

Larry Hoium
Surveyor

From: Jon Olson
To: Fischer, Doug; Hoium, Larry; McCabe, Pam
Date: 2/26/02 11:43AM
Subject: County Ditches 3 (66) and 43

All

The board passed resolution #2002-25 today which was one step in turning back these two ditches to The Lower Rum River Water Management Commission. To complete the transfer of the ditches, the LRRWMC must also pass a resolution accepting these ditches.

Pam McCabe is sending the attorney for the LRRWMC a request for said resolution.

Doug, Please file the attached in the proper ditch file out at Highway.

Larry please file the copy attached in the proper ditch file in your office.

Once we receive the resolution from the LRRWMC a flag should be put on each file so that anyone looking at the file will know that they are no longer under County jurisdiction. Pam or myself will forward the resolution to all listed above.

Thanks to all of you for your help in this matter.

Jon

HARD COPY WITH ATTACHMENTS COMMING VIA COUNTY MAIL.

CC: Olson, Jon

CD # 43

PUBLIC DRAINAGE DITCH INVENTORY FORM
(Laws of 1990, Chapter 601, Section 27)

1. Drainage authority name: Anoka County (Ramsey)
2. Drainage ditch name and number: #43
3. Ditch location and drainage area boundary: (shown on attached quadrangle map)
4. Drainage area in acres: 929.55 ; Benefitted area in acres: 213
5. Approximate length in miles: Open Ditch 2.12 Buried Tile 0.46
6. Year constructed: 1908 ; Original cost: \$ 2442.59
7. Are original plans on file? Yes No ; Location: _____
8. Date of original plans: 1906
9. Are "as built" plans on file? Yes No ; Location: Anoka County Courthouse
10. Year(s) improved: _____
11. Are improvement plans on file? Yes No ; Location: _____
12. Year(s) repaired: 1918
13. Are repair plans on file? Yes No ; Location: Anoka County Courthouse
14. If the ditch was transferred from a county or joint county ditch authority to a watershed district or WMO, is the transfer order on file? Yes No NA
15. Is the list of lands benefitted and damaged on file? Yes No
16. Have the benefits and damages been redetermined? Yes No ; If yes, year(s) of redetermination: 1918
17. Has right-of-way been acquired for a 1-rod permanent grassed strip? Yes No ; If yes, has it been maintained? Yes No
18. Is there a maintenance fund for the ditch? Yes No ; If yes, current balance in maintenance fund: \$ _____
19. What was the last year maintenance work was performed by drainage authority: 1977-78

*Abandoned east
47'
1987*

CETA

20. Have other local units or private parties performed maintenance work on the ditch?
Yes No ; List parties: Oct. 13, 1987 - All ditch east of TH No. 47
abandoned. Now must flow via new storm sewer.

21. Have the alignment, grade, bottom width, or bridge or culvert crossings been materially changed from the original or improved construction, without going through formal ditch proceedings? Yes No

22. Is the ditch inspected annually ; every 2-5 years ; every 5-10 years; only when a problem arises ; or never ? Year of last inspection: 1986+

23. Approximate percentage of the ditch's contributing drainage area that is currently urbanized: 40 % ; rural: 60 %

24. Have any substantial areas of wetlands originally totally drained by the ditch reestablished themselves due to lack of ditch maintenance? Yes No

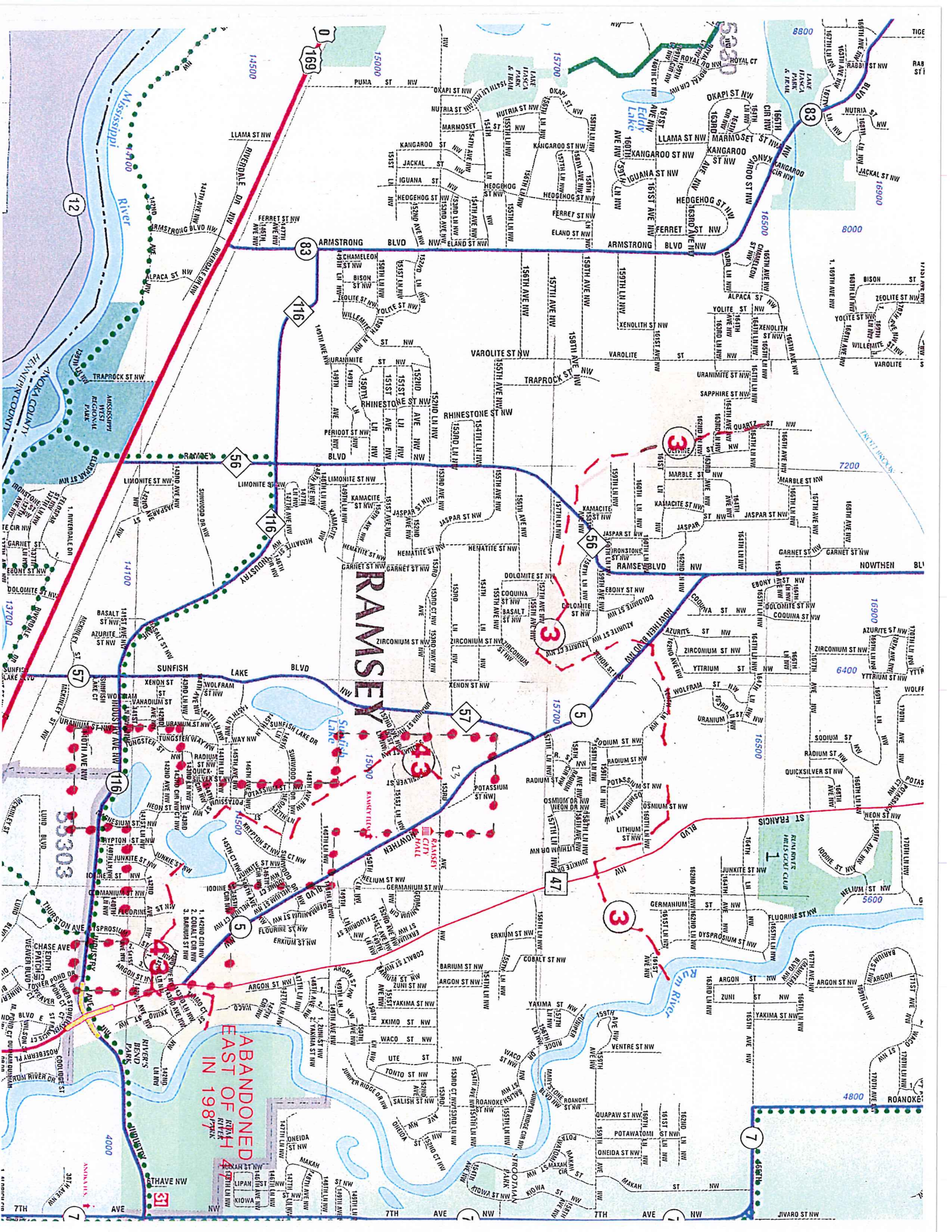
25. What is the general condition of the ditch?
- a. well-maintained
 - b. fairly well-maintained
 - c. poorly maintained
 - d. very poorly maintained
 - e. functionally abandoned

26. Describe the existing condition of the ditch, including erosion/sedimentation problems:
The west end of the drainage area seems to be all standing water.

27. Does the ditch continue to serve a useful purpose to one or more properties? Yes
No ; Estimated acres of agricultural land currently benefitting: 0

28. What plans are there for future management of the ditch? A. Monitor the ditch for problems that occur, such as deadfalls, unapproved culverts/crossings, or filling, that block or impede the normal flow. B. Review, with municipalities & the WMO's, the impact of new development on the drainage system. C. Monitor & repair/replace drainage structures at county highway crossed by the ditch.

29. Additional comments or recommendations for statutory changes: _____
A. Need legislation that allows for maintenance of the county ditch system
B. Need changes in county ditch legislation that provides for a method (s)
of assessing property within a drainage area to pay for approved
repairs or improvements.



RAMSEY

**ABANDONED
EAST OF RIVER
IN 1987**

12

83

83

56

116

57

116

5

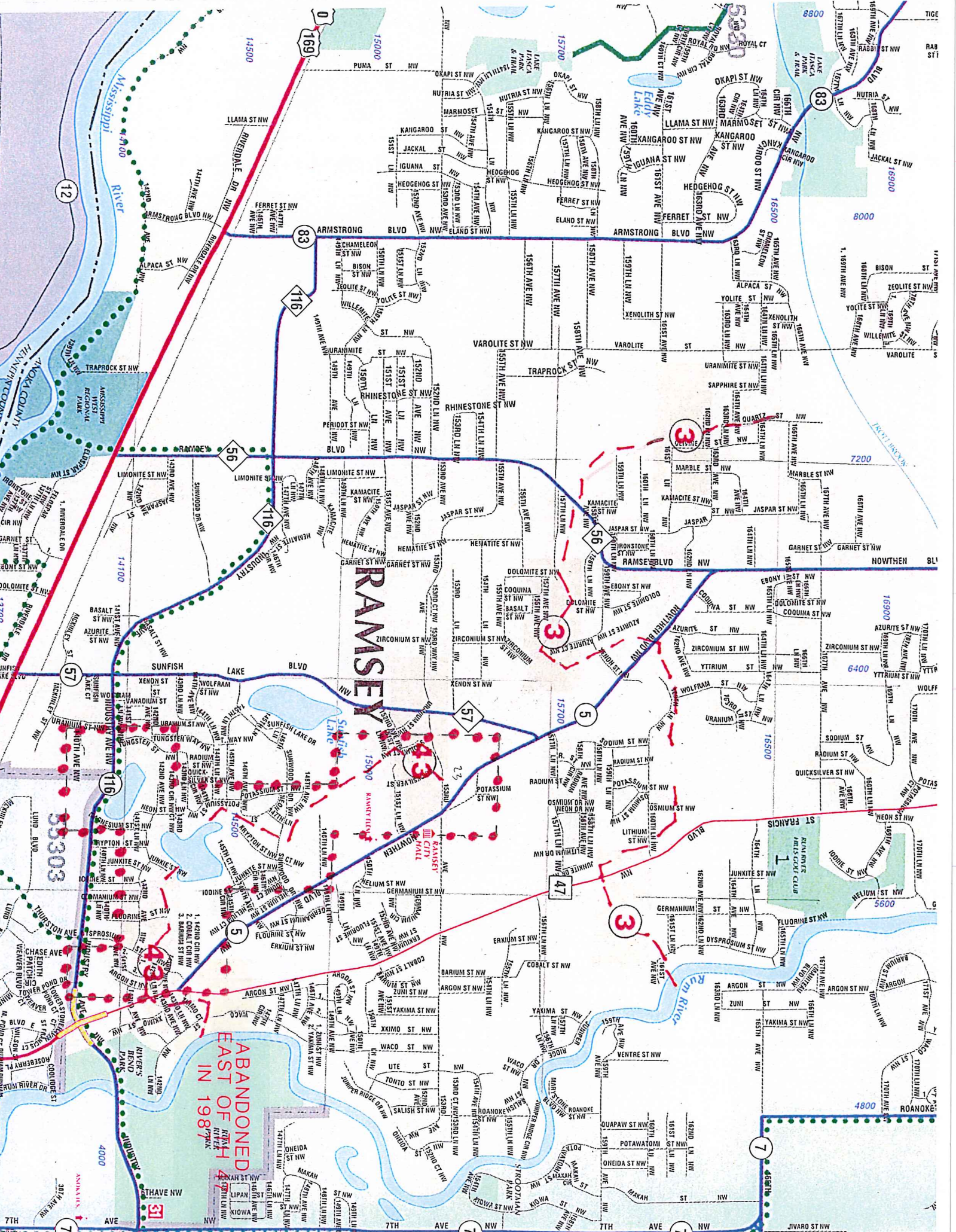
47

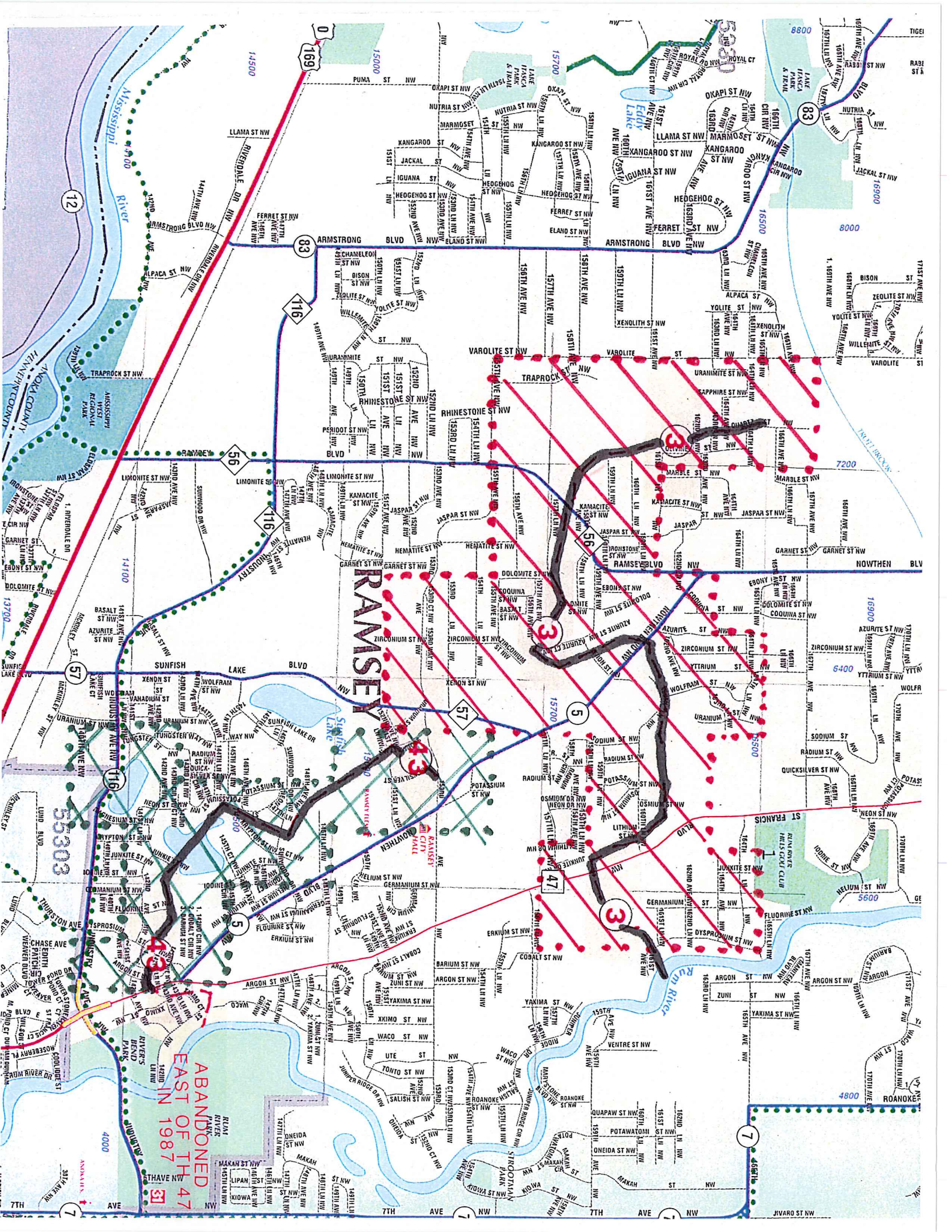
3

7

7

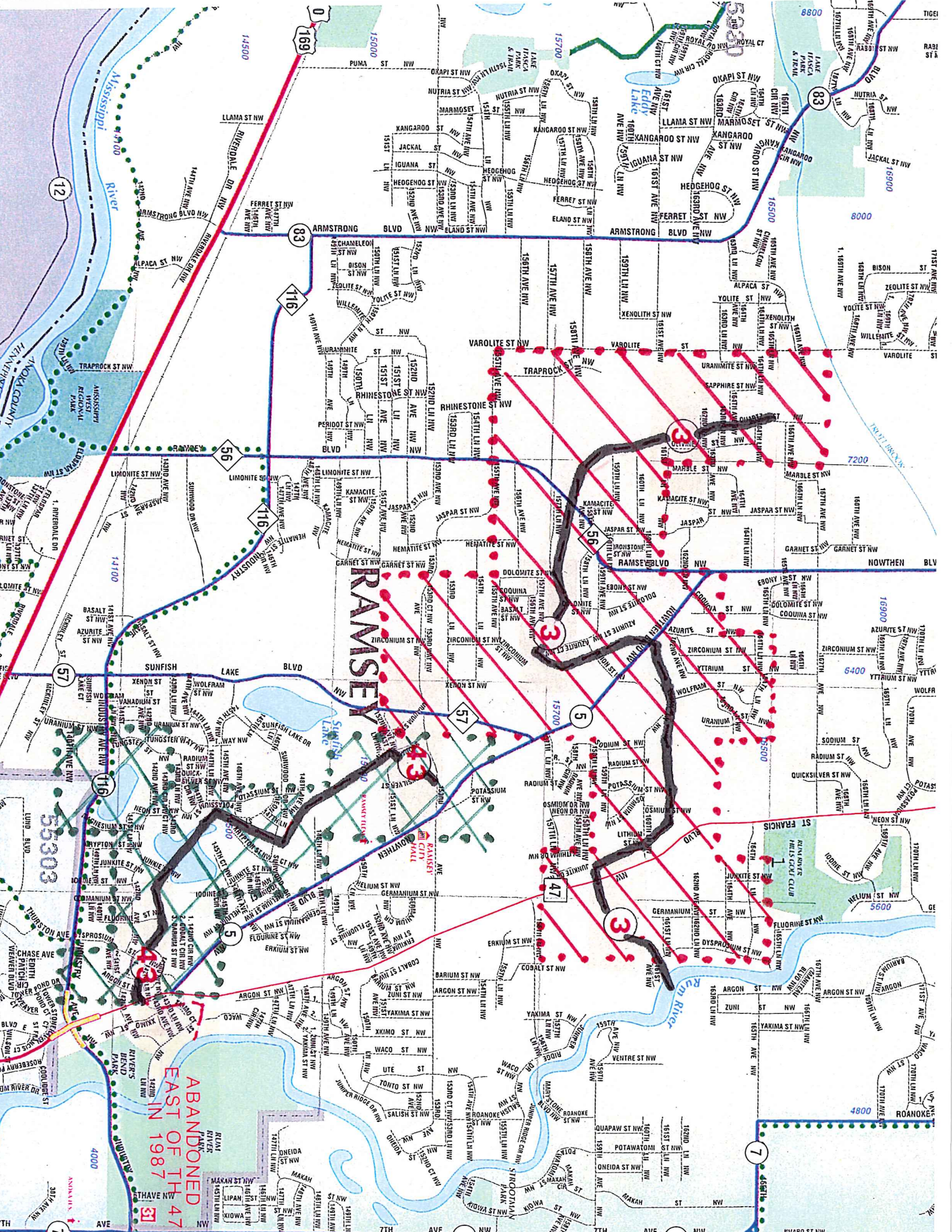
31





RAMSEY

ABANDONED
EAST OF TH 47
IN 1987



RESOLUTION #02-

RESOLUTION TRANSFERRING JURISDICTION OF
COUNTY DITCH #43 AND COUNTY DITCH #66 (#3)

WHEREAS, the Cities of Andover, Anoka, Coon Rapids, and Ramsey have entered into a joint powers agreement pursuant to Minn. Stat. §103B.211 establishing the Lower Rum River Watershed Management Commission, which serves as a watershed management organization with the powers and responsibilities set forth in the Metropolitan Surface Water Management Act, Minn. Stat. §§103B.211-103B.251; and

WHEREAS, the Lower Rum River Watershed Management Commission by letter dated November 21, 2001, initiated a transfer by requesting the Anoka County Board of Commissioners hold a public hearing to consider the transfer of jurisdiction of County Ditch # 43 and County Ditch # 66 (#3) to the Lower Rum River Watershed Management Commission; and

WHEREAS, under Minn. Stat. §103B.211 in conjunction with Minn. Stat. §103D.625, the Anoka County Board of Commissioners is authorized after a public hearing to transfer control of County Ditch # 43 and County Ditch # 66 (#3) to the Lower Rum River Watershed Management Commission unless it appears that the take over 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 # 43 and County Ditch # 66 (#3) was held on February 26, 2002, pursuant to the requirements of Minn. Stat. §103D.625; and

WHEREAS, the Lower Rum River Watershed Management Commission in conjunction with the City of Ramsey have developed extensive information relative to water, watercourses and the general water conditions and problems in the areas of County Ditch # 43 and County Ditch # 66 (#3) and are in the process of developing plans for future projects; and

WHEREAS, the transfer of County Ditch # 43 and County Ditch # 66 (#3) would allow expanded options for projects because a watershed management organization has the ability to undertake drainage system projects in a manner that could not be undertaken by the County board acting as a drainage authority; and

WHEREAS, the transfer of County Ditch # 43 and County Ditch # 66 (#3) 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 Lower Rum River Watershed Management Commission to accept the transfer of jurisdiction of County Ditch # 43 and County Ditch # 66 (#3), the Anoka County Board of Commissioners orders the Lower Rum River Watershed Management Commission to take over the county drainage systems known as County Ditch # 43 and County Ditch # 66 (#3), together with the right to repair and maintain the drainage systems.

RESOLUTION #2002-25

**RESOLUTION TRANSFERRING JURISDICTION OF
COUNTY DITCH #43 AND COUNTY DITCH #66 (#3)**

WHEREAS, the Cities of Andover, Anoka, Coon Rapids, and Ramsey have entered into a joint powers agreement pursuant to Minn. Stat. §103B.211 establishing the Lower Rum River Watershed Management Commission, which serves as a watershed management organization with the powers and responsibilities set forth in the Metropolitan Surface Water Management Act, Minn. Stat. § 103B.211-103B.251; and,

WHEREAS, the Lower Rum River Watershed Management Commission by letter dated November 21, 2001, initiated a transfer by requesting the Anoka County Board of Commissioners hold a public hearing to consider the transfer of jurisdiction of County Ditch # 43 and County Ditch # 66 (#3) to the Lower Rum River Watershed Management Commission; and,

WHEREAS, under Minn. Stat. §103B.211 in conjunction with Minn. Stat. §103D.625, the Anoka County Board of Commissioners is authorized after a public hearing to transfer control of County Ditch # 43 and County Ditch # 66 (#3) to the Lower Rum River Watershed Management Commission unless it appears that the take over 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 # 43 and County Ditch # 66 (#3) was held on February 26, 2002, pursuant to the requirements of Minn. Stat. §103D.625; and,

WHEREAS, the Lower Rum River Watershed Management Commission in conjunction with the City of Ramsey have developed extensive information relative to water, watercourses and the general water conditions and problems in the areas of County Ditch # 43 and County Ditch # 66 (#3) and are in the process of developing plans for future projects; and,

WHEREAS, the transfer of County Ditch # 43 and County Ditch # 66 (#3) would allow expanded options for projects because a watershed management organization has the ability to undertake drainage system projects in a manner that could not be undertaken by the County board acting as a drainage authority; and,

WHEREAS, the transfer of County Ditch # 43 and County Ditch # 66 (#3) 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 Lower Rum River Watershed Management Commission to accept the transfer of jurisdiction of County Ditch # 43 and County Ditch # 66 (#3), the Anoka County Board of Commissioners orders the Lower Rum River Watershed Management Commission to take over the county drainage systems known as County Ditch # 43 and County Ditch # 66 (#3), together with the right to repair and maintain the drainage systems.

From: Pam McCabe
To: Jon Olson; Patsy Anundsen
Date: 2/20/02 10:03AM
Subject: Re: Agenda - Public Hearing - 2/26 - Ditch #43 & #66

1. I have a first draft of a resolution.

The Board can make its decision after the public hearing or at another meeting. It will be up to the commissioners to decide if one of them wishes to proceed immediately.

2. I'd suggest including :

- B. 11/21/2001 Ltr. to me from Steve Jankowski
- C. 1/10/2001 Ltr. to Steve from Pam McCabe
- E. 7/24/2000 Memo to Lower Rum River Watershed from C. Lefevere

>>> Patsy Anundsen 02/19/02 12:54PM >>>

This matter will be on the agenda for Feb 26 going out Thurs.

Two questions:

1. What is the action anticipated to be taken after the public hearing? Motion? Resolution?
Other?

2. What gets attached to the agenda in addition to the public hearing notice. I have the following memos:

- A. 12/17/2001 Letter to Steve Jankowski from Pam McCabe
- B. 11/21/2001 Ltr. to me from Steve Jankowski
- C. 1/10/2001 Ltr. to Steve from Pam McCabe
- D. Sheet relating to legislation and Elk River
- E. 7/24/2000 Memo to Lower Rum River Watershed from C. Lefevere

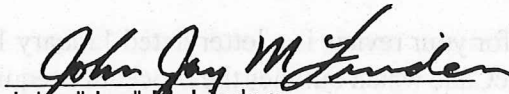
NOTICE OF PUBLIC HEARING

Notice is hereby given that on February 26, 2002, at 10:00 a.m., in the county board room of the Anoka County Government Center, 2100 Third Avenue, Anoka, Minnesota, the Anoka County Board of Commissioners will conduct a public hearing to consider the request to transfer jurisdiction of Anoka County Ditch #43 and Anoka County Ditch #66 (#3) in the City of Ramsey to the Lower Rum River Watershed Management Commission. All persons interested in these drainage systems and wishing to be heard are invited to attend and present arguments for and against the proposed transfer of jurisdiction. Any questions regarding this public hearing may be directed to Jon Olson, Public Services Division Manager, 763-323-5789, between 8:00 a.m. and 4:30 p.m., Monday through Friday.

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 the Anoka County Administration Office at 763-323-5687. (TDD/TTY #763-323-5289)



Robert C. Parta
Chief Deputy County Attorney


John "Jay" McLinden
County Administrator

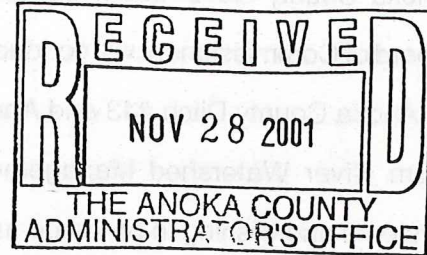
PUBLISH IN:

Anoka County Union - February 8 and 15, 2002
Blaine/Spring Lake Park Life - February 8 and 15, 2002
Coon Rapids Herald - February 8 and 15, 2002
Focus Newspapers - Columbia Heights/Hilltop - February 14 and 21, 2002
Forest Lake Times - February 14 and 21, 2002
Quad Community Press - February 12 and 19, 2002

LOWER RUM RIVER WATERSHED MANAGEMENT ORGANIZATION
ANDOVER - ANOKA - COON RAPIDS - RAMSEY
2015 First Avenue • Anoka, MN 55303

November 21, 2001

Ms. Patsy Anundsen
Office Administrator
Anoka County Government Center
2100 Third Avenue
Anoka, MN 55303-2265



Subject: Request for public hearing to transfer jurisdiction of County Ditch #43 and County Ditch #66 (#3) to the LRRWMO

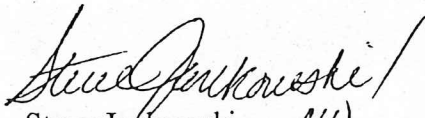
Dear Ms. Anundsen:

The LRRWMO, at its November 15, 2001 meeting, approved making a formal request of Anoka County to schedule and hold a public hearing to consider the transfer of jurisdiction for County Ditch #43 and County Ditch #66 (#3) from Anoka County to the Lower Rum River Watershed Management Organization (LRRWMO).

Enclosed for your review is a letter dated January 10, 2001 from Assistant Anoka County Attorney Pamela McCabe which outlines the procedure required to request such a public hearing. In addition, is a letter dated July 24, 2000 from LRRWMO Attorney Charlie LeFevere which addresses issues raised by Anoka County.

The LRRWMO would appreciate receiving notice of the public hearing date so representatives can be in attendance. If you would like additional information, or have questions, please do not hesitate to contact me at (763) 427-1410.

Sincerely,


Steve Janikowski *cw*
Chair

Enclosure: July 24, 2000 Letter from Kennedy & Graven
January 10, 2001 Letter from Anoka County Attorney

cc: LRRWMO