

ST. LOUIS COUNTY DRAINAGE AUTHORITY

AGENDA

July 14, 2015

Immediately following the County Board meeting.

1. Call to order/roll call.
2. Minutes for June 23, 2015.
3. Establish a Public Hearing on Repair and Partial Abandonment Petitions submitted by EIP Minnesota, LLC. **(15-03)**
4. Other business.
5. Adjourn.

**ST. LOUIS COUNTY DRAINAGE AUTHORITY
PROCEEDINGS**

Tuesday, June 23, 2015

The St. Louis County Drainage Authority meeting was called to order at 11:53 a.m., by Vice-Chair Commissioner Steve Raukar in the Tower Civic Center, Tower, Minnesota, with the following members present: Commissioners Frank Jewell, Patrick Boyle, Chris Dahlberg, Tom Rukavina, Keith Nelson, and Vice-Chair Steve Raukar - 6. Absent: Chair Pete Stauber - 1.

Commissioner Nelson, supported by Commissioner Rukavina, moved to approve the minutes of the March 10, 2015 St. Louis County Drainage Authority meeting.

Commissioner Nelson, supported by Commissioner Rukavina, moved to authorize an amendment to the professional services agreement with Emmons & Olivier Resources, Inc., to secure additional services of a qualified engineer to fulfill the drainage authority's duties in connection with the ditch repair and partial abandonment petitions filed by EIP Minnesota, LLC. The motion passed; six yeas, zero nays, one absent (Stauber). Resolution No. 15-02.

COUNTY DRAINAGE AUTHORITY RESOLUTION NO. 15-02

WHEREAS, Pursuant to Minn. Stat. Chapter 103E, the St. Louis County Board is required to convene as the County Drainage Authority to discuss and approve pending matters related to county ditches; and

WHEREAS, The County Drainage Authority has received a petition for the repair of a portion of County Ditch #1 and petitions for the partial abandonment of County Ditches #1 and #6; and

WHEREAS, Upon receipt of a petition for repair, Minn. Stat. § 103E.715 requires the County Drainage Authority to appoint an engineer to examine the drainage system and make a repair report; and

WHEREAS, It has become clear that, in order to fully analyze the ditch repair and abandonment petitions, and their potential hydrological effects on neighboring properties, additional engineering work is needed; and

WHEREAS, Additional funds are also needed to fund the engineer's presence at the upcoming ditch hearing and to review the updated ditch map that may be prepared after the County Drainage Authority has rendered a decision on the ditch abandonment and repair petitions;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board, acting in the capacity of the County Drainage Authority, hereby authorizes appropriate county officials to execute an amendment to its services agreement with Emmons & Olivier Resources, Inc., in an amount not to exceed an additional \$36,900 to secure services of a qualified engineer to fulfill the drainage authority's duties in connection with the ditch repair and partial abandonment petitions filed by EIP Minnesota, LLC. Payment for these additional engineering services shall be from Fund 178, Agency 178002, with funding coming from Ditching fund balance, Fund 178, Object 311037.

Unanimously adopted March 23, 2015.

At 11:57 a.m., June 23, 2015, Commissioner Nelson, supported by Commissioner Rukavina, moved to adjourn the meeting. The motion passed; six yeas, zero nays, one absent (Stauber).

Steve Raukar, Vice-Chair of the Board of County Commissioners

Phil Chapman, Deputy Auditor/Clerk of the County Board

COUNTY DRAINAGE AUTHORITY NO. 15 – 03

DATE: July 14, 2015

RE: Establish a Public Hearing
on Repair and Partial
Abandonment Petitions
Submitted by EIP Minnesota,
LLC

FROM: Kevin Gray
County Administrator

James T. Foldesi
County Engineer/Public Works Director

RELATED DEPARTMENT GOAL:
To administer county ditch systems.

ACTION REQUESTED:
It is requested that the County Drainage Authority set a hearing to consider petitions for repair of County Ditch #1 and partial abandonment of County Ditches #1 and #6.

BACKGROUND INFORMATION:
On February 6, 2015, EIP Minnesota, LLC (EIP) submitted petitions for repair of County Ditch #1 and partial abandonment of County Ditches #1 and #6. Minn. Stat. Chapter 103E requires that the County Board, acting as the County Drainage Authority, set hearings to consider these petitions. It is desired that a public hearing be set to occur on August 4, 2015 at the St. Louis County Courthouse, Duluth, MN.

RECOMMENDATION:
It is recommended that the County Drainage Authority set a public hearing on EIP's petitions for repair of County Ditch #1 and partial abandonment of County Ditches #1 and #6 to occur on August 4, 2015 at 9:45 a.m. at the St. Louis County Courthouse, Duluth, MN.

**Establish a Public Hearing on Repair and Partial Abandonment Petitions
Submitted by EIP Minnesota, LLC**

BY COMMISSIONER _____

WHEREAS, Pursuant to Minn. Stat. Chapter 103E, the St. Louis County Board is required to convene as the County Drainage Authority to discuss and approve pending matters related to county ditches; and

WHEREAS, The County Drainage Authority received a petition for the repair of a portion of County Ditch #1 and petitions for the partial abandonment of County Ditches #1 and #6 from EIP Minnesota, LLC; and

WHEREAS, Minn. Stat. Chapter 103E requires that the County Drainage Authority hold hearings on these petitions; and

WHEREAS, It is desired that the County Drainage Authority set the hearing to consider EIP's petitions for repair of County Ditch #1 and partial abandonment of County Ditches #1 and #6 to occur on August 4, 2015 at the St. Louis County Courthouse, Duluth, MN.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board of Commissioners, acting in the capacity of the County Drainage Authority, hereby establishes a public hearing on EIP's petitions for repair of County Ditch #1 and partial abandonment of County Ditches #1 and #6 to occur on August 4, 2015 at 9:45 a.m. at the St. Louis County Courthouse, Duluth, MN.