

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



To: Chairperson, Aitkin County Board of Commissioners Date: June 27, 2012

Via: Patrick Wussow, County Administrator

From: Terry Neff, Environmental Services Director

Title of Item:

Resolution to Temporarily Suspend Excavation and Fill Threshold

Requested Meeting Date: July 3, 2012 Estimated Presentation Time: 5 minutes

Presenter: Terry Neff

Type of Action Requested (check all that apply)

- For info only, no action requested
- For discussion only with possible future action
- 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
- Authorize filling vacant staff position
- Request to schedule public hearing or sale
- Request by member of the public to be heard
- Item should be addressed in closed session under MN Statute _____
- Approve under Consent Agenda
- Adopt Ordinance Revision
- Approve/adopt proposal by resolution (attach draft resolution)
- Other (please list) _____

Fiscal Impact (check all that apply)

- Is this item in the current approved budget? Yes N/A 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 (1) copy of supporting documentation NO LATER THAN Wednesday at Noon to make the Board's agenda for the following Tuesday. (If your packet contains colored copies, please provide (4) paper copies of supporting documentation as we do not have a color printer or copier.) Items WILL NOT be placed on the Board agenda unless complete documentation is provided for the Board packets.

Aitkin County Environmental Services Planning and Zoning

209 Second Street NW, Rm 100

Aitkin, MN 56431

Phone: 218-927-7342 Fax: 218-927-4372



MEMORANDUM

DATE: June 27, 2012
TO: Aitkin County Board of Commissioners
FROM: Terry Neff, Environmental Services Director
RE: Proposed Resolution for Erosion Control

Enclosed is a copy of proposed resolution to temporarily suspend the requirements of Section 5.32,D,(1) of the Aitkin County Shoreland Management Ordinance, which limits the amount of excavation and placement of material within steep slopes and shore and bluff impact zones to 30 cubic yards. This temporary suspension will be needed to reduce the need for variances, which take 4 to 5 weeks to process, and allow land owners who have been effected by the rain and flooding to quickly repair the shorelines and reduce the potential for negative water quality impacts.

At the July 3, 2012, Aitkin County Board of Commissioners meeting, I will be requesting approval and adoption of the proposed resolution.

If you have any questions prior to the meeting, or wish to discuss this in further detail, please contact me at 218-927-7342 or by e-mail at tneff@co.aitkin.mn.us.

enclosures

c:\ctybrd\ctybrd2012

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

ADOPTED July 3, 2012

By Commissioner: xx

070312-0xx

Temporary Variance Suspension

WHEREAS, on June 22, 2012, the Aitkin County Board of Commissioners declared a local emergency due to extensive flooding from recent rain event, and

WHEREAS, many riparian properties have experienced extensive erosion within steep slopes and shore and bluff impact zones, and

WHEREAS, many riparian properties will require more than 30 cubic yards of excavation or placement of material within steep slopes and shore and bluff impact zones to reclaim the property to pre-erosion conditions, and

WHEREAS, the Aitkin County Board of Commissioners have adopted a Shoreland Management Ordinance which contains provisions to regulate the use and development of the shorelands of public waters and thus preserve and enhance the quality of surface waters, conserve the economic and natural environmental values of shorelands, and provide for the wise use of waters and related land resources, and

WHEREAS, Section 5.32,D,(1) of the Aitkin County Shoreland Management Ordinance limits the amount of excavation and placement of material within steep slopes and shore and bluff impact zones to 30 cubic yards and within an existing or proposed recreational use area or access path, and

WHEREAS, the declared local emergency from the recent rain and flooding events is a rare event that is an act of nature and not created or caused by any individual property owner.

THEREFORE, in order to preserve and enhance the quality of surface waters, conserve the economic and natural environmental values of shorelands, and provide for the wise use of waters and related land resources, riparian property owners who have sustained erosion within steep slopes and shore and bluff impact zones may need to exceed the 30 cubic yards of excavation and placement of material to reclaim or restore the property to pre-erosion conditions.

BE IT RESOLVED, that the Aitkin County Board of Commissioners temporarily suspends the 30 cubic yard maximum amount of excavation and fill within steep slopes and shore and bluff impact zones until December 31, 2012.

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 3rd day of July A.D., 2012, 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 3rd day of July A.D., 2012

KIRK PEYSAR, County Auditor

BY _____, Deputy