

RESOLUTION 2023-07

**RICE CREEK WATERSHED DISTRICT BOARD OF MANAGERS AS PUBLIC DRAINAGE AUTHORITY
FOR ANOKA COUNTY DITCH 10-22-32**

**FINDINGS AND ORDER AUTHORIZING OUTLET OF ADDITIONAL LANDS TO DRAINAGE SYSTEM
AND SETTING OUTLET CHARGE**

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

FINDINGS

1. Petitioner/landowner Blaine 2022, LLC, in conjunction with its engineer Justin Klabo of AE2S, petitioned the Board of Managers of the Rice Creek Watershed District (RCWD), Drainage Authority for Anoka County Ditch (ACD) 10-22-32, for an outlet to Branch 3 of ACD 10-22-32 for approximately 4.43 acres of land not currently within the ACD 10-22-32 sub watershed drainage area.
2. The petition was brought pursuant to Minnesota statutes section 103E.401.
3. The addition of lands outletting to Branch 3 of ACD 10-22-32 is part of a development project initiated by the Petitioner.
4. Compliance with statutes section 103E.401 is required to authorize the outlet of new acres to Branch 3 of ACD 10-22-32.
5. Upon receipt of the Petition, the Board appointed its engineer to review the petitioned action and make a recommendation regarding the ability for Branch 3 of ACD 10-22-32 to accommodate the additional drainage from the proposed 4.43 acres and regarding an outlet fee for use of the drainage system as an outlet for the additional acres.
6. The engineer has reviewed the petitioned action and filed a report dated April 4, 2023.
7. The engineer has concluded, after considering stormwater controls required in conjunction with the proposed development, that sufficient capacity exists within Branch 3 of ACD 10-22-32 to accommodate the additional drainage.
8. The engineer recommends that the existing alignment of Branch 3 of ACD 10-22-32 be documented and recorded on the property to allow for future maintenance of the public drainage system.
9. The engineer recommends the outlet charge for the use of Branch 3 of ACD 10-22-32 be consistent with the Water Management District (WMD) charges that would have been

applied to the additional acres had they been included in the original WMD for ACD 10-22-32. That recommended amount is \$375.28.

Therefore, the RCWD Board of Managers makes the following:

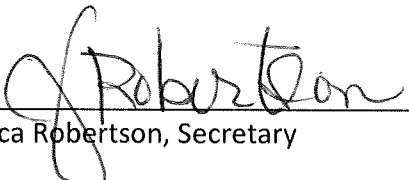
ORDER

- A. The Board of Managers authorizes an outlet to Branch 3 of ACD 10-22-32 for approximately 4.43 acres of land not currently within the ACD 10-22-32 sub watershed drainage area as petitioned and outlined in the engineer’s report and associated development permit applications/approvals.
- B. The authorization granted herein is subject to the following conditions:
 - 1. Payment of an outlet fee of \$375.28.
 - 2. Payment of all costs associated with the proceedings.
 - 3. Execution of an easement, in a form acceptable to the drainage authority, documenting the existing alignment of ACD 10-22-32 on the Petitioner’s property and including a width as is reasonably necessary for future maintenance of the drainage system.

The question was on the adoption of the Resolution and there were 5 yeas and 0 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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.



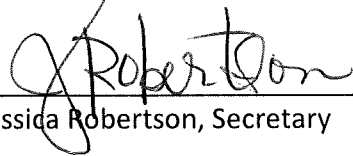
 Jessica Robertson, Secretary

Dated: May 10, 2023

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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 10 day of May, 2023.



Jessica Robertson, Secretary