to modify, impound, divert or realign remaining portions of ACD 72.
5. Specifically, the petition requests partial abandonment of drain tile alignments comprising all or portions of Branch 1; Branch 1, Lateral 8; and Branch 1, Lateral 11.

6. In anticipation of the revised petition, the engineer has completed its work and filed a report dated July 31, 2025.
7. All other requirements in anticipation of a final hearing on the petition have been met.

Therefore, the RCWD Board of Managers makes the following:

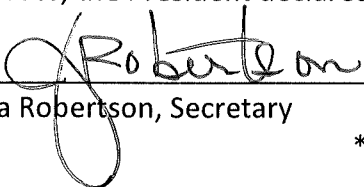
ORDER

- A. The Board of Managers accepts the engineer's report.
- B. The Board of Managers sets a public hearing on the petitioned action during its regular meeting on September 10, 2025, at 9:00am or thereafter on the agenda as determined by the Board at the Mounds View City Hall Council Chambers, 401 County Hwy 10, Mounds View, MN 55112.
- C. The Board of Managers directs its staff to prepare and provide notice of the hearing as required by statutes section 103E.806 and as otherwise required by RCWD policy.

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

	<u>Yea</u>	<u>Nay</u>	<u>Absent</u>	<u>Abstain</u>
BRADLEY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ROBERTSON	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
WAGAMON	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
WALLER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
WEINANDT	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Upon vote, the President declared the Resolution passed.



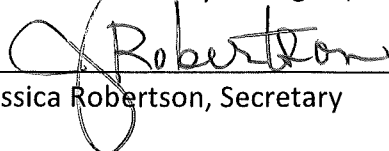
 Jessica Robertson, Secretary

Dated: August 13, 2025

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I, Jessica Robertson, 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 13th day of August, 2025.



 Jessica Robertson, Secretary