



COUNTY OF ANOKA

PUBLIC SERVICES DIVISION

*-Highway -Parks & Recreation -Surveyor -GIS -Transit -Administration
Integrated Waste Management License Centers*

GOVERNMENT CENTER
2100 3RD AVENUE STE 700 • ANOKA, MN 55303-5024
(763) 323-5700

JON G. OLSON, P.E.
Division Manager
Direct #763-323-5789
Fax #763-323-5682
Cell #612-850-4106
jon.olson@co.anoka.mn.us

May 2, 2013

Tim Kelly
District Administrator
Coon Creek Watershed District
12301 Central Avenue NE
Suite 100
Blaine, MN 55434

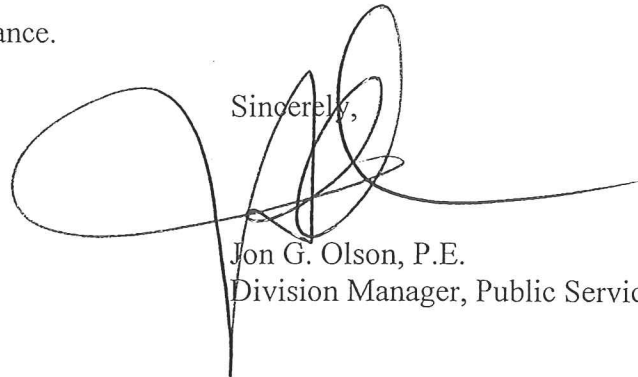
SUBJECT: Transfer of Jurisdiction - County Ditch #17

Tim:

As stated in Coon Creek Watershed District Board of Manager Resolution 13-04, Accepting Transfer and Jurisdiction, Coon Creek Watershed District has complete jurisdiction over Anoka County Ditch #17 as of May 1, 2013.

Thank you, again, for your assistance.

Sincerely,



Jon G. Olson, P.E.
Division Manager, Public Services

JO:kr

**COON CREEK WATERSHED DISTRICT
BOARD OF MANAGER
RESOLUTION 13-04**

**RESOLUTION ACCEPTING TRANSFER AND JURISDICTION
OF ANOKA COUNTY PUBLIC DITCH NO. 17**

WHEREAS, the Coon Creek Watershed District is a metropolitan watershed district located in Anoka County, established in 1959 by the Minnesota Board of Water and Soil Resources (BWSR) upon petition of Anoka County; and

WHEREAS, the Coon Creek Watershed District as a metropolitan watershed district has the powers and duties over the works of the District, including its public drainage systems, as provided under the Minnesota Watershed Law (Minnesota Statutes Chapter 103D), the Drainage Law (Minnesota Statutes Chapter 103E) and the Metropolitan Surface Water Management Act (Minnesota Statutes Chapter 103B); and

WHEREAS, in 2012 BWSR amended the Coon Creek Watershed District boundary by adding fifteen square miles of land formerly within the Six Cities Watershed Management Organization. This area includes land within the cities of Blaine, Coon Rapids, Fridley and Spring Lake Park; and

WHEREAS, Anoka County Public Ditch No. 17 is located within the Coon Creek Watershed District's newly acquired boundary; and

WHEREAS, Anoka County Public Ditch No. 17 was established in 1892 upon landowner petition to the Anoka County Board of Commissioners, as provided under the Drainage Law (now Minnesota Statutes Chapter 103E). Anoka County Public Ditch No. 17 is approximately 4.94 miles in length and is the principal stormwater outlet for approximately 5.4 miles of residential, commercial and industrial land in the cities of Blaine, Coon Rapids, Fridley and Spring Lake Park; and

WHEREAS, on March 26, 2013 the Anoka County Board of Commissioners held a public hearing under Minnesota Statutes section 103D.625 (2012) to consider transferring to the Coon Creek Watershed District jurisdiction and control over Anoka County Public Ditch No. 17. Upon hearing the Anoka County Board of Commissioners by resolution dated April 9, 2013 determined it would be in the public's best interest to transfer Anoka County Public Ditch No. 17 to the Coon Creek Watershed District for its control and management, consistent with the Coon Creek Watershed District's statutory authorities and powers to manage the water resources in the watershed in a uniform and comprehensive manner; and

WHEREAS, the Anoka County Board of Commissioner's transfer order is contingent upon the Coon Creek Watershed District's accepting jurisdiction and control over the Anoka County Public Ditch No. 17 system; and

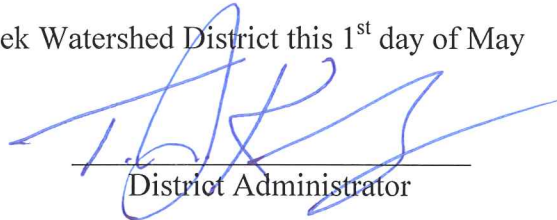
WHEREAS, the Coon Creek Watershed District agrees that it is in the public's best interest and in accordance with the Coon Creek Watershed District's statutory authorities and powers that it acquire jurisdiction and control over the Anoka County Public Ditch No. 17 system.

NOW, THEREFORE, BE IT RESOLVED, that the Coon Creek Watershed District in accordance with Minnesota Statutes section 103D.625 (2012) accepts from the Anoka County Board of Commissioners the transfer of jurisdiction and control of Anoka County Ditch No. 17, with the right to manage, repair and maintain it as provided under law.

STATE OF MINNESOTA
COUNTY OF ANOKA
COON CREEK WATERSHED DISTRICT

I, Tim Kelly, Administrator to the Board of Managers of the Coon Creek Watershed District, Anoka County, State of Minnesota, do hereby certify that I have compared the foregoing copy of the resolution with the original minutes of the proceedings of the Board of Managers of the Coon Creek Watershed District, Anoka County, Minnesota at their regular meeting on the 22 day of April 2013, now on file in the District office, and have found the same to be true and correct copy thereof.

Witness my hand and official seal of the Coon Creek Watershed District this 1st day of May 2013.



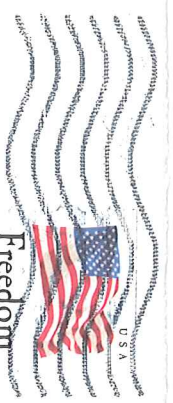
District Administrator



COON CREEK WATERSHED DISTRICT
 12301 Central Avenue NE • Suite 100
 Blaine, Minnesota 55434

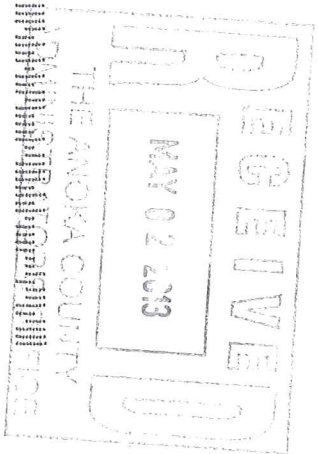
MINNEAPOLIS MN 553

01 MAY 2013 PM 6 L



FOREVER 22

Jon Olson
 Director Physical Development
 Anoka County Government Center
 2100 3rd Ave.
 Anoka, MN 55303-2265



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COUNTY OF ANOKA

PUBLIC SERVICES DIVISION

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Division Manager
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Cell #612-850-4106
jon.olson@co.anoka.mn.us

April 19, 2013

Tim Kelly
District Administrator
Coon Creek Watershed District
12301 Central Avenue NE
Suite 100
Blaine, MN 55434

SUBJECT: Transfer of Jurisdiction - County Ditch #17

Tim:

Please find enclosed two certified copies of Anoka County Resolution #2013-43, Transferring Jurisdiction of County Ditch #17 to the Coon Creek Watershed District.

This resolution was passed by the Anoka County Board of Commissioners on April 9, 2013, and effectively transfers County Ditch #17 to Coon Creek Watershed District, upon the District passing a resolution accepting this county drainage system.

If you have any questions regarding this matter, please inform me. Also, please send me a copy of your resolution as soon as it has been passed. I will then send you a letter acknowledging that the transfer is complete and that Coon Creek Watershed District is now the sole ditch authority for County Ditch #17.

Thank you for your assistance in this matter.

Sincerely,

Jon G. Olson, P.E.
Division Manager, Public Services

JO:kr

Enclosure: Anoka County Resolution #2013-43

BOARD OF COUNTY COMMISSIONERS

Anoka County, Minnesota

DATE: April 9, 2013

RESOLUTION #2013-43

OFFERED BY COMMISSIONERS: Schulte and LeDoux

RESOLUTION TRANSFERRING JURISDICTION OF COUNTY DITCH #17

WHEREAS, the Coon Creek Watershed District was created in 1959 pursuant to the Watershed Law in Minnesota Statutes Chapter 103D, and the Coon Creek Watershed District holds the powers and authorities set forth in Chapter 103D. In 2012 the Coon Creek Watershed District petitioned and was granted authority to expand its boundaries to incorporate lands and properties north and west of the Rice Creek Watershed District that were formerly within the Six Cities Watershed Management Organization. This additional boundary involves land within the cities of Blaine, Coon Rapids, Fridley, and Spring Lake Park. Anoka County Ditch #17 is located in the newly acquired boundary; and,

WHEREAS, the Coon Creek Watershed District is willing to accept responsibility for County Ditch #17. Anoka County initiated a transfer and held a public hearing to consider the transfer of jurisdiction of County Ditch #17 to the Coon Creek Watershed District; and,

WHEREAS, under Minn. Stat. § 103D.625, the Anoka County Board of Commissioners is authorized after a public hearing to transfer control of County Ditch #17 to the Coon Creek Watershed District unless it appears that the transfer would not serve the purpose of Minn. Stat. Chap. 103D and would not be for the public welfare or be in the public interest; and,

WHEREAS, a public hearing on the transfer of authority for County Ditch #17 was held on March 26, 2013, pursuant to the requirements of Minn. Stat. § 103D.625; and,

WHEREAS, the Coon Creek Watershed District has developed extensive information relative to water, watercourses, and the general water conditions and problems in the areas of County Ditch #17 and are in the process of finalizing the 2013-2023 Comprehensive Plan; and,

WHEREAS, the transfer of County Ditch #17 would allow expanded options for projects because a watershed district has the ability to undertake drainage system projects in a manner that could not be undertaken by the county board acting as the drainage authority; and,

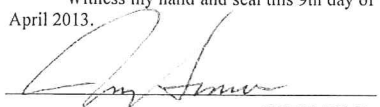
WHEREAS, the transfer of County Ditch #17 is in the public interest and would be for the public welfare;

NOW, THEREFORE, BE IT RESOLVED that, upon adoption of a resolution by the Coon Creek Watershed District to accept the transfer of jurisdiction of County Ditch #17, the Anoka County Board of Commissioners orders the Coon Creek Watershed District to take over the county drainage system known as County Ditch #17, together with the right to repair and maintain the drainage systems.

STATE OF MINNESOTA)
COUNTY OF ANOKA) ^{SS}

I, Jerry Soma, County Administrator, Anoka County, Minnesota, hereby certify that I have compared the foregoing copy of the resolution of the county board of said county with the original record thereof on file in the Administration Office, Anoka County, Minnesota, as stated in the minutes of the proceedings of said board at a meeting duly held on April 9, 2013, and that the same is a true and correct copy of said original record and of the whole thereof, and that said resolution was duly passed by said board at said meeting.

Witness my hand and seal this 9th day of April 2013.


JERRY SOMA
COUNTY ADMINISTRATOR

	<u>YES</u>	<u>NO</u>
DISTRICT #1 – LOOK	X	_____
DISTRICT #2 – BRAASTAD	X	_____
DISTRICT #3 – WEST	X	_____
DISTRICT #4 – KORDIAK	X	_____
DISTRICT #5 – LEDOUX	X	_____
DISTRICT #6 – SIVARAJAH	X	_____
DISTRICT #7 – SCHULTE	X	_____

PUBLIC NOTICE

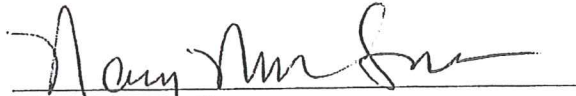
Proposed Transfer of Anoka County Public Ditch 17 to the Coon Creek Watershed District

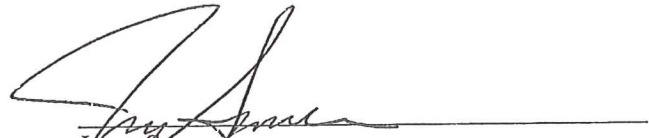
NOTICE IS HEREBY GIVEN, pursuant to Minnesota Statute, § 103D.625, that the Anoka County Board of Commissioners, in and for the County of Anoka, will conduct a public hearing on March 26, 2013 to be held at 10:00 a.m. at the Anoka County Government Center, Room 705, 2100 Third Avenue, Anoka, MN.

The purpose of the hearing is to consider the transfer of responsibility for Anoka County Public Ditch 17 to the Coon Creek Watershed District, to assume responsibility for Anoka County Public Ditch 17 pursuant to Minn. Stat. §103D.625. County Public Ditch 17 is approximately 4.94 miles in length and is the principal storm water outlet for approximately 5.4 miles of residential, commercial and industrial land in the cities of Blaine, Coon Rapids, Fridley and Spring Lake Park. Anoka County Public Ditch 17 was previously a part of the Six Cities Water Management Organization. The north portions of the Six Cities Water Management Organization were incorporated into the Coon Creek Watershed District in 2012.

Related information is on file with the Public Services Division, Anoka County Government Center, 2100 Third Avenue, Suite 700, Anoka, MN.

All interested persons are invited to attend said hearing or submit written testimony prior to the hearing date, either in support of or in opposition to the Transfer. Written testimony should be sent to the Anoka County Public Services Division, Anoka County Government Center, 2100 Third Avenue, Suite 700, Anoka, MN 55303.


Nancy Normah Sommer
Assistant County Attorney


Jerry Soma
County Administrator

PUBLISH IN:	Anoka County Union	March 8 and 15, 2013
	Coon Rapids Herald	March 8 and 15, 2013
	Blaine/Spring Lake Park Life	March 8 and 15, 2013
	Sun-Focus Newspapers	March 7 and 14, 2013

If you need an accommodation, such as an interpreter or printed material in an alternate format (i.e., braille or large print) because of a disability, please contact Karla Risvold at 763-323-5710.

AFFIDAVIT OF PUBLICATION

STATE OF MINNESOTA)
COUNTY OF ANOKA) SS

PUBLIC NOTICE

PROPOSED TRANSFER OF ANOKA
COUNTY PUBLIC DITCH 17
TO THE COON CREEK WATERSHED
DISTRICT

NOTICE IS HEREBY GIVEN, pursuant to Minnesota Statute, § 103D.625, that the Anoka County Board of Commissioners, in and for the County of Anoka, will conduct a public hearing on March 26, 2013 to be held at 10:00 a.m. at the Anoka County Government Center, Room 705, 2100 Third Avenue, Anoka, MN.

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-s- Nancy Norman Sommer
Assistant County Attorney

-s- Jerry Soma
County Administrator

If you need an accommodation, such as an interpreter or printed material in an alternate format (i.e., braille or large print) because of a disability, please contact Karla Risvold at 763-323-5710.

Published in Anoka County Union
March 8 & 15, 2013

Peter G. Bodley, being duly sworn on oath says that he is the managing editor of the newspaper known as the Anoka County Union, and has full knowledge of the facts which are stated below:

(A) The newspaper has complied with all of the requirements constituting qualifications as a qualified newspaper, as provided by Minnesota Statute 331A.02, 331A.07 and other applicable laws, as amended.

(B) The printed NOTICE (3/26/13), which is attached was cut from the columns of said newspaper and was printed and published once a week for two consecutive weeks; it was first published on Friday, the 8th day of March, 2013, and was therefore printed and published on every Friday to and including Friday, the 15th day of March, 2013.

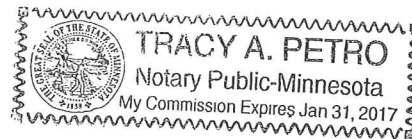


Managing Editor

Subscribed and sworn to before me on
this 15th day of March, 2013



Notary Public

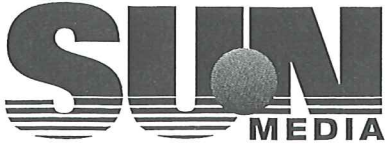


RATE INFORMATION

(1) Lowest classified rate paid by
commercial users for comparable space

\$ 10.00

(3 line rate)



AFFIDAVIT OF PUBLICATION

STATE OF MINNESOTA)
) ss.
COUNTY OF HENNEPIN)

Richard Hendrickson, being duly sworn on an oath, states or affirms that he is the Chief Financial Officer of the newspaper known as Columbia Heights / Fridley Sun-Focus

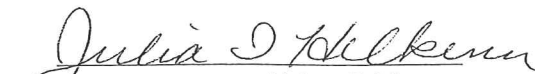
and has full knowledge of the facts stated below:

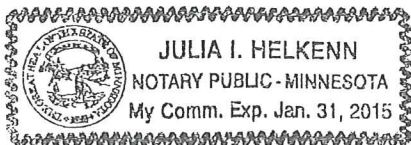
- (A) The newspaper has complied with all of the requirements constituting qualification as a qualified newspaper as provided by Minn. Stat. §331A.02, §331A.07, and other applicable laws as amended.
- (B) The printed public notice that is attached was published in the newspaper once each week, for two successive week(s); it was first published on Thursday, the 7 day of March, 2013, and was thereafter printed and published on every Thursday to and including Thursday, the 14 day of March, 2013; and printed below is a copy of the lower case alphabet from A to Z, both inclusive, which is hereby acknowledged as being the size and kind of type used in the composition and publication of the notice:

abcdefghijklmnopqrstuvwxyz

BY: 
CFO

Subscribed and sworn to or affirmed before me on this 14 day of March, 2013.


Notary Public



Public Notice

(Official Publication)

PUBLIC NOTICE
Proposed Transfer of Anoka
County Public Ditch 17
to the Coon Creek Watershed
District

NOTICE IS HEREBY GIVEN, pursuant to Minnesota Statute, § 103D.625, that the Anoka County Board of Commissioners, in and for the County of Anoka, will conduct a public hearing on March 26, 2013 to be held at 10:00 a.m. at the Anoka County Government Center, Room 705, 2100 Third Avenue, Anoka, MN.

The purpose of the hearing is to consider the transfer of responsibility for Anoka County Public Ditch 17 to the Coon Creek Watershed District, to assume responsibility for Anoka County Public Ditch 17 pursuant to Minn. Stat. §103D.625. County Public Ditch 17 is approximately 4.94 miles in length and is the principal storm water outlet for approximately 5.4 miles of residential, commercial and industrial land in the cities of Blaine, Coon Rapids, Fridley and Spring Lake Park. Anoka County Public Ditch 17 was previously a part of the Six Cities Water Management Organization. The north portions of the Six Cities Water Management Organization were incorporated into the Coon Creek Watershed District in 2012.

Related information is on file with the Public Services Division, Anoka County Government Center, 2100 Third Avenue, Suite 700, Anoka, MN.

All interested persons are invited to attend said hearing or submit written testimony prior to the hearing date, either in support of or in opposition to the Transfer. Written testimony should be sent to the Anoka County Public Services Division, Anoka County Government Center, 2100 Third Avenue, Suite 700, Anoka, MN 55303.

/s/ _____
Nancy Norman Sommer
Assistant County Attorney

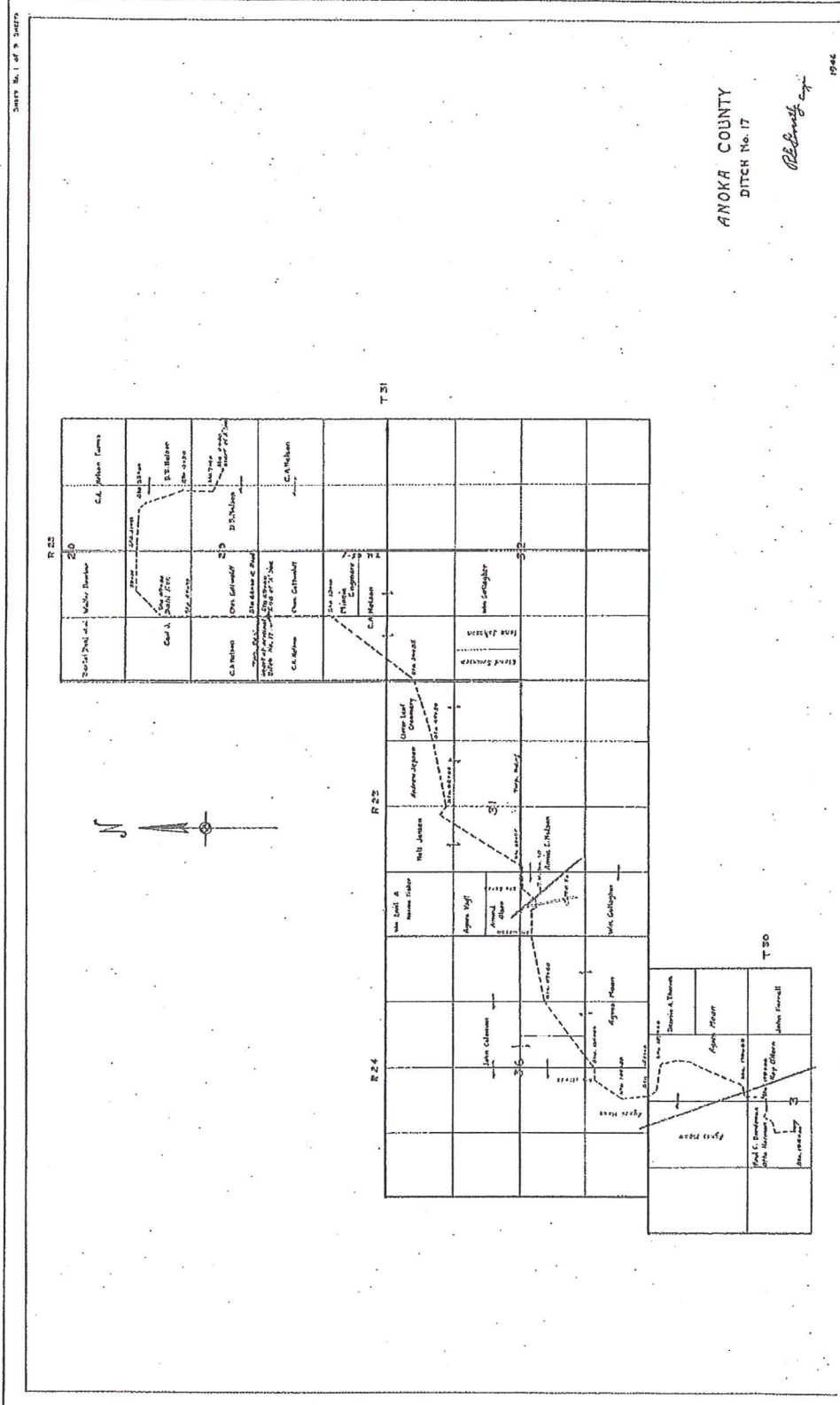
/s/ _____
Jerry Soma
County Administrator

PUBLISH IN:
Anoka County Union March 8 and 15, 2013
Coon Rapids Herald March 8 and 15, 2013
Blaine/Spring Lake Park Life March 8 and 15, 2013
Sun-Focus Newspapers March 7 and 14, 2013

If you need an accommodation, such as an interpreter or printed material in an alternate format (i.e., braille or large print) because of a disability, please contact Karla Risvold at 763-323-5710.

(Mar. 7 & 14, 2013) F2-PublicDitch17

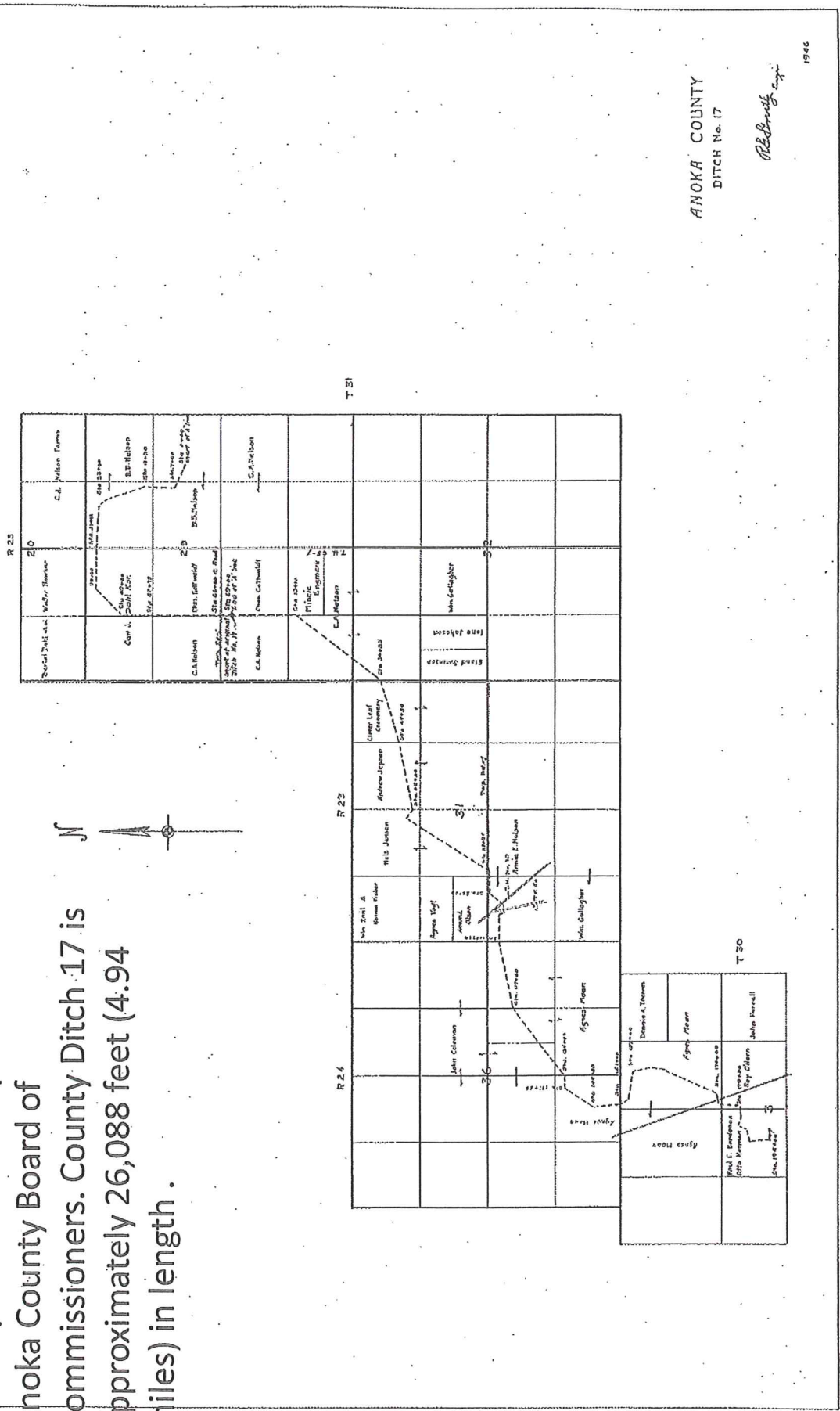
Transfer of County Ditch 17 to The Coon Creek Watershed District



County Ditch 17 was established in 1892 upon landowner petition to the Anoka County Board of Commissioners. County Ditch 17 is approximately 26,088 feet (4.94 miles) in length.



Sheet No. 1 of 3 Sheets



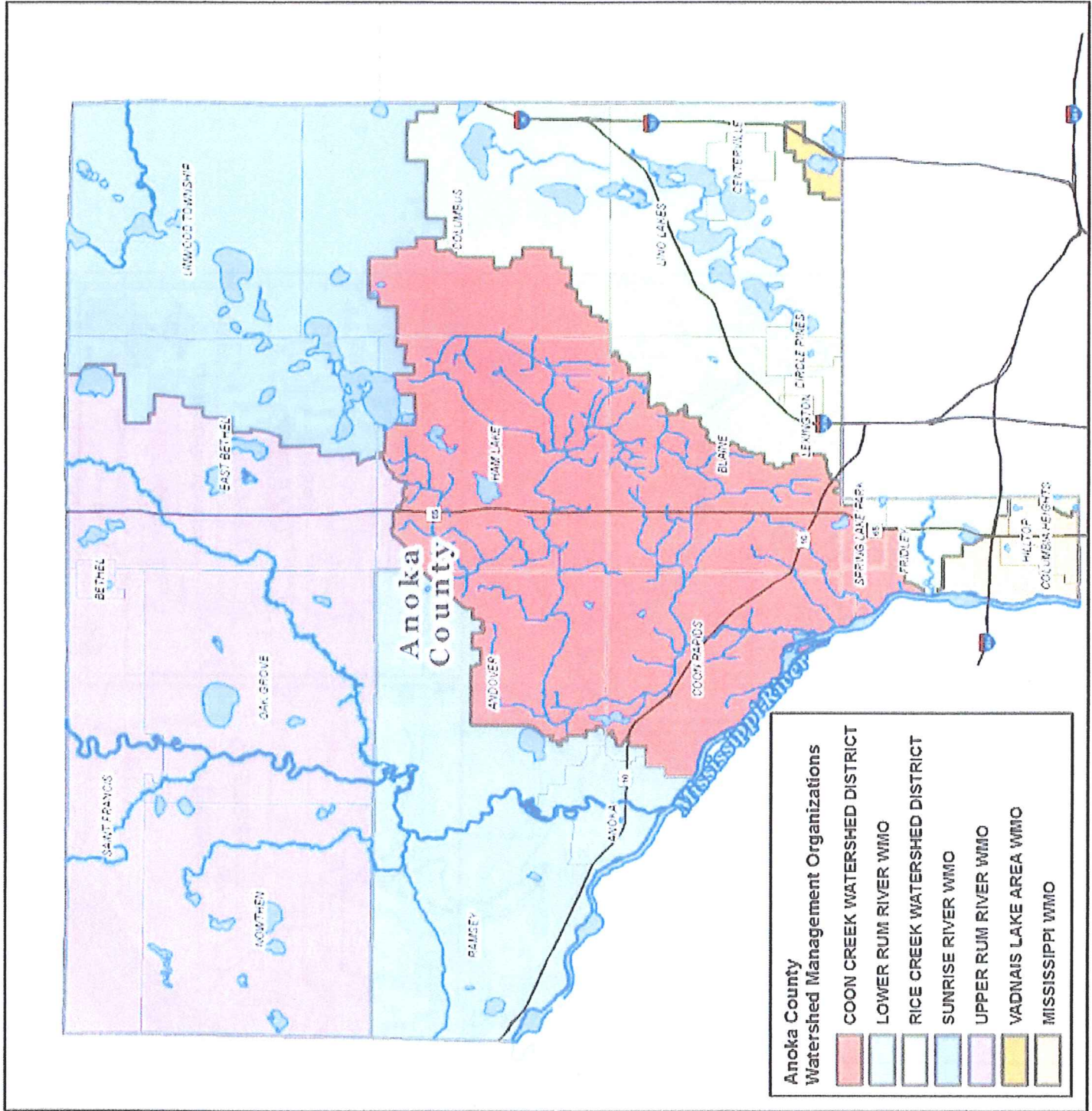
ANOKA COUNTY
DITCH NO. 17
Robert S. ...

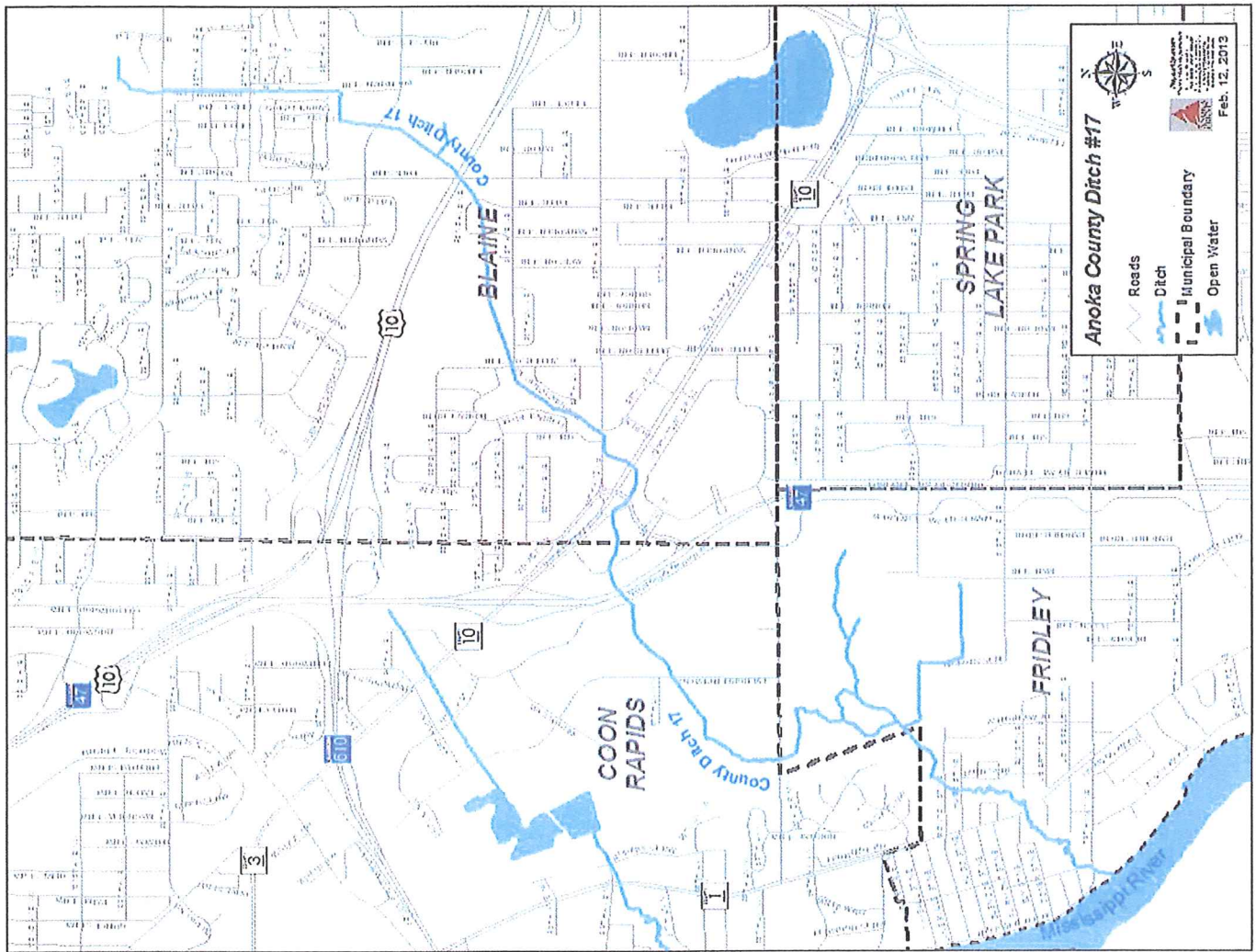
1946

CD 17 is the principal stormwater outlet for approximately 2,900 acres (5.4 square miles) of residential commercial and industrial land in Blaine, Coon Rapids, Fridley and Spring Lake Park.

The Coon Creek Watershed District was created in 1959 by order of the Anoka County Board. All County Ditches within the boundary of CCWD were given to the CCWD at that time.

In 2012 the Boundary of the CCWD was expanded to include the north portion of the Six Cities WMO which dissolved.





2012 Minnesota Statutes

13D.625 DRAINAGE SYSTEMS IN WATERSHED DISTRICT.

Subdivision 1. Watershed district assumption of drainage system. (a) The managers shall take over a joint county or county drainage system within the watershed district and the right to repair and maintain drainage system if directed by a joint county drainage authority or a county board. The transfer may be initiated by:

- (1) the joint county drainage authority or county board;
- (2) a petition from a person interested in the drainage system; or
- (3) the managers.

(b) The transfer may not be made until the joint county drainage authority or county board has held a hearing on the transfer. Notice of the proposed transfer with the time and place of hearing must be given two weeks' published notice in a legal newspaper of general circulation in the area where the transfer is to occur. All interested persons may appear and be heard.

(c) After the hearing, the joint county drainage authority or county board shall order the watershed district to take over the joint county or county drainage system, unless it appears that the takeover would not serve the purpose of this chapter and would not be for the public welfare or be in the public interest.

Subd. 2. Drainage systems are works of watershed district. A joint county or county drainage system that is taken over in whole or in part is part of the works of the watershed district to the extent take over.

Jon Olson

From: Tim Kelly <tkelly@cooncreekwd.org>
Sent: Thursday, February 07, 2013 3:18 PM
To: Jon Olson
Cc: Nancy J. Norman; MU224@AOL.COM
Subject: Transfer of Ditch Authority on Anoka County Public Ditch 17

Follow Up Flag: Follow up
Flag Status: Flagged

In 1959 the Anoka County Board of Commissioners transferred to the Coon Creek Watershed District all Anoka County public drainage systems within its boundaries. The Coon Creek Watershed District therefore acquired jurisdiction over those drainage systems, with the statutory authority to repair, maintain and improve them. The Coon Creek Watershed District as a metropolitan watershed district has the powers and duties over the works of the District, including its public ditch systems, as provided under the Minnesota Watershed Law (103D), the Drainage Law (103E) and the Metropolitan Surface Water Management Act (103B).

In 2012 the Minnesota Board of Water and Soil Resources amended the Coon Creek Watershed District boundary by adding 15 square miles of Blaine, Coon Rapids, Fridley and Spring Lake Park that had been part of the Six Cities Water Management Organization. Included in the amended area was Anoka County Ditch 17 (Springbrook Creek).

County Ditch 17 was established in 1892 upon landowner petition to the Anoka County Board of Commissioners; as provided under the Drainage Law (now Minnesota Statutes chapter 103E). County Ditch 17 is approximately 26,088 feet (4.94 miles) in length and is the principal stormwater outlet for approximately 2,900 acres (5.4 square miles) of residential commercial and industrial land in Blaine, Coon Rapids, Fridley and Spring Lake Park. The Ditch has suffered from a lack of maintenance and oversight leading to a host of flooding and water quality problems and interfering with development and redevelopment.

The District wishes to acquire all of the tools necessary to adequately assume management responsibility for this Ditch and is requesting the County Board to consider transferring its "Ditch Authority" responsibilities for County Ditch 17 to the Coon Creek Watershed District as it did for the other County Ditches within the watershed.

If you have any questions please do not hesitate to call me.

Tim Kelly
District Administrator
Coon Creek Watershed District
763-755-0975
tkelly@cooncreekwd.org

SCHEDULE

February 15, 2013 Public Works sets a public hearing to consider turning CD 17 over to the Coon Creek Watershed District for March 26th at 10:00 AM

March 8, 2013 and March 15, 2013 Notice of Hearing is Published.

March 26, 2013 County Board holds a public hearing.

April 1, 2013 Public Works recommends the Board Pass the order to the CCWD to take over CD 17.

April 8, 2013 County Board approves the order to the CCWD to take over CD 17.

April 8, 2013 A letter along with a copy of the order is sent to the CCWD with an effective date of April 8, 2013.

**PUBLIC WORKS COMMITTEE MEETING
MONDAY, FEBRUARY 15, 2013 AT 9:00 A.M.**

Government Center
Master Conference Room 772

A D D I T I O N A L A G E N D A

ACTION ITEMS

Highway

1. Consider holding a Public Hearing on March 26, 2013 to consider ordering the Coon Creek Watershed District to take over County Ditch 17 as required by MN Statute 103D.625 attached.

ANOKA COUNTY PUBLIC WORKS COMMITTEE AGENDA ITEM WORKSHEET

PWC Meeting Date: <u>2-15-13</u>	Time Sensitive Item? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Originating Dept. <input type="checkbox"/> Transit <input type="checkbox"/> Highway <input type="checkbox"/> Surveyors/GIS <input checked="" type="checkbox"/> Administration <i>*Submitter Initials: JGO</i>	Request Type: <input checked="" type="checkbox"/> Action <input type="checkbox"/> Information
Item <i>Consider holding a Public Hearing on March 26, 2013 to consider ordering the Coon Creek Watershed District to take over County Ditch 17 as required by MN Statute 103D.625 attached.</i>			
Background/Justification: <i>See attached</i>			
Previous Action Taken: <i>Authorized expansion of the CCWD boundary in 2012.</i>			
Board Action Required: <i>None at this time</i>		Location Map:	
Action Required by Others: <i>CCWD has sent a request see attached.</i>			
Comments: <i>County Board will need to approve an order to the CCWD to take over jurisdiction of CD 17 at some future date, likely April 8, 2013.</i>			

Jon Olson

From: Tim Kelly <tkelly@cooncreekwd.org>
Sent: Thursday, February 07, 2013 3:18 PM
To: Jon Olson
Cc: Nancy J. Norman; MU224@AOL.COM
Subject: Transfer of Ditch Authority on Anoka County Public Ditch 17

Follow Up Flag: Follow up
Flag Status: Flagged

In 1959 the Anoka County Board of Commissioners transferred to the Coon Creek Watershed District all Anoka County public drainage systems within its boundaries. The Coon Creek Watershed District therefore acquired jurisdiction over those drainage systems, with the statutory authority to repair, maintain and improve them. The Coon Creek Watershed District as a metropolitan watershed district has the powers and duties over the works of the District, including its public ditch systems, as provided under the Minnesota Watershed Law (103D), the Drainage Law (103E) and the Metropolitan Surface Water Management Act (103B).

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County Ditch 17 was established in 1892 upon landowner petition to the Anoka County Board of Commissioners, as provided under the Drainage Law (now Minnesota Statutes chapter 103E). County Ditch 17 is approximately 26,088 feet (4.94 miles) in length and is the principal stormwater outlet for approximately 2,900 acres (5.4 square miles) of residential commercial and industrial land in Blaine, Coon Rapids, Fridley and Spring Lake Park. The Ditch has suffered from a lack of maintenance and oversight leading to a host of flooding and water quality problems and interfering with development and redevelopment.

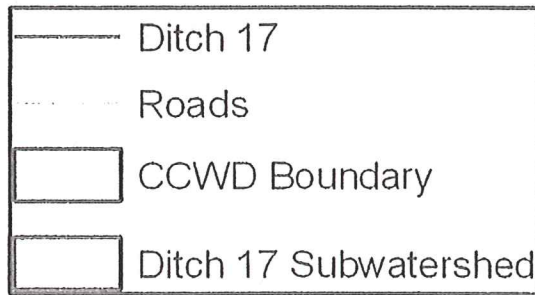
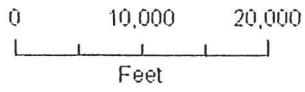
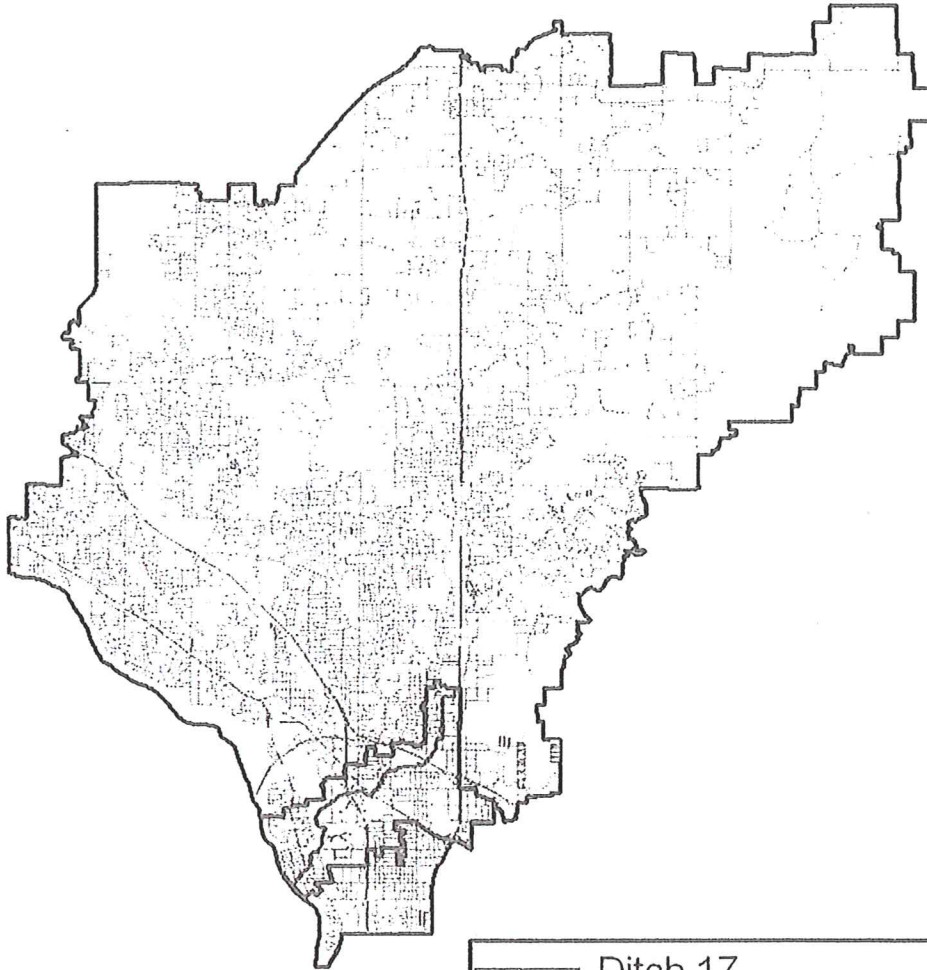
The District wishes to acquire all of the tools necessary to adequately assume management responsibility for this Ditch and is requesting the County Board to consider transferring its "Ditch Authority" responsibilities for County Ditch 17 to the Coon Creek Watershed District as it did for the other County Ditches within the watershed.

If you have any questions please do not hesitate to call me.

Tim Kelly
District Administrator
Coon Creek Watershed District
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Coon Creek Watershed District



2012 Minnesota Statutes

103D.625 DRAINAGE SYSTEMS IN WATERSHED DISTRICT.

Subdivision 1. Watershed district assumption of drainage system. (a) The managers shall take over a joint county or county drainage system within the watershed district and the right to repair and maintain the drainage system if directed by a joint county drainage authority or a county board. The transfer may be initiated by:

- (1) the joint county drainage authority or county board;
- (2) a petition from a person interested in the drainage system; or
- (3) the managers.

(b) The transfer may not be made until the joint county drainage authority or county board has held a hearing on the transfer. Notice of the proposed transfer with the time and place of hearing must be given by two weeks' published notice in a legal newspaper of general circulation in the area where the transfer is to occur. All interested persons may appear and be heard.

(c) After the hearing, the joint county drainage authority or county board shall order the watershed district to take over the joint county or county drainage system, unless it appears that the takeover would not serve the purpose of this chapter and would not be for the public welfare or be in the public interest.

Subd. 2. Drainage systems are works of watershed district. A joint county or county drainage system that is taken over in whole or in part is part of the works of the watershed district to the extent taken over.

Subd. 3. Procedure for repair or improvement. After the transfer is ordered, all proceedings for repair and maintenance must conform to chapter 103E, except for repairs and maintenance done pursuant to section 103D.621, subdivision 4.

Subd. 4. Construction or improvement. Construction of new drainage systems or improvements of existing drainage systems in the watershed district must be initiated by filing a petition with the managers. The proceedings for the construction or improvement of drainage systems in the watershed district must conform to chapter 103E, except for repairs and maintenance done pursuant to section 103D.621, subdivision 4.

History: 1990 c 391 art 4 s 49; 1995 c 199 s 37,38