



# Board of County Commissioners Agenda Request

## 5B

Agenda Item #

**Requested Meeting Date:** October 28, 2014

**Title of Item:** Deliberations for Request for Partial Ditch Abandonment - U.S. Steel

<input checked="" type="checkbox"/> REGULAR AGENDA <input type="checkbox"/> CONSENT AGENDA <input type="checkbox"/> INFORMATION ONLY	<b>Action Requested:</b> <input checked="" type="checkbox"/> Approve/Deny Motion <input checked="" type="checkbox"/> Adopt Resolution (attach draft) <i>*provide copy of hearing notice that was published</i>	<input type="checkbox"/> Direction Requested <input type="checkbox"/> Discussion Item <input type="checkbox"/> Hold Public Hearing*
<b>Submitted by:</b> Kirk Peysar		<b>Department:</b> Auditor's Office
<b>Presenter (Name and Title):</b> Kirk Peysar, County Auditor		<b>Estimated Time Needed:</b>
<b>Summary of Issue:</b>  July 22, 2014 - Public Hearing for Petition for Partial Abandonment of a Drainage System within Sections 27, 28, 32, 33, and 34 of Workman Township (T.49N.-R.24W.) Aitkin County, MN. United States Steel Corporation (U.S. Steel) submitted this petition for ditch abandonment pursuant to Minnesota Statute 103E.806.  September 15, 2014 - U.S. Steel submitted a revised petition.  September 23, 2014 - Public Hearing was continued. No public comments were given.  October 14, 2014 - Second continuation was held. No public comments were given, and no written comments were received.  October 28, 2014 - Deliberations scheduled.		
<b>Alternatives, Options, Effects on Others/Comments:</b>		
<b>Recommended Action/Motion:</b> Approve or deny U.S. Steel's request for partial ditch abandonment.		
<b>Financial Impact:</b> Is there a cost associated with this request? <input type="checkbox"/> Yes <input type="checkbox"/> No What is the total cost, with tax and shipping? \$ Is this budgeted? <input type="checkbox"/> Yes <input type="checkbox"/> No <i>Please Explain:</i>		



U. S. Steel Corporation  
Minnesota Ore Operations  
P.O. Box 217  
Keewatin, MN 55753

September 15, 2014

Mr. Kirk Peysar  
Aitkin County Auditor  
209 2<sup>nd</sup> Street NW  
Aitkin, MN 5643-1292

Mr. John Welle  
Aitkin County Engineer  
209 2<sup>nd</sup> Street NW  
Aitkin, MN 5643-1292

**RE: Revised Petition for Partial Ditch Abandonment of a Drainage System  
within Sections 27, 28, 32, 33 and 34 of Workman Township (T.49N.-R.24W.)  
Aitkin County, Minnesota**

Dear Messrs. Peysar and Welle:

United States Steel Corporation (U. S. Steel) is submitting this revision to the original petition for ditch abandonment submitted on March 31, 2014 and revised on June 18, 2014. In the original application, public ditches were proposed to be abandoned. However, at the July 22, 2014 Public Hearing regarding the project, there was much concern from the Aitkin County Board and private citizens regarding the effect to private property surrounding the project sight. U. S. Steel has re-evaluated its options and developed a plan that should alleviate these concerns. U. S. Steel contracted Barr Engineering to review ditches and ditch watersheds. The attached memo discusses the ditches that could be abandoned, culverts that would be added to maintain drainage to off-site private properties and private ditches that would be re-classified as public ditches.

Should there be any questions about this submittal or if you require additional information, please contact me at (218) 778-8672 or via email at [tmuck@uss.com](mailto:tmuck@uss.com)

Sincerely,

A handwritten signature in cursive script that reads "Tracy M. Muck".

Tracy M. Muck  
Minnesota Ore Operations  
United States Steel Corporation

CC: J. Mark Wedel, Chairperson, Commissioner District 1  
Laurie Westerlund, Commissioner District 2  
Donald Niemi, Commissioner District 3  
Brian Napstad, Commissioner District 4  
Anne Marcotte, Vice Chairperson, Commissioner District 5  
Nathan Burkett, County Administrator  
Jim Ratz, County Attorney



## Memorandum

**To:** Tracy Muck  
**From:** Daniel Tix and Mark Jacobson  
**Subject:** Public Ditch Abandonment Summary  
**Date:** September 2, 2014  
**Project:** U. S. Steel Palisade Wetland Mitigation Site

This memo summarizes our findings from a review of the ditches on United States Steel (U. S. Steel) Palisade Wetland Mitigation site (Site). The attached map (Figure 1) shows ditches that could be abandoned and eliminated without affecting neighboring landowners and summarizes the ownership, type, and proposed actions for each of the ditches on the Site. The proposed public ditch abandonment would continue to allow drainage from upstream properties through the public ditch system.

Watersheds for ditches located within and surrounding the Site are shown in Figure 2. This map differentiates the watersheds of the ditches to be abandoned from those that will be maintained. Watersheds in Figure 2 were drawn using LiDAR data. The LiDAR data is based on information from before modifications were made on the Site, so the on-site watersheds may have changed, but the off-site watersheds have not. A detailed view of each public ditch to be abandoned or altered is shown in Figure 3 (a through c) and includes the watershed of each. Figure 4 shows the ditch ownership and flow directions for the surrounding area.

We propose that the following public ditches be abandoned and filled to maximize wetland area on the Site without affecting drainage from adjacent private properties.

**1. Formally abandon CD-4 – diagonal portion on the east side of the north half of Section 34 (Figure 3a)**

This ditch does not actually exist so no specific action is required other than a formal request for legal abandonment. Such a request would eliminate potential future confusion or disputes of this ditch that is no longer present.

**2. Abandon CD-4 (Segment A) – dividing the north and south half of Section 34 (Figure 3a)**

The eastern approximately one-half mile of this segment of the ditch could be abandoned without affecting neighboring properties.

***Watershed***

The watershed for this ditch is located entirely within Section 34, west of County Road (CR) 62, and within U. S. Steel property (Figure 3a). None of the watershed area located east of CR 62

**To:** Tracy Muck  
**From:** Daniel Tix and Mark Jacobson  
**Subject:** Public Ditch Abandonment Summary  
**Date:** September 2, 2014  
**Page:** 2

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drains into CD-4 (Figure 2). Therefore, the only property benefitting from CD-4, Segment A, is U. S. Steel property and the drainage from CD-4 is no longer needed due to a change in land use.

**Flow**

CD-4, Segment A, is a headwater ditch that begins near the east edge of the Site and flows west. There are no culverts or other ditches entering the ditch within this segment. CD-4 flows into CD-38 along the western edge of Section 34 and continues to flow west through Section 33 (Figure 1). The abandonment of CD-4, Segment A would not alter the current drainage off of CR 62. However, the right-of-way (ROW) ditches along the west side of CR 62 could be connected to allow southward drainage for that section of the road (Figure 1).

**Farm road**

The farm road that is parallel to CD-4, Segment A would be removed so that the northern and southern portions of Section 34 could become connected hydrologically. The road along the north side of the remaining segment of CD-4, in the western half of Section 34, would remain.

**Remaining segments of CD-4**

The western half of CD-4 through the middle of Section 34 would remain so that it could intercept flow from the north-south private ditch which begins in Section 27 to the north (Figure 2). This would maintain drainage for the adjacent properties to the north.

**3. Abandon CD-4/FRC-B (Segment B) north side of Section 33 (Figure 3b)**

We would abandon this full one-mile ditch segment. (Figure 3b)

**Watershed**

The watershed draining to CD-4/FRC B, Segment B, includes the northeast corner of Section 33, entirely within U. S. Steel property (Figure 3b). There are no other ditches that flow into this ditch segment. Therefore, the only property benefitting from CD-4, Segment B is U. S. Steel property, and the drainage from CD-4, Segment B, is no longer needed due to a change in land use.

**Flow**

CD-4, Segment B, is a headwater ditch that begins in the northeast corner of Section 33 and flows west. At the northwest corner of Section 33, this segment meets CD-38 along the west side of Section 33 and flows south (Figure 1).

**Farm road**

The farm road parallel to CD-4, Segment B would also be removed so that the northern portion of Section 33 and the southern portion of Section 28 could become connected hydrologically.

**4. Move CD-4/FRC-B (Segment C) southern half, west side of Section 34 (Figure 3c)**

Between Sections 33 and 34, CD-4/FRC-B, Segment C runs along the east side of a farm road with a private ditch on the west side of the road. The southern half of CD-4/FRC-B would be relocated to the

**To:** Tracy Muck  
**From:** Daniel Tix and Mark Jacobson  
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other side of the road (Figure 3c). The new ditch would be cleaned out to ensure positive drainage. A culvert or open ditch connection will be added to connect SD-86 into the new public ditch.

#### ***Watershed***

The watershed draining through CD-4/FRC-B Segment C is predominantly composed of U. S. Steel property, but does include approximately 14 acres of private property in Section 3 (T48N; R24W) (Figure 3c). However, the relocation of CD-4, Segment C will maintain drainage for that small area of private property.

#### ***Flow***

CD-4/FRC-B, Segment C flows north, beginning from SD-86, and discharges into CD-4 (Figure 1). That drainage pattern will be maintained by moving the ditch approximately 100 feet west to the other side of the road and providing a connection for SD-86, into the existing private ditch.

#### ***Farm roads***

None of the farm roads in this area would be altered. However, overflow structures or culverts may be constructed across the roads along the south or west sides of Section 34 to provide an outlet for water in the southern half of Section 34.

#### **Private ditches**

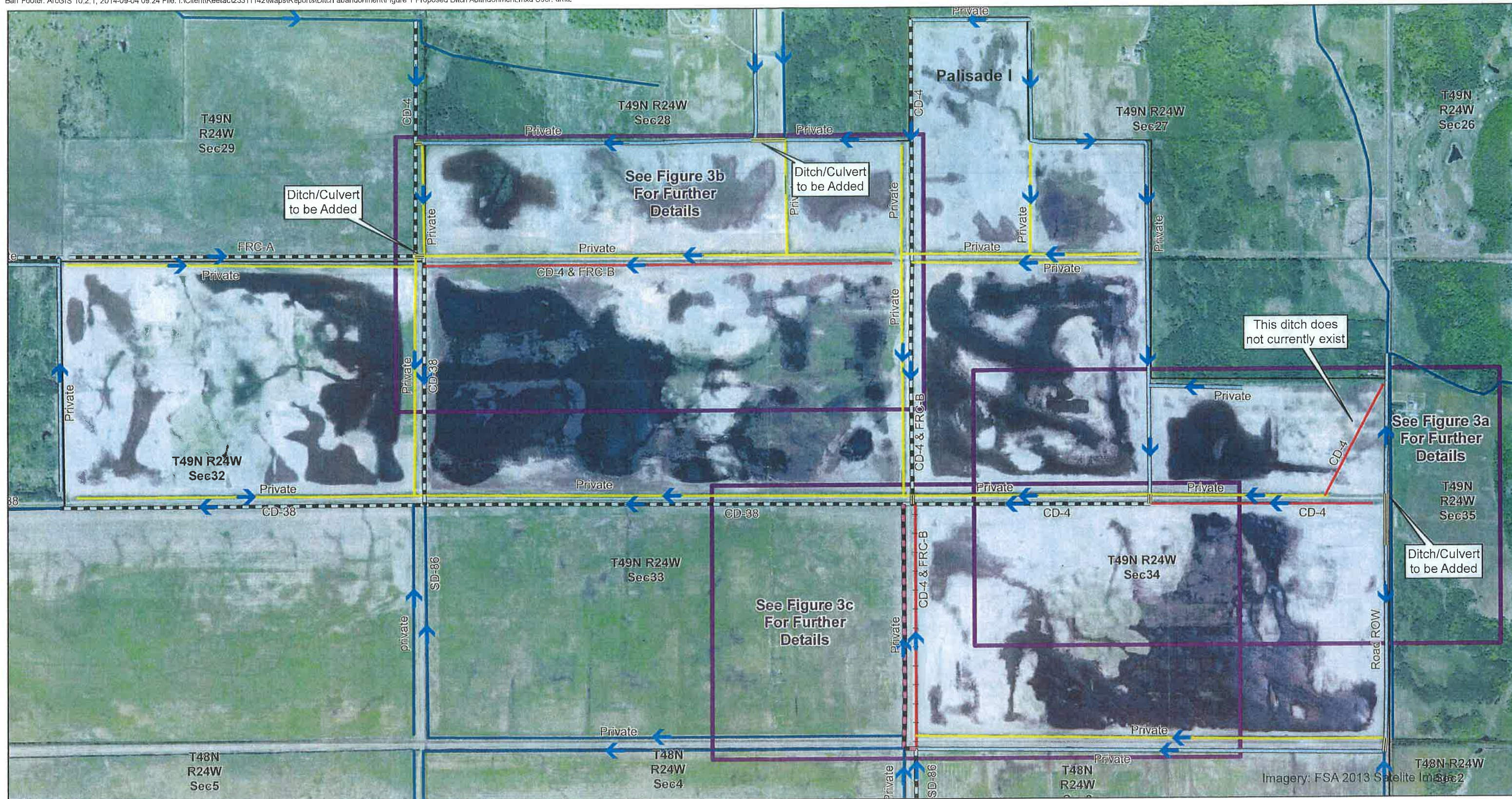
Figure 1 also shows proposed modifications to private ditches, all located on U. S. Steel property. The elimination of private ditches will include several new connections to ensure that drainage is maintained from adjacent private properties where the private ditches flow through U. S. Steel property.

- With the abandonment of the private ditch along the south side of the north part of Section 34, a culvert will be constructed to connect the private drainage from Section 27 into CD-4 (Figure 1), thereby maintaining drainage from the private properties.
- With the abandonment of the private ditch along the south side of Section 34, a culvert will be constructed from the CR 62 west ROW ditch connecting into the private ditch along the north side of Section 3, T48N, R24W (Figure 1).
- For abandonment of the private ditches located in the southern one-quarter of Section 28, T49N, R24W, three culvert or ditch connections will be constructed to maintain drainage for the properties located to the north (Figure 1).

#### **Conclusions**

The proposed public ditch abandonments described above include segments of public ditches that benefit only U. S. Steel property. The plan to abandon private ditches includes provisions to maintain drainage from all adjacent private property and CR 62. The resulting ditch system is shown in Figure 5, which will ensure the retention of drainage benefits for all adjacent private property.

# Exhibit One



- Ditch Flow Direction
- Public Ditch to be Abandoned
- Public Ditch - Abandon and Replace
- Add Ditch/Culvert
- Convert to Public
- Private Ditch to be Abandoned
- Private Ditch to Remain
- Public Ditch to Remain
- Other ditches - Off-site
- Detailed Figure Extents
- U.S. Steel Property Boundary

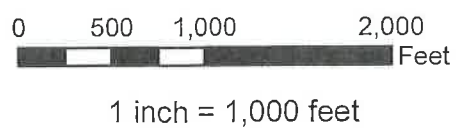
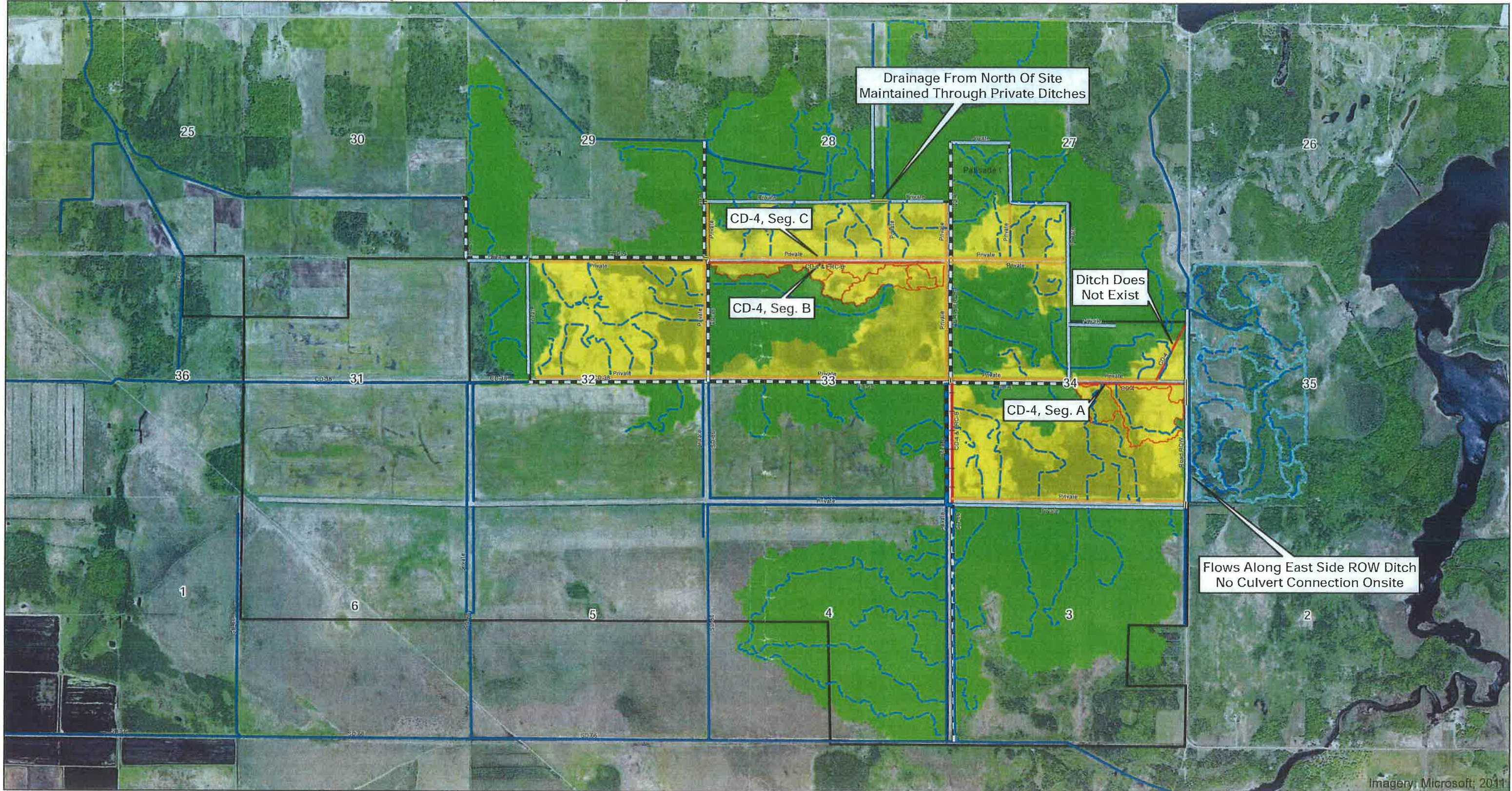
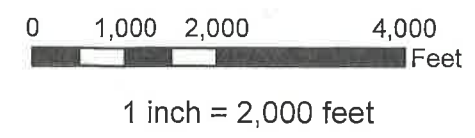


Figure 1  
 PROPOSED DITCH MODIFICATIONS  
 Public Ditch Abandonment Summary  
 Palisade Wetland Mitigation  
 U. S. Steel

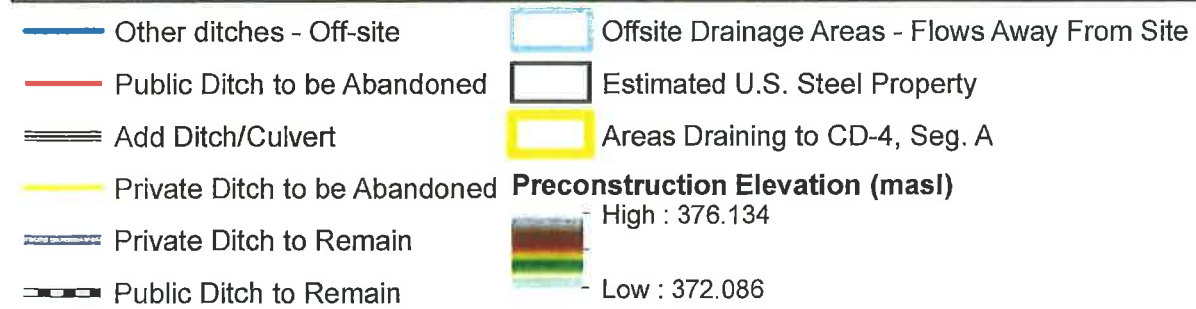
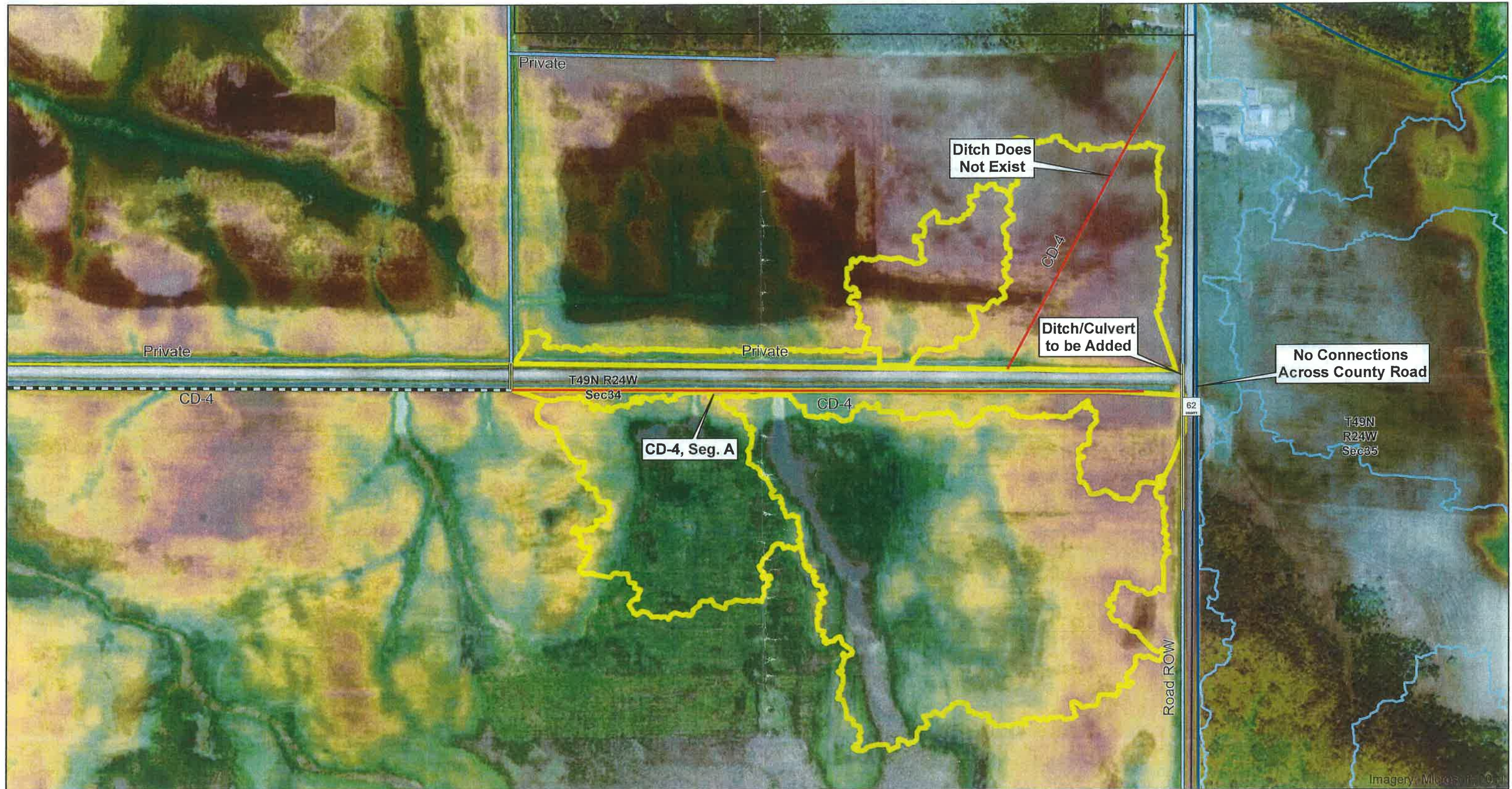


- Public Ditch to be Abandoned
- Public Ditch - Abandon and Replace
- Add Ditch/Culvert
- Convert to Public
- Private Ditch to be Abandoned
- Private Ditch to Remain
- Public Ditch to Remain
- Other ditches - Off-site
- - - Flow Paths (Pre-construction)
- Watershed to Preserved Onsite Ditches
- Watershed to Proposed Abandoned Ditches
- Flows To Public Ditch To Be Abandoned
- Offsite Drainage Areas - Flow Away From Site
- U.S. Steel Property Boundary



\*Watersheds delineated using MN DNR LiDAR collected spring, 2012 (Pre-construction)

Figure 2  
 WATERSHED AREAS TO PROPOSED DITCH MODIFICATIONS  
 Public Ditch Abandonment Summary  
 Palisade Wetland Mitigation  
 U. S. Steel



1 inch = 350 feet



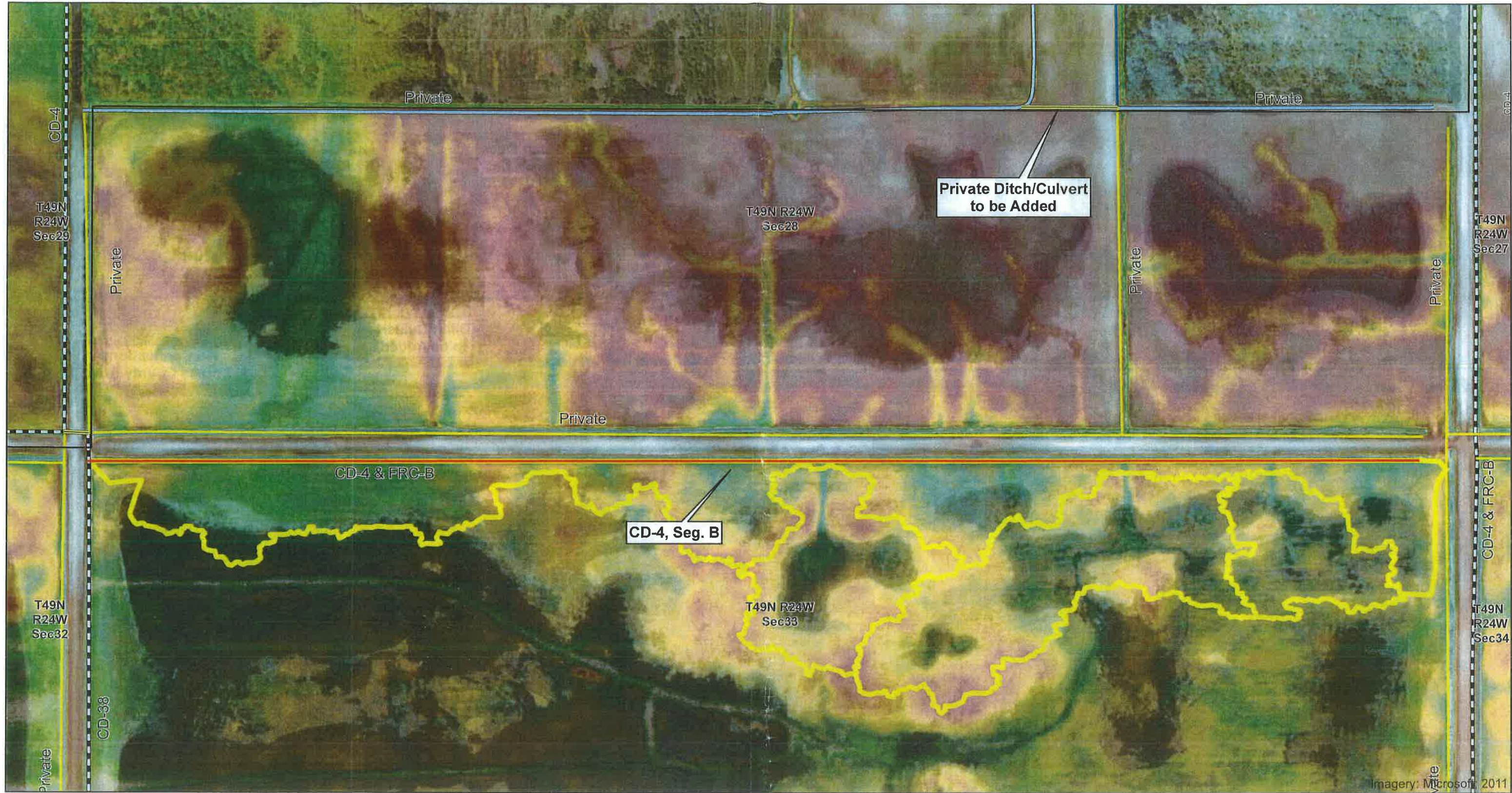
Figure 3a

CD-4 SEGMENT A

Public Ditch Abandonment Summary  
Palisade Wetland Mitigation  
U. S. Steel

\*Watersheds delineated using MN DNR LiDAR collected spring, 2012 (Pre-construction)





- Other ditches - Off-site
  - Public Ditch to be Abandoned
  - Add Ditch/Culvert
  - Private Ditch to be Abandoned
  - Private Ditch to Remain
  - Public Ditch to Remain
  - Estimated U.S. Steel Property
  - Areas Draining to CD-4, Seg. B
- Preconstruction Elevation (masl)**
- 376
  - 372



1 inch = 350 feet

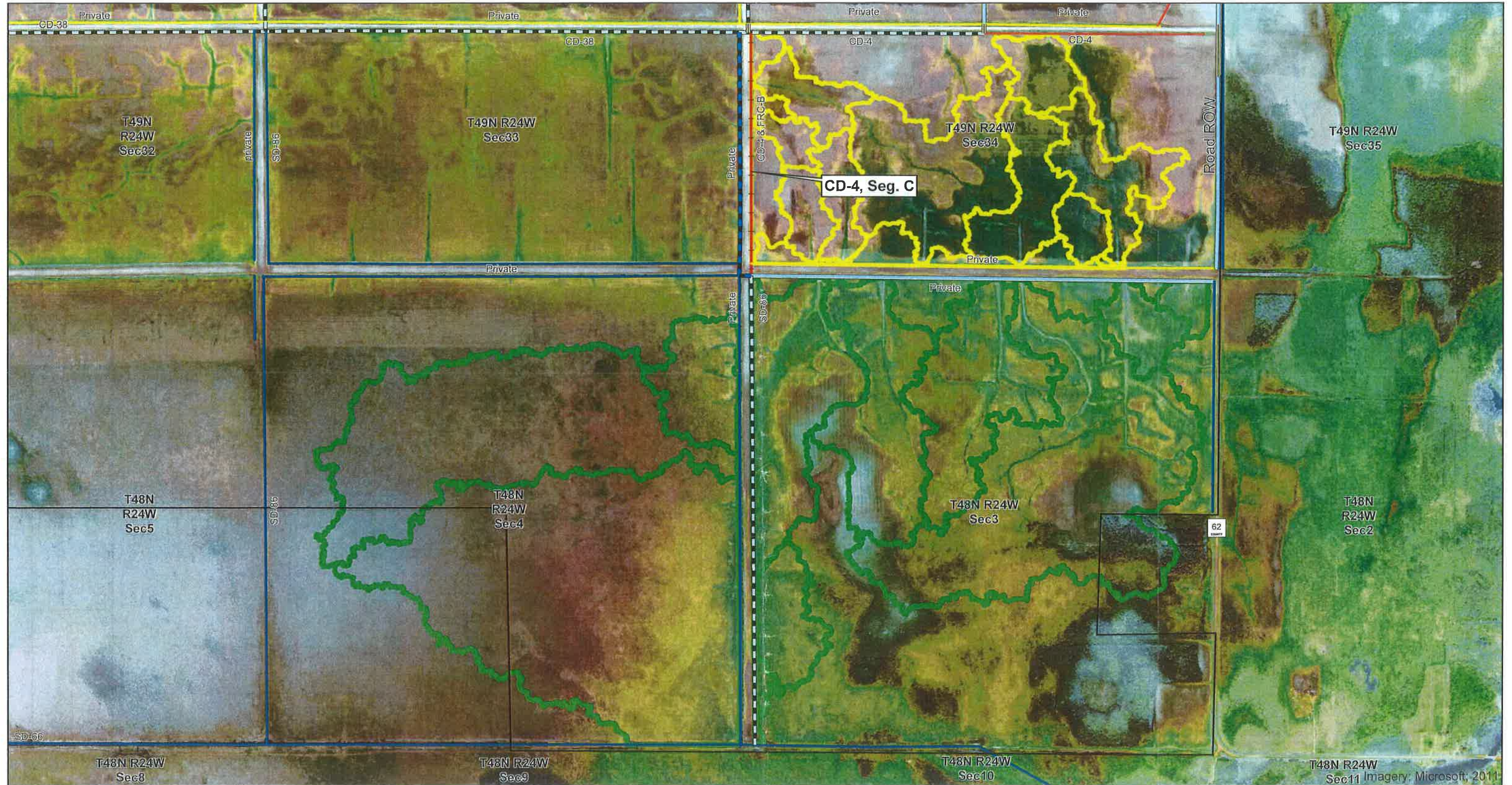


Figure 3b

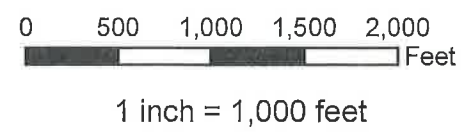
CD-4 SEGMENT B

Public Ditch Abandonment Summary  
Palisade Wetland Mitigation  
U. S. Steel

\*Watersheds delineated using MN DNR LiDAR collected spring, 2012 (Pre-construction)

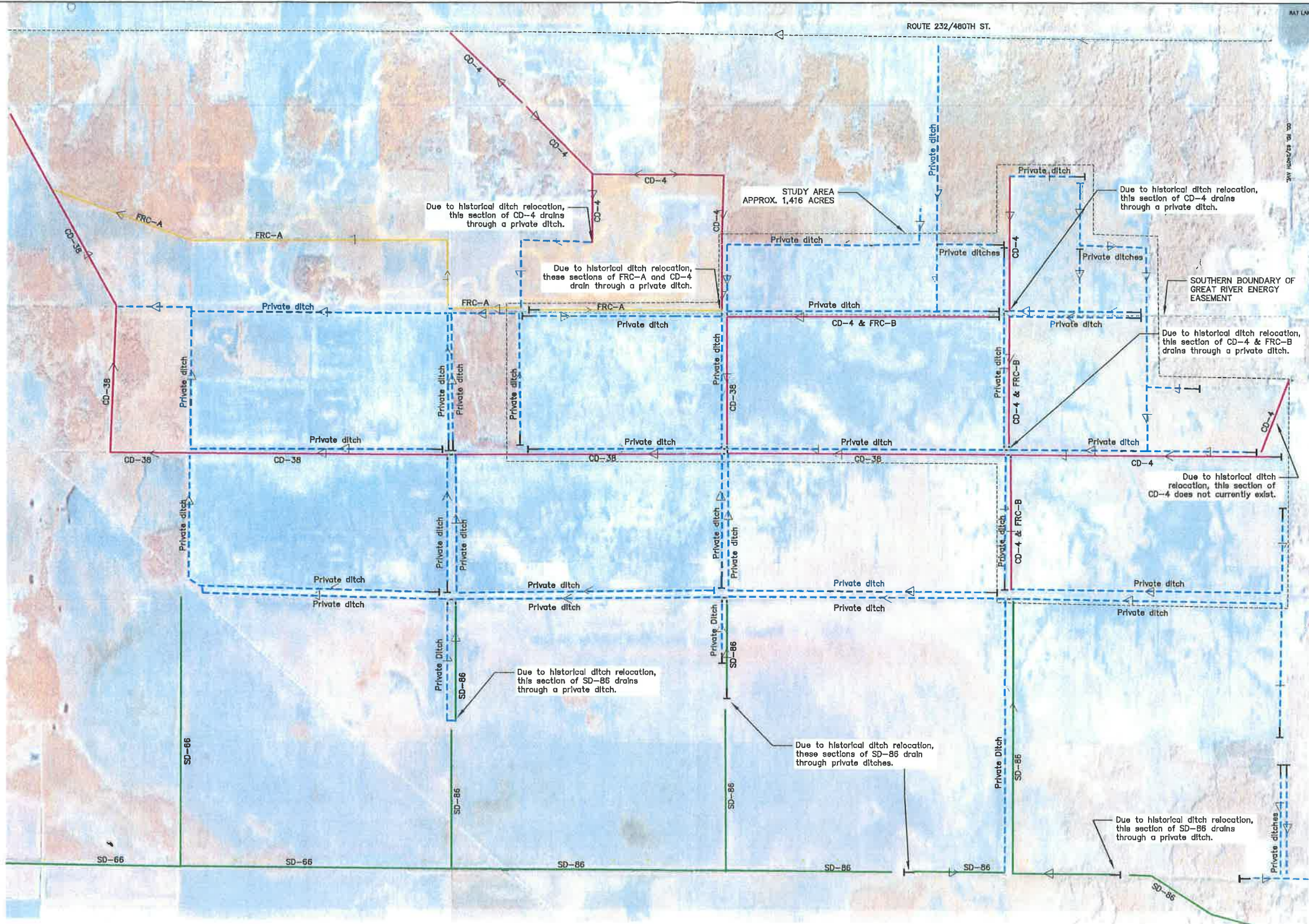


- Public Ditch to be Abandoned
- - - Public Ditch - Abandon and Replace
- Add Ditch/Culvert
- Convert to Public
- Private Ditch to be Abandoned
- Private Ditch to Remain
- Public Ditch to Remain
- Other ditches - Off-site
- Estimated U.S. Steel Property
- Abnd\_Ditch Yes
- Areas Flowing to Preserved Ditch



\*Watersheds delineated using MN DNR LiDAR collected spring, 2012 (Pre-construction)

Figure 3c  
CD-4 SEGMENT C  
Public Ditch Abandonment Summary  
Palisade Wetland Mitigation  
U. S. Steel



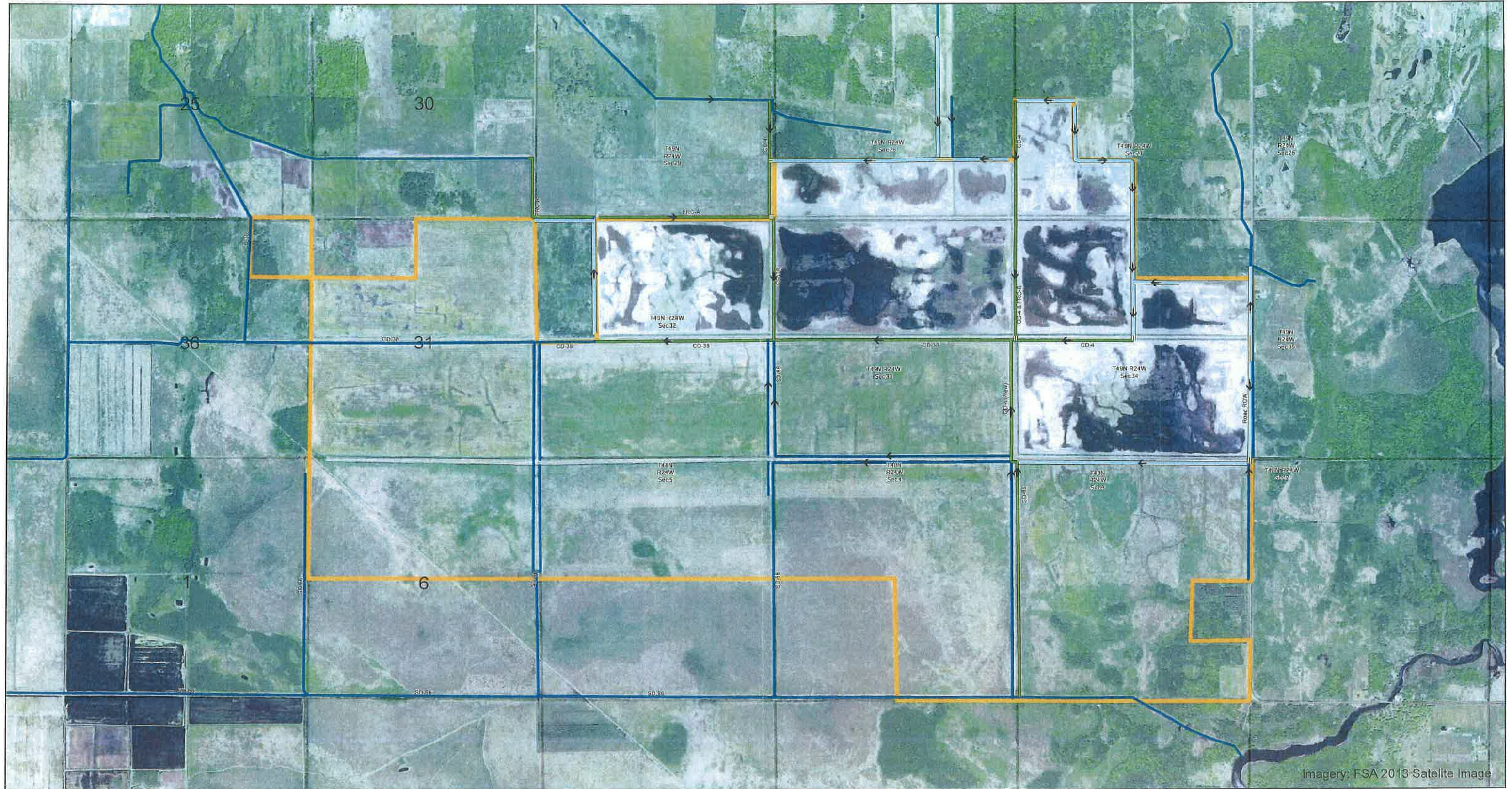
**LEGEND:**

- COUNTY-REGULATED DITCH
- STATE-REGULATED DITCH
- - - PRIVATE UNREGULATED DITCH
- FIRE RELIEF COMMISSION DITCH FRC-A
- - - CULVERT
- | TERMINUS
- ▶ DITCH FLOW DIRECTION



P:\2013\2013 - US Steel\2013\ - Drawings\Wetland Classification July 2013.dwg

U. S. STEEL CORPORATION AITKIN COUNTY, MINNESOTA		PALISADE WETLAND MITIGATION PROJECT 2013 DITCH CLASSIFICATION MAP		FIGURE 4	
Job	No.	Checked	Date	Approved	Date
2013018AA01	1	RMS	7/12/2013	JLF	
B/O		RMS			
1					
Total					
1					
Contract No.					



Imagery: FSA 2013 Satellite Image

-  Ditch flow direction
-  U.S. Steel Property Boundary
-  Other ditches - Off-site
-  New Ditches/Culverts
-  Public Ditches
-  Private Ditch to Remain

0 500 1,000 2,000 3,000 4,000 Feet

1 inch = 2,000 feet



Figure 5

DITCHES TO REMAIN

Public Ditch Abandonment Summary  
Palisade Wetland Mitigation  
U. S. Steel

# AITKIN COUNTY BOARD

July 22, 2014

the Aitkin County Auditor are hereby authorized and directed to enter in to a contract on behalf of Aitkin County with the lowest responsible bidder, provided the lowest responsible bid is not greater than \$1,325,912, upon presentation of proper contract documents.

The Aitkin County Board of Commissioners scheduled a Special Meeting for July 29, 2014 at 9:00 a.m. in the event the bids submitted are higher than the amount stated in the above resolution. This meeting will be cancelled if the bids come in at or under the amount stated in the resolution.

At 10:30 a.m. Kirk Paysar, County Auditor held a Public Hearing for Petition for Partial Abandonment of a Drainage System within Sections 27, 28, 32, and 34 of Workman Township (T.49N.-R.24W.) Aitkin County, MN. United States Steel Corporation (U.S. Steel) submitted this petition for ditch abandonment pursuant to Minnesota Statute 103E.806. John Welle, County Engineer provided a brief overview of the ditches involved. County Attorney Jim Ratz offered opinion and guidance. Public comment was heard from David Steele, Workman Township; Larry Brown, Jevne Township; Sam Demenge, Jevne Township; Dale Hansen, Workman Township; and Galen Tveit, Palisade and 50-26 Unorg Townships. All oppose the ditch abandonment due to the potential impact on private properties. Motion by Commissioner Marcotte, seconded by Commissioner Napstad and carried (4-0), all members voting to continue the Public Hearing on September 23, 2014 and to keep the public comment period open through that date.

At 12:00 p.m. Mark Jacobs, Land Commissioner held a Public Hearing for Land Classification of County Lands. There were no public comments. Motion for a resolution by Commissioner Marcotte, seconded by Commissioner Niemi and carried (4-0), all members voting yes to adopt resolution – Classification of Lands Forfeited to the State for Taxes:

**WHEREAS**, under Statute 282, the Aitkin County Board of Commissioners, is acting on behalf of the state under laws allowing the county board to classify and manage tax-forfeited lands held by the state in trust for the local units, and

**WHEREAS**, parcels of land becoming the property of the state in trust under law declaring the forfeiture of lands to the state for taxes must be classified by the county board of the county in which the parcels lie as conservation or nonconservation. In making the classification the board has considered the present use of adjacent lands, the productivity of the soil, the character of forest or other growth, accessibility of lands to established roads, schools, and other public services, their peculiar suitability or desirability for particular uses, and the suitability of the forest resources on the land for multiple use and sustained yield management. The classification, furthermore, must: (1) encourage and foster a mode of land utilization that will facilitate the economical and adequate provision of transportation, roads, water supply, drainage, sanitation, education, and recreation; (2) facilitate reduction of governmental expenditures; (3) conserve and develop the natural resources; and (4) foster and develop agriculture and other industries in the districts and places best suited to them, and

**WHEREAS**, a public meeting was held on July 22, 2014 at 11:00 am at the regular county board meeting and that prior to meeting for the purpose of classifying or reclassifying tax-forfeited lands, the county board gave notice of its intent to meet for that purpose in postings, on the web site, and in the local newspaper, in addition to

**SPECIAL  
MEETING  
SCHEDULED**

**PUBLIC HEARING  
FOR PETITION  
FOR PARTIAL  
ABANDONMENT  
OF A DRAINAGE  
SYSTEM**

**PUBLIC HEARING  
LAND  
CLASSIFICATION**

**RESOLUTION  
072214-048  
CLASSIFICATION  
OF LANDS  
FORFEITED TO  
THE STATE FOR  
TAXES**

# AITKIN COUNTY BOARD

September 23, 2014

Under the consent agenda, motion for a resolution by Commissioner Westerlund, seconded by Commissioner Niemi and carried, all members voting yes to adopt resolution – Corner Club Liquor License:

**BE IT RESOLVED**, the Aitkin County Board of Commissioners agrees to approve the following liquor license for a period ending December 31, 2014:

**"ON", "OFF" and "SUNDAY" Sale:**

Corner Club LLC d/b/a **Corner Club** - Macville Township  
This establishment has an address of 60967 U.S. Hwy 169, Hill City, MN 55748

Under the consent agenda, motion for a resolution by Commissioner Westerlund, seconded by Commissioner Niemi and carried, all members voting yes to adopt resolution – Northwoods ATV Trail Limited Use Permit

**WHEREAS**, Aitkin County is administrator of the Northwoods ATV trail; and

**WHEREAS**, part of the trail runs in the right-of-way north of State Highway 200 in the City of Hill City.

**BE IT THEREFORE RESOLVED**, that Aitkin County, as trail administrator, authorizes execution of a Limited Use Permit between Aitkin County and the Minnesota Commissioner of Transportation to extend the trail one block west from Cedar Street to Main Street in Hill City as depicted on the attached map.

Kirk Peysar, County Auditor continued the July 22, 2014 Public Hearing for Petition for Partial Abandonment of a Drainage System within Sections 27, 28, 32, 33 and 34 of Workman Township (T.49N.-R.24W.) Aitkin County, MN. United States Steel Corporation (U.S. Steel) submitted this petition for ditch abandonment pursuant to Minnesota Statute 103E.806. On September 15, 2014, in response to concerns expressed at the July 22<sup>nd</sup> Public Hearing, United States Steel Corporation submitted a revision to the original petition. Dan Tix and Tracy Muck represented US Steel and presented revisions. John Welle, Aitkin County Engineer approved of the revisions. No public comment was given. County Attorney Jim Ratz offered opinion and guidance. Motion by Commissioner Napstad, seconded by Commissioner Niemi and carried, all members voting yes to continue the Public Hearing on October 14, 2014, to keep the written public comment period open through 4:30 p.m. on October 14<sup>th</sup>, and to schedule Board deliberations with possible action on October 28, 2014.

Motion for a resolution by Commissioner Westerlund, seconded by Commissioner Niemi and carried, all members voting yes to adopt resolution – S.A.P. 001-628-013 Grant Agreement:

**WHEREAS**, the County of Aitkin has applied to the Commissioner of Transportation for a grant from the Minnesota State Transportation Fund for construction of Bridge No. 01J28 on County State-Aid Highway 28 over Ripple River, and

**WHEREAS**, the Commissioner of Transportation has given notice that funding for this local bridge replacement project is available; and

RESOLUTION  
092314-061  
CORNER CLUB  
LIQUOR LICENSE

RESOLUTION  
092314-062  
NORTHWOODS  
ATV TRAIL  
LIMITED USE  
PERMIT

CONTINUATION  
OF JULY 22<sup>ND</sup>  
PUBLIC HEARING  
FOR PETITION  
FOR PARTIAL  
ABANDONMENT  
OF A DRAINAGE  
SYSTEM – UNITED  
STATES STEEL  
CORPORATION

RESOLUTION  
092314-063  
S.A.P.  
001-628-013  
GRANT  
AGREEMENT

Federal Boating Safety Enforcement Supplemental Agreement – Equipment/Supplies Grant file in the Office of the County Auditor and authorize the Aitkin County Sheriff, County Board Chair and County Auditor to sign the agreement in the amount of \$4,680.00 for the term of July 1, 2014, through December 31, 2014.

**SUPPLEMENTAL  
EQUIPMENT  
GRANT  
AGREEMENT**

Under the consent agenda, motion by Commissioner Napstad, seconded by Commissioner Niemi and carried, all members voting yes to authorize the sale of the following forfeited vehicles: 1998 Dodge Durango, and 2008 Can-Am Outlander 800XT ATV – Sheriff’s Department.

**FORFEITED  
VEHICLES –  
SHERIFF’S DEPT.**

Under the consent agenda, motion for a resolution by Commissioner Napstad, seconded by Commissioner Niemi and carried, all members voting yes to adopt resolution – Final Payment Contract No. 20131:

**WHEREAS**, Contract No. 20131 has in all been completed, and the County Board being fully advised in the premises.

**RESOLUTION  
101414-066  
FINAL PAYMENT  
CONTRACT NO.  
20131**

**NOW THEN BE IT RESOLVED**, that the Aitkin County Board of Commissioners does hereby accept said completed project for and on behalf of the County of Aitkin and authorize final payment to Tri City Paving in the amount of \$62,396.20.

Under the consent agenda, motion by Commissioner Napstad, seconded by Commissioner Niemi and carried, all members voting yes to approve letter to the Minnesota Housing Finance Agency in support of the Housing & Redevelopment Authority of Aitkin County’s application for funding.

**LETTER OF  
SUPPORT FOR  
AITKIN COUNTY  
HRA**

The Board recognized the following County employees for their years of service:

- Karen Ladd, 25 years, Assistant County Assessor - Assessor’s Department
- Bill Thompson, 30 years, Building Maintenance Supervisor - Maintenance Department

**EMPLOYEE  
RECOGNITION**

Sheriff Scott Turner gave a power point presentation to the Board, and provided a final update on the ARMER Radio Project.

**ARMER RADIO  
PROJECT – FINAL  
UPDATE**

Sheriff Scott Turner updated the Board on the progress of the Aitkin County All Hazard Mitigation Plan.

**ALL HAZARD  
MITIGATION PLAN**

Kirk Peysar, County Auditor held a second continuation of the July 22, 2014 Public Hearing for Petition for Partial Abandonment of a Drainage System within Sections 27, 28, 32, 33 and 34 of Workman Township (T.49N.-R.24W.) Aitkin County, MN. United States Steel Corporation (U.S. Steel) submitted this petition for ditch abandonment pursuant to Minnesota Statute 103E.806. On September 15, 2014 United States Steel Corporation presented revisions to the original request. No public comment was given at today’s Public Hearing. The written public comment period ends today, October 14, 2014 at 4:30 p.m. Board deliberations with possible action are scheduled for October 28, 2014.

**CONTINUATION  
OF JULY 22<sup>ND</sup>  
PUBLIC HEARING  
FOR PETITION  
FOR PARTIAL  
ABANDONMENT  
OF A DRAINAGE  
SYSTEM – UNITED  
STATES STEEL**

**CERTIFIED COPY OF RESOLUTION OF COUNTY BOARD OF AITKIN COUNTY, MINNESOTA**

ADOPTED October 28, 2014

By Commissioner: xx

**102814-0xx**

**Partial Ditch Abandonment – U.S. Steel Corporation**

**WHEREAS**, a Petition from was received by County Auditor Kirk Peysar dated March, 31, 2014, and an amended petition was received on September 15, 2014, from U.S. Steel Corporation, owners of benefitted property of Aitkin County Ditch #4 requesting a partial abandonment of the portion of County Ditch #4 as described in Exhibit 1 attached; and,

**WHEREAS**, a public hearing was held on July 22, 2014, to consider evidence concerning the partial abandonment of Aitkin County Ditch #4. Said public hearing was continued until September 23, 2014 and October 14, 2014 to allow the Petitioner to gather information, and modify the proposed abandonment in cooperation with County representatives; and,

**WHEREAS**, representatives of the Petitioner gave evidence concerning the partial abandonment of the above described portion of Aitkin County Ditch #4; and

**WHEREAS**, the opportunity was provided for public comment and questions. Public comments were received and are included in the public record.

**NOW, THEREFORE**, based on the petition, the evidence presented at the public hearing, the Aitkin County Board of Commissioners, acting as Drainage Authority for Aitkin County Ditch #4, makes the following Findings of Fact:

1. That the portion of the drainage system described in the petition dated September 15, 2014 and Exhibit 1, Figures 1 – 5, hereby incorporated by reference does not serve a substantial useful purpose as part of the drainage system to any property remaining in the system and is not of substantial public benefit and utility.

**THEREFORE**, it is hereby ordered that the portion of Aitkin County Ditch #4 described in Exhibit 1 is partially abandoned; and the responsibility of the Drainage Authority, for that portion of the drainage system, hereby ends.

Commissioner XX moved the adoption of the resolution and it was declared adopted upon the following vote

FIVE MEMBERS PRESENT

All Members Voting Yes

STATE OF MINNESOTA)  
County of Aitkin ) ss.  
Office of County Auditor,)

I, Kirk Peysar, Auditor, of the County of Aitkin, do hereby certify that I have compared the foregoing with the original resolution filed in my office on the 28<sup>th</sup> day of October A.D., 2014, and that the same is a true and correct copy of the whole thereof.

WITNESS MY HAND AND SEAL OF OFFICE at Aitkin, Minnesota, this 28<sup>th</sup> day of October A.D., 2014

KIRK PEYSAR, County Auditor

BY \_\_\_\_\_, Deputy