COON CREEK WATERSHED DISTRICT
Request for Board Action

MEETING DATE: July 8, 2019
AGENDA NUMBER: 10
ITEM: District Change of Principal Place of Business

AGENDA: Policy

ACTION REQUESTED
Order a hearing for July 22 to receive comments on the change in the District’s principle place of business from Bunker Hills Activity Center to 13632 Van Buren St. NE, Ham Lake, MN

BACKGROUND
With the purchase of the office building on Van Buren and the move-in date occurring the end of July or by the middle of August the District will need to change its principal place of business to the new location. There is a statutory process that governs this action is found in Minnesota Statutes section 103D.321 (2018).

Michelle has reviewed the statute and identified a five step process

1. **Board of Managers Resolution**: The Coon Creek Watershed District Board of Managers may initiate a change of the principal place of business to a different location within the watershed district (the Ham Lake Van Buren property is within the Coon Creek Watershed District), by passing a Resolution stating the proposed change of location. After passing the Resolution, the Board of Managers must set a time and location for a hearing on the change of the principal place of business.

2. **Notice and Hearing**: The Board of Managers must give Notice of the Hearing by publication in a legal newspaper, published in Anoka County, with the last publication occurring at least ten days before the hearing. Notice of the Hearing must also be mailed to the Auditor of Anoka County ten days before the hearing. The Notice must be published once a week for two successive weeks. (See Minnesota Statutes section 103D.011 (22) (2018)). The District should also post the Notice of Hearing on its website.

3. **Order**: Upon Hearing, the Board of Managers by Order may change the place of business.

4. **Filing Order with Secretary of State**: The District must then file with the Minnesota Secretary of State a certified copy of the Order changing the principal place of business. The District must also file a certified copy of the Order with BWSR.
5. **Effective Date of Change of Business.** The change of the principal place of business of the District is effective on the date the certified copy of the Order is filed with the Secretary of State and with BWSR.

**ISSUES/CONCERNS**

**Resolution stating the proposed change of location:** A resolution stating the proposed change in office location is attached to this staff report

**Hearing to Receive Comments on Proposed Office Location Change:** Staff is prepared, upon Board action, to publish Notice in the District’s official publications on Friday July 12 & 19, 2019 of a hearing to be held by the Board Monday July 22 to hear questions, comments and concerns related to the District changing the location of its principle place of business.

**Order:** In an effort to keep this moving, staff will prepare an order change the District’s place of business for consideration and possible adoption at the July 22 meeting

**PRIOR DECISIONS**

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**OPTIONS**

Adopt resolution

1. Modify resolution and adopt

2. Don’t adopt resolution and provide direction to staff

**RECOMMENDATION**

1. Adopt resolution provided
2. Order public hearing on proposed change in business location for the July 22 meeting
RESOLUTION NO.
COON CREEK WATERSHED DISTRICT
BOARD OF MANAGERS

INITIATING CHANGE OF DISTRICT’S
PRINCIPAL PLACE OF BUSINESS

WHEREAS, the Coon Creek Watershed District (District) on December 21, 2018 acquired an office building located at 13632 Van Buren Street N.E., Ham Lake MN 55304, for the purpose of housing the District’s public offices and conducting its statutory watershed activities and operations; and

WHEREAS, since acquiring this property the District has been working on remodeling the office space to accommodate its needs, and is now ready to fully occupy the office space in carrying out its statutory public duties and obligations; and

WHEREAS, the Legislature under Minnesota Statutes section 103D.321 (2018) authorizes the District Board of Managers upon notice and hearing to change the District’s principal place of business; and

WHEREAS, it is in the public’s best interests to change the District’s principal place of business to its wholly-owned office headquarters located at 13632 Van Buren Street N.E., Ham Lake, MN 55304.

THEREFORE, BE IT RESOLVED that pursuant to Minnesota Statutes section 103D.321 (2) (2018) the Coon Creek Watershed District Board of Managers proposes to change the District’s principal place of business from the Bunker Lake Activity Center of Anoka County, 550 Bunker Lake Boulevard, Coon Rapids, MN, to 13632 Van Buren Street N.E., Ham Lake, MN 55304; and

BE IT FURTHER RESOLVED that in accordance with Minnesota Statutes section 103D.321 (2)(a), (b) (2018) the Coon Creek Watershed District Board of Managers will set a date for public hearing on the change of principal place of business, direct notice of hearing and further proceed in accordance with Minnesota Statutes section 103D.321 (2018).