

AITKIN COUNTY BOARD

July 3, 2012

The Aitkin County Board of Commissioners met this 3rd day of July, 2012 at 9:02 a.m. with the following members present: Chairperson J. Mark Wedel, Commissioners Laurie Westerlund, Don Niemi, Brian Napstad, Anne Marcotte, County Administrator Patrick Wussow, and Administrative Assistant Sue Bingham.

CALL TO ORDER

Motion by Commissioner Napstad, seconded by Commissioner Marcotte and carried, all members voting yes to approve the July 3, 2012 amended agenda. Item 5C was added: Approve Resolution – Authorizing Flood Related Expenditures Not Budgeted.

APPROVED AGENDA

Motion by Commissioner Westerlund, seconded by Commissioner Niemi and carried, all members voting yes to approve the Consent Agenda as follows: A) Correspondence File: June 26, 2012 – July 2, 2012; B) Approve County Board Minutes Emergency Meeting: June 22, 2012; C) Approve County Board Minutes: June 26, 2012; D) Approve Commissioner Warrants: General Fund \$280,952.44, Road & Bridge \$81,623.02, Health & Human Services \$1,217.92, Trust \$25,082.35, Forest Development \$1,506.31, Long Lake Conservation Center \$49,554.20 for a total of \$439,936.24; E) Accept \$200 STS Donation – Malmo Township; F) Approve Teamsters Funeral Leave Memorandum of Agreements; G) Approve Gravel Crushing Quotes

CONSENT AGENDA

Under the consent agenda, motion by Commissioner Westerlund, seconded by Commissioner Niemi and carried, all members voting yes to approve quotes from DLL Excavating of Little Falls, MN for crushing 50,000 tons of Class 5 aggregate at Pliny Township pit - \$88,000.00, and 30,000 tons of Class 5 aggregate at Gun Lake Gravel pit - \$56,400.00. Due to recent flooding, additional materials beyond the stated amounts will likely be processed.

GRAVEL CRUSHING

Scott Turner, Sheriff gave the Board an update on the flood situation.

FLOODING

Motion by Commissioner Niemi, seconded by Commissioner Westerlund and carried, all members voting that the Aitkin County Board as the Animal Control Authority finds the evidence presented against the dog named "Moby" is not sufficient to uphold the dangerous dog designation. The Animal Control Authority therefore reduces the dangerous dog designation to potentially dangerous dog.

DANGEROUS DOG HEARING

Break: 10:09 a.m. to 10:19 a.m.

BREAK

Motion for a resolution by Commissioner Marcotte, seconded by Commissioner Napstad and carried, all members voting yes to approve resolution – 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

RESOLUTION 070312-067 TEMPORARY VARIANCE SUSPENSION

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.

Motion for a resolution by Commissioner Marcotte, seconded by Commissioner Napstad and carried, all members voting yes to approve resolution – Temporary Aitkin County Lakes Slow-No Wake Zone:

WHEREAS, due to extraordinary weather conditions, including excessive rainfall during June of 2012, record high water elevations prevail on all Aitkin County lakes, and

WHEREAS, wave action from wind and watercraft has and will exacerbate shoreline erosion and cause damage to real and personal property, and

WHEREAS, high water levels coupled with increased wave action have led to the inundation of low-lying yards and structures, and

WHEREAS, in an effort to protect property and limit environmental damage to lakes from shoreline erosion where the County can and may exert some control, the County Board of Commissioners enacts this 3rd day of July, 2012, the following Temporary Special Controls to Section 5 Regulations of the Watercraft Ordinance.

NOW THEREFORE, BE IT RESOLVED, the following lakes shall continue to have a slow-no wake zone on the entire lake:

Lake Name	Township
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**RESOLUTION
070312-068
TEMPORARY
AITKIN COUNTY
LAKES SLOW-
NO WAKE
ZONE**

Fleming	Fleming
Gun	Fleming
Horseshoe	Shamrock
Minnewawa	Shamrock
Wilkins	Fleming

BE IT FURTHER RESOLVED, that no person shall operate a watercraft at greater than slow-no wake speed for a distance of 300' from the shoreline on the following lakes:

Lake Name	Township
Cedar	Farm Island
Dam	Glen
Diamond	Farm Island
Elm Island	Nordland
Esquagamah	Waukenabo
Hammal – (Bass)	Farm Island
Hanging Kettle	Farm Island
Hill Lake	Hill Lake
Jenkins	Fleming
Long	Glen
Ripple	Nordland
Round	Waukenabo
Section 10 (Wladimiraf)	Nordland
Section 12	Nordland
Sissabagamah	Nordland
Sunset	Farm Island
Thornton (Thorton)	Farm Island
Townline	Farm Island

- i. This 300' no wake zone is in effect until the lake water elevation is 12" or less above that lake's Ordinary High Water (OHW) mark as identified by official lake gauge data. The Aitkin County Board authorizes the Aitkin County Administrator to remove lakes from the no-wake list as data is gathered. The up-to-date list will be maintained at the county's official website.
- ii. This resolution does not affect Resolution #060112-052 as identified for Big Sandy Lake and the associated area.
- iii. This resolution suspends Resolution #062612-066.
- iv. The no wake restrictions for all other lakes in Aitkin County are lifted.

Motion for a resolution by Commissioner Napstad, seconded by Commissioner Westerlund and carried, all members voting yes to approve resolution – Temporary Aitkin County Lakes Slow-No Wake Zone:

WHEREAS, due to extraordinary weather conditions, including excessive rainfall during June of 2012, record high water elevations prevail on all Aitkin County lakes, and

WHEREAS, wave action from wind and watercraft has and will exacerbate shoreline erosion and cause damage to real and personal property, and

WHEREAS, high water levels coupled with increased wave action have led to the inundation of low-lying yards and structures, and

WHEREAS, in an effort to protect property and limit environmental damage to lakes from shoreline erosion where the County can and may exert some control, the County Board of Commissioners enacts this 3rd day of July, 2012, the following Temporary Special Controls to Section 5 Regulations of the Watercraft Ordinance.

NOW THEREFORE, BE IT RESOLVED, the following lakes shall continue to have a slow-no wake zone on the entire lake:

Lake Name	Township
Fleming	Fleming
Gun	Fleming
Horseshoe	Shamrock
Minnewawa	Shamrock
Wilkins	Fleming

BE IT FURTHER RESOLVED, that no person shall operate a watercraft at greater than slow-no wake speed for a distance of 300' from the shoreline on the following lakes:

Lake Name	Township
Cedar	Farm Island
Dam	Glen
Diamond	Farm Island
Elm Island	Nordland
Esquagamah	Waukenabo
Hammal – (Bass)	Farm Island
Hanging Kettle	Farm Island
Hill Lake	Hill Lake
Jenkins	Fleming
Long	Glen
Ripple	Nordland
Round	Waukenabo
Section 10 (Wladimiraf)	Nordland
Section 12	Nordland
Sissabagamah	Nordland
Sunset	Farm Island

**RESOLUTION
070312-069
TEMPORARY
AITKIN COUNTY
LAKES SLOW-
NO WAKE
ZONE**

Thornton (Thorton)	Farm Island
Townline	Farm Island

- i. This 300' no wake zone is in effect until the lake water elevation is 12" or less above that lake's Ordinary High Water (OHW) mark as identified by official lake gauge data. The Aitkin County Board authorizes the Aitkin County Administrator to remove lakes from the no-wake list as data is gathered. The up-to-date list will be maintained at the county's official website.
- ii. This resolution does not affect Resolution #060112-052 as identified for Big Sandy Lake and the associated area.
- iii. This resolution is in effect from July 8, 2012 through July 12, 2012.
- iv. The no wake restrictions for all other lakes in Aitkin County are lifted.

Break: 11:53 a.m. to 12:01 p.m.

Commissioner Marcotte left at 11:54 a.m.

Bobbie Danielson, Human Resources Manager presented Personnel Committee recommendation to the Board.

Tom Burke, Health and Human Services Director discussed the concerns and need to fill the full time position of Public Health Nurse. This is a budgeted position that is open due to a resignation. Motion by Commissioner Westerlund, seconded by Commissioner Napstad and carried (4-0 Marcotte absent), all members voting yes to approve filling this position.

Motion for a resolution by Commissioner Westerlund, seconded by Commissioner Napstad and carried (4-0 Marcotte absent), all members voting yes to approve resolution – Authorizing Flood Related Expenditures Not Budgeted:

WHEREAS, due to extraordinary weather conditions, including excessive rainfall during June of 2012, record high water elevations prevail on all Aitkin County lakes and rivers, and

WHEREAS, Aitkin County has adopted a 2012 Budget to address the annual expenditures and revenues for operating Aitkin County on a daily basis, and

WHEREAS, Aitkin County has declared a major disaster and approved resolution 062612-064 requesting a Presidential Disaster Declaration, and

WHEREAS, this disaster requires the County Board to provide for services which result in expenditures that were unexpected in the 2012 Budget, and

WHEREAS, senior staff have discussed the need to "move quickly" to address immediate needs in

BREAK

MARCOTTE LEAVES

PERSONNEL COMMITTEE

PUBLIC HEALTH NURSE

RESOLUTION 070312-070 AUTHORIZING FLOOD RELATED EXPENDITURES NOT BUDGETED

AITKIN COUNTY BOARD

July 3, 2012

the County related to the disaster, and

WHEREAS, the County Board realize that some issues like debris removal and septic tank related issues arise between County Board meetings and that staff need to react quickly.

NOW THEREFORE, BE IT RESOLVED, that the County Administrator is authorized to approve expenditures related to this disaster. The Administrator will maintain a list of such authorizations and present it to the County Board at each Board meeting.

Kirk Peysar, and Jim Bright of the Aitkin County Fair Board discussed the cancellation of the 2012 Aitkin County Fair.

During the meeting the Board discussed: i) Mtg with Governor in Duluth, ii) ROPE

Motion by Commissioner Napstad, seconded by Commissioner Niemi and carried, all members voting yes to adjourn the meeting at 12:41 p.m. until Tuesday, July 10, 2012 at 9:00 a.m.

**COUNTY FAIR
CANCELLED**

**BOARD
DISCUSSION**

ADJOURN

J. Mark Wedel, Chairperson
Aitkin County Board of Commissioners

Patrick Wussow, County Administrator