

Aitkin County Board of Commissioners
Request for County Board Action/Agenda Item Cover Sheet



To: Chairperson, Aitkin County Board of Commissioners Date: 5-31-12

Via: Patrick Wussow, County Administrator

From: Scott Turner, Sheriff

Title of Item:

Big Sandy Lake – High Water Issues – Possible "No Wake Zone Action"

Requested Meeting Date: 6-5-12 Estimated Presentation Time: 15 min.

Presenter: Sheriff's Dept Staff

Type of Action Requested (check all that apply)

- For info only, no action requested Approve under Consent Agenda
- For discussion only with possible future action Adopt Ordinance Revision
- Let/Award Bid or Quote (attach copy of basic bid/quote specs or summary of complex specs, each bid/quote received & bid/quote comparison)
- Approve/adopt proposal by motion Approve/adopt proposal by resolution (attach draft resolution)
- Authorize filling vacant staff position
- Request to schedule public hearing or sale Other (please list) Discussion and possible action
- Request by member of the public to be heard
- Item should be addressed in closed session under MN Statute _____

Fiscal Impact (check all that apply)

- Is this item in the current approved budget? Yes _____ No _____ (attach explanation)
- What type of expenditure is this? Operating Capital Other (attach explanation)
- Revenue line account # that funds this item is: _____
- Expenditure line account # for this item is: _____

Staffing Impact (Any yes answer requires a review by Human Resources Manager before going to the board)

- Duties of a department employee(s) may be materially affected. Yes No
- Applicable job description(s) may require revision. Yes No
- Item may impact a bargaining unit agreement or county work policy. Yes No
- Item may change the department's authorized staffing level. Yes No



Supporting Attachment(s)

- Memorandum Summary of Item
- Copy of applicable county policy and/or ordinance (excerpts acceptable)
- Copy of applicable state/federal statute/regulation (excerpts acceptable)
- Copy of applicable contract and/or agreement
- Original bid spec or quote request (excluding complex construction projects)
- Bids/quotes received (excluding complex construction projects, provide comparison worksheet)
- Bid/quote comparison worksheet
- Draft County Board resolution
- Plat approval check-list and supporting documents
- Copy of previous minutes related to this issue
- Other supporting document(s) (please list) _____

Provide eleven (11) copies of supporting documentation NO LATER THAN Wednesday at Noon to make the Board's agenda for the following Tuesday. Items WILL NOT be placed on the Board agenda unless complete documentation is provided for mailing in the Board packets. (see reverse side for details)

AITKIN COUNTY ADMINISTRATION

Aitkin County Courthouse
217 Second Street N.W. Room 130
Aitkin, MN 56431
218-927-7276
Fax: 218-927-7374

TO: Aitkin County Board of Commissioners

FROM: Patrick Wussow, Aitkin County Administrator and Sheriff Scott Turner

RE: Big Sandy Lake – High Water Issues – Possible “No Wake Zone Action”

DATE: May 31, 2012

Due to the recent rain, there seems to be considerable discussion about high water issues on Big Sandy Lake and the effects on shorelines. Scott Turner will provide additional information at or before the board meeting.

As Scott explained it to me over the phone; the County Board has the ability to impose temporary restrictions that are limited to five days. The Commissioner of the DNR would have to take action for the extended “no wake zone” to be in place for a longer period of time. Temporary restrictions could be:

- A slow no wake zone on the entire lake
- A no wake zone within a certain distance of shore

At this time County staff is working with the DNR staff to provide additional details.

Please contact the Sheriff if you have any questions

**STATE OF MINNESOTA
COUNTY OF AITKIN**

WATERCRAFT ORDINANCE

AN ORDINANCE REGULATING THE USE OF WATERCRAFT ON WATERWAYS WITHIN AITKIN COUNTY.

Be it ordained and enacted by the Aitkin County Board of Commissioners, State of Minnesota, that these amendments following, by this act, hereby replace and nullify those like numbered clauses now existing and a part of the Watercraft Ordinance, or are newly enacted sections which, upon their enactment, become a part of the Watercraft Ordinance.

Section 1: PURPOSE, INTENT AND APPLICATION: As authorized by Minnesota Statutes 86B.201, 86B.205, and 459.20, as now in effect and as hereafter amended, this Ordinance is enacted for the purpose and with the intent to control and regulate the use of the waters in Aitkin County, Minnesota, said bodies of water being located entirely within the boundaries of Aitkin County, to promote its fullest use and enjoyment by the public in general and the citizens of Aitkin County, in particular; to insure safety for persons and property in connection with the use of said waters; to harmonize and integrate the varying uses of said waters; and to promote the general health, safety, and welfare of the citizens of Aitkin County, Minnesota.

Section 2: ADOPTION AND INCORPORATION BY REFERENCE OF MINNESOTA WATERS AND WATERCRAFT SAFETY LAWS, AND BOAT AND WATER SAFETY RULES PROMULGATED BY THE MINNESOTA DEPARTMENT OF NATURAL RESOURCES: The Minnesota Waters and Watercraft Safety Laws, Minnesota Statute, Section 86B.001, as they now exist and are hereafter by the State of Minnesota Department of Natural Resources, Minn. Rules parts 6110-0100-2300 as the same now exist and are hereafter amended, are hereby adopted, incorporated herein by reference, and made a part hereof as if set forth in their entirety. At least three copies of said Waters and Watercraft Safety laws and Boat and Water Safety Rules and Regulations, so adopted, shall be marked as official copies and filed in the office of the County Auditor along with this Ordinance.

Section 3: VIOLATIONS OF THE MINNESOTA WATERS AND WATERCRAFT SAFETY LAWS, AND BOAT AND WATER SAFETY RULES PROMULGATED BY THE MINNESOTA DEPARTMENT OF NATURAL RESOURCES: Any person violating the Minnesota Waters and Watercraft Safety Laws, and the Boat and Water Safety Rules and Regulations promulgated by the Minnesota Department of Natural Resources, adopted and incorporated herein by reference, shall be subject of the penalties and punishment hereinafter provided.

Section 4: Definitions:

A. "Operate" means to navigate or otherwise use a watercraft.

- B. "Person" means an individual, partnership, corporation, the state and its agencies and subdivisions, and any other legal entity.
- C. "Slow-no wake" means operations of a watercraft at the slowest possible speed necessary to maintain steerage, but in no case greater than five miles per hour.
- D. "Watercraft" means as defined in M.S. 86B.005, subd.18.

Section 5: REGULATIONS: No person shall operate a watercraft at greater than a slow-no wake speed on the following:

- A. On the Sandy River, from Minnesota Highway 65 bridge 100 feet upstream and downstream:
- B. On the Prairie River, approximately 4350 feet upstream of the bridge on CSAH No. 14 over the Prairie River (A point 800 feet south of the north line and 450 feet east of the west line of the Northwest Quarter of the Southeast Quarter of Section 3, Township 49, Range 23, Aitkin County, Minnesota (Shamrock Township) and approximately 900 feet downstream from the bridge on CSAH No. 14 over Prairie River (A point 400 feet south of the north line and 400 feet west of the east line of Government Lot 1 of Section 9, Township 49, Range 23, Aitkin County, Minnesota (Shamrock Township).
- C. On the Ripple River, from Farm Island Lake downstream from County Road 28, to Pine Lake:
- D. 100 feet north and south of the bridge on Bridge Road on Big Sandy Lake, as marked:
- E. Ripple River – Hanging Kettle Lake to Diamond Lake: 200 feet into Hanging Kettle Lake and 600 feet south toward Diamond Lake:
- F. Big Sandy River – 232 Bridge: 2500 feet north from bridge and 100 feet south from bridge.
- G. The channel between Horseshoe Lake and Lake Minnewawa, and extending 100 feet eastward from the channel into the body of Horseshoe Lake (As located easterly of Government Lot 6 of Section 23, T49-R23) and extending 100 feet westward from the channel into Lake Minnewawa (As located westerly of Government Lot 8 of Section 23, T49-R23).
- H. Cedar Lake – the north channel between the main body of Cedar Lake and Bay Park Bay – extending 100 feet east from said channel into Bay Park Bay and 100 feet west from said channel into Cedar Lake. Said channel

being located northerly of Lots 48 and 49 of Sunset Hills, as platted in Government Lot 3 of Section 32, T47-R27.

Section 6: ENFORCEMENT: The enforcement of this Ordinance shall be the primary responsibility of the Aitkin County Sheriff's Office. Other licensed peace officers including Conservation Officers of the Department of Natural Resources of the State of Minnesota are also authorized to enforce this ordinance.

Section 7: All authorized Resource Management, Emergency and Enforcement Personnel, while acting in the performance of their assigned duties are exempt from the foregoing restrictions.

Section 8: It shall be the responsibility of the County to provide for adequate notification of the public, which shall include placement of a sign at each public watercraft launching facility outlining essential elements of the ordinance, as well as the placement of necessary buoys and signs.

Section 9: PENALTIES: Any person who shall violate any of the provisions of this Ordinance shall be guilty of a misdemeanor, and upon conviction thereof, may be punished as provided by Minnesota Statutes 86B.811, as amended.

Section 10: EFFECTIVE DATE: This Ordinance shall be in effect from and after the date of its passage and publication.

Ordinance passed April 16, 1996; amended April 15, 2003; amended July 22, 2008, amended June 7, 2011.