

**RESOLUTION NO. 23-073**  
**RILEY PURGATORY BLUFF CREEK WATERSHED DISTRICT**  
**BOARD OF MANAGERS**

**ORDERING THE**  
**SPRING ROAD CONSERVATION PROJECT**

Manager Pederson offered the following resolution and moved its adoption, seconded by Manager Crafton:

**WHEREAS** the Riley Purgatory Bluff Creek Watershed District's (District) 2018 10-Year Watershed Management Plan (Plan) recognizes that unanticipated opportunities may emerge during the life of this Plan; and that while the District cannot predict the future, the District has established a process to allow the District and its partners to take full advantage of these circumstances through the implementation of "Opportunity Projects"; (Plan, Section 9.13, p. 9-49);

**WHEREAS** the District has undertaken months of deliberation to consider an unanticipated opportunity to acquire three contiguous parcels on Spring Road in Eden Prairie for conservation purposes; the District's acquisition of the Spring Road properties will complete a contiguous corridor following Riley Creek from Lake Riley to the Minnesota River; the District has identified a series of location, topography, ecological and other benefits for the watershed through conservation of this site; the District engineer scored the proposed acquisition using the prioritization scoring method presented in the Plan, and in comparison to proposed development of the site, the conservation acquisition renders a prioritization score of 35-39 points; accordingly it is appropriate under Section 9.13 of the Plan to proceed with a plan amendment for the project;

**WHEREAS**, following a duly noticed public hearing, the Board of Managers adopted the amendment to its Plan for the Spring Road Conservation Project (Project);

**WHEREAS** on November 16, 2023, the Board of Managers held a duly noticed public hearing to receive comments on whether to order the Project; Ms. Chesney Engquist spoke in favor of the Project; Manager Koch commented as a member of the public to express his opposition to the Project, stating that he did not consider it to be a proper project for the District

**WHEREAS**, the comments received at the public hearing, as well as the comments received about the Project and the Plan amendment, support a finding by the Board of Managers that the Project will be conducive to public health and promote the general welfare, and is in compliance with Minnesota Statutes sections 103B.205 to 103B.255 and the plan adopted pursuant to section 103B.231;

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Managers finds that the Project will be conducive to public health and promote the general welfare, and is in compliance

with Minnesota Statutes sections 103B.205 to 103B.255 and the District's Plan adopted pursuant to section 103B.231;

**BE IT FURTHER RESOLVED** that the Board of Managers hereby orders the Spring Road Conservation Project pursuant to section 103B.251, and determines that the cost of the Project is \$5,875,000, and certifies that cost for payment; the Board of Managers directs the administrator with advice of legal counsel to pursue financing alternatives within the District's legal authority and report back to the Board, whereby the costs of the project will be paid through the District's ad valorem tax levy authorized by Minnesota Statutes section 103B.241 on all properties in the District in Hennepin County and Carver County; approximately 77% of this levy will be paid by properties in Hennepin County, and 23% paid by properties in Carver County.

The question was on the adoption of the resolution and there were 4 yeas and 1 nay as follows:

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
<b>CRAFTON</b>	<b>X</b>			
<b>DUEVEL</b>	<b>X</b>			
<b>KOCH</b>		<b>X</b>		
<b>PEDERSEN</b>	<b>X</b>			
<b>ZIEGLER</b>	<b>X</b>			

Upon vote, the president declared the resolution adopted.

Dated: November 16, 2023.

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I, Dorothy Pedersen, secretary of the Riley Purgatory Bluff 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 transcription thereof.

IN TESTIMONY WHEREOF, I set my hand this 17<sup>th</sup> day of November, 2023.

Dorothy Pedersen, Secretary