

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



To: Chairperson, Aitkin County Board of Commissioners Date: 7-18-12

Via: Patrick Wussow, County Administrator

From: Patrick Wussow, County Administrator

Title of Item:

No Wake Zone Update

Requested Meeting Date: 7-24-12 Estimated Presentation Time: \_\_\_\_\_

Presenter: Patrick Wussow, County Administrator

**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 \_\_\_\_\_ 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 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**

**RE: No Wake Zone Update**

**DATE: July 18, 2012**

At the July 10, 2012 Board meeting, the County Board passed a resolution modifying the slow-no wake zones on Aitkin County lakes, and authorizing the County Administrator to add or remove the restrictions from lakes as data indicates. I have attached a copy of the action I took on Monday July 16<sup>th</sup> based upon data received from the Aitkin County Land Department's survey crew.

Additionally, staff has prepared an additional proposed resolution to continue the slow no-wake restrictions based upon recent County Board action. The current Board action will expire July 24<sup>th</sup>.

On Tuesday I will provide a verbal update to the County Board.

## Patrick Wussow

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**From:** Patrick Wussow [patrick.wussow@co.aitkin.mn.us]  
**Sent:** Monday, July 16, 2012 10:57 AM  
**To:** '<mark.wedel@co.aitkin.mn.us>'; 'Laurie Westerlund'; 'Brian Napstad'; 'Niemi, Don'; 'Anne"Marcotte'  
**Cc:** 'Mark Jacobs'; 'Scott Turner'; 'Bill Thompson'; sue.bingham@co.aitkin.mn.us  
**Subject:** Slow no-wake information updated  
**Attachments:** 071012-076 - Temporary Aitkin County Lakes Slow No-Wake Zone.doc

Commissioners

I have attached a cover memo from me modifying the slow no-wake status in Aitkin County. Mark Jacobs pulled his survey crew off of their work to obtain the data. A couple of lake still do not have data so I did not make any changes to those.

You will see the list for slow no-wake for the entire lake did change, as a number of the lakes tied into the ripple river are at elevated readings. In addition several of the lakes near Minnewawa are down to a 300' slow no-wake status.

Again Mark Jacobs crew did the survey work which helped a lot. I did not provide the specific lake elevation because I was sure I would spend the entire day and week discussing exact lake elevation with property owners. Today Bill Thompson is out installing new signs and the web site was updated. Additionally, I stopped into the Aitkin County Lake Association meeting Saturday morning and obtained an up to date list of contacts for each lake association. Later today an email notice just like this one will be sent to them.

At this time I do not plan to have any additional staff time spent on surveying lake levels. I will prepare a memo to update the County Board at next week's County Board meeting.

Let me know if you think I missed sending a notice to anyone.

Thanks

Patrick Wussow  
Aitkin County Administrator

**AITKIN COUNTY ADMINISTRATION**

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

July 16, 2012

From the Aitkin County Administrator, Patrick Wussow.

Pursuant to County Board action for resolutions, **071012-076, 071012-077, and 071012-078** the County Board authorized the County Administrator to add or remove lakes from the slow no-wake lists as data is gathered.

Because additional data has been gathered, the following restrictions are in effect until further notice.

No person shall operate a watercraft at greater than slow-no wake speed on the entire lake for:

<b>Lake Name</b>	<b>Township</b>
Dam	Glen
Diamond	Farm Island
Farm Island	Farm Island
Elm Island	Nordland
Hanging Kettle	Farm Island
Long	Glen
Ripple	Nordland
Section 10(Wladimiraf)	Nordland
Section 12	Nordland

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:

<b>Lake Name</b>	<b>Township</b>
Hill Lake	Hill Lake
Horseshoe	Shamrock
Jenkins	Fleming
Minnewawa	Shamrock
Sissabagamah	Nordland
Sunset	Farm Island
Townline	Farm Island

This action does not affect Resolution #060112-052 as identified for Big Sandy Lake and the associated area. Those identified lakes remain at slow-no wake for the entire lake.

If you have questions please contact the County Administrator at 218-927-7276

## Patrick Wussow

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**From:** Dean Westendorf [ddwest89@yahoo.com]  
**Sent:** Tuesday, July 17, 2012 8:32 PM  
**To:** patrick.wussow@co.aitkin.mn.us  
**Subject:** Wake restrictions at Farm Island Lake

Patrick Wussow,  
Thank you for responding to my call on Tues, July 17, 2012.

I want to voice my concern for the no wake on Farm Island Lake.

We own 100' lake shore on Farm Island Lake. We were on vacation the week of July 4th and it started out with no wake, then no wake 300' feet from shore on Tues. It is really hard when you pay your taxes and only use very little of the resources in the county in comparison to what we pay. Now we have NO WAKE, which I feel should be lifted to 300', if there is any restrictions. We have raised our dock 3 times & feel everyone should take responsibility and take charge of their property-docks, lifts, boats. The 20 mile/hr. winds do more shore damage than a boat wake 300' from shore. I don't see any water sitting in yards, no septic systems are flooded or gas tanks floating such as in McGregor. They have extreme conditions. It is hard to invite guests and then you can't even use the lake for recreational activities. The season is too short & now we have lost 3 weekends already. This constant changing of the regulations every week is ridiculous. Would you rather have people go to Mille Lac's & bring the zebra muscle back into our lake? I don't see restrictions in Crow Wing county with the resorts. They are watching their economy! They know that is their bread & butter. The groceries, the gas the people buy saves your economy. I feel Farm Island Lake owners are being punished when I see no restrictions on Bay Lake which flows into Tame Fish into Farm Island into Pine into Hickory Lake. None of these have restrictions. Cedar Lake just north of Farm Island Lake doesn't have any restrictions. I can see putting floats out between the big island and shore-with no wake because those cabins are less than 50' from shore. Lets be fair with no wake 300' and enjoy the rest of the summer along with saving your economy. The future counts. Take ownership & protect what is ours!!

Mary Westendorf  
7-17-12

## Sue Bingham

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**From:** Rod Garbe [rod.garbe@ecm-inc.com]  
**Sent:** Wednesday, July 18, 2012 10:53 AM  
**To:** 'Patrick Wussow'  
**Cc:** 'Niemi, Don'; 'Sue Bingham'  
**Subject:** RE: No Wake Resolution

Thank you very much for getting back to me. I do appreciate it. I do question that long lake is 2.6 feet above the OHM. I have been on that lake for 12 years and it is definitely high but NOT near that amount. I honestly feel your base information of the ordinary high water mark is incorrect for Long Lake. But again I appreciate the feedback.

Rod Garbe (Long Lake property owner)

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**From:** Patrick Wussow [mailto:patrick.wussow@co.aitkin.mn.us]  
**Sent:** Tuesday, July 17, 2012 5:05 PM  
**To:** 'Rod Garbe'  
**Cc:** 'Niemi, Don'; 'Sue Bingham'  
**Subject:** RE: No Wake Resolution

Mr. Garbe:

Thank you for your question. The County Board passed the resolution below. Please note the first i. "The Aitkin County Board authorizes the Aitkin County Administrator to add or remove lakes from the no-wake lists as data is gathered."

As of July 13<sup>th</sup> additional information was gathered and it identified that long lake was 2.6' above the ordinary high water mark (OHW). That data was not available to the County Board when they made their decision to have only a 300' slow no-wake status on Long Lake. Because the new data was provided it identified that Long Lake should be a slow no-wake for the entire lake per the direction of the County Board resolution.

Please note that the County Board did approve another resolution that will be in effect for July 20 thru July 24<sup>th</sup>, with the same language.

If after you review this information you still have questions, please let me know.

Patrick Wussow  
Aitkin County Administrator

### **Temporary Aitkin County Lakes Slow-No Wake Zone**

**WHEREAS**, due to extraordinary weather conditions, including excessive rainfall during June and July 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 10<sup>th</sup> day of July, 2012, the following Temporary Special Controls to Section 5 Regulations of the Watercraft Ordinance, and

**WHEREAS**, the following three tiers have been identified for lake restrictions:

- No Wake on Entire Lake - 18" and above the Ordinary High Water levels (OHW)
- 300' No Wake Zone - 12" to 18" above the Ordinary High Water levels (OHW)
- No restrictions with respect to wake - Up to 12" above the Ordinary High Water levels (OHW)

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

<b>Lake Name</b>	<b>Township</b>
<i>Fleming</i>	<i>Fleming</i>
<i>Gun</i>	<i>Fleming</i>
<i>Horseshoe</i>	<i>Shamrock</i>
<i>Minnewawa</i>	<i>Shamrock</i>
<i>Wilkins</i>	<i>Fleming</i>
<i>Farm Island</i>	<i>Farm Island</i>
<i>Ripple</i>	<i>Nordland</i>
<i>Waukenabo</i>	<i>Waukenabo</i>

**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:

<b>Lake Name</b>	<b>Township</b>
<i>Cedar</i>	<i>Farm Island</i>
<i>Clear</i>	<i>Glen</i>
<i>Dam</i>	<i>Glen</i>
<i>Diamond</i>	<i>Farm Island</i>
<i>Elm Island</i>	<i>Nordland</i>
<i>Esquagamah</i>	<i>Waukenabo</i>
<i>Hammal -- (Bass)</i>	<i>Farm Island</i>
<i>Hanging Kettle</i>	<i>Farm Island</i>
<i>Hill Lake</i>	<i>Hill Lake</i>
<i>Jenkins</i>	<i>Fleming</i>
<i>Long</i>	<i>Glen</i>
<i>Ripple</i>	<i>Nordland</i>
<i>Round</i>	<i>Waukenabo</i>
<i>Section 10 (Wladimiraf)</i>	<i>Nordland</i>
<i>Section 12</i>	<i>Nordland</i>
<i>Sissabagamah</i>	<i>Nordland</i>

Sunset	Farm Island
Thornton (Thorton)	Farm Island
Townline	Farm Island

- i. The Aitkin County Board authorizes the Aitkin County Administrator to add or remove lakes from the no-wake lists as data is gathered.
- ii. The up-to-date lists will be maintained at the County's official website.
- iii. This resolution does not affect Resolution #060112-052 as identified for Big Sandy Lake and the associated area.
- iv. This resolution is in effect from July 15, 2012 through July 19, 2012.
- v. There are no restrictions with respect to wake on any Aitkin County lakes not listed above, except as already provided by Minnesota Statutes and the Aitkin County Watercraft Ordinance.

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

**FIVE MEMBERS PRESENT**

**All Members**

Voting Yes

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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 10<sup>th</sup> 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 10<sup>th</sup> day of July A.D., 2012\_

—  
 KIRK PEYSAR, County Auditor

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**From:** Rod Garbe [mailto:rod.garbe@ecm-inc.com]  
**Sent:** Tuesday, July 17, 2012 9:29 AM  
**To:** patrick.wussow@co.aitkin.mn.us  
**Subject:** No Wake Resolution

Good Morning

I am e-mailing you because your title was on the "No Wake" resolution.

Why was Long Lake in Glenn Township made MORE restrictive? The water is going down. On Sunday it was 300 feet from shore and now it is no wake for the entire lake. That was silly because the water is going down. Please forward this question to the appropriate person. Thanks.

Rod Garbe (Long Lake property owner)

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

ADOPTED July 24, 2012

By Commissioner: xx

071012-0xx

**Temporary Aitkin County Lakes Slow-No Wake Zone**

**WHEREAS**, due to extraordinary weather conditions, including excessive rainfall during June and July of 2012, high water elevations prevail on many 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**, 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 24<sup>th</sup> day of July, 2012, the following Temporary Special Controls to Section 5 Regulations of the Watercraft Ordinance, and

**WHEREAS**, the following three tiers have been identified for lake restrictions:

- No Wake on Entire Lake - 18" and above the Ordinary High Water levels (OHW)
- 300' No Wake Zone - 12" to 18" above the Ordinary High Water levels (OHW)
- No restrictions with respect to wake - Up to 12" above the Ordinary High Water levels (OHW)

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

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Gun	Fleming
Horseshoe	Shamrock
Minnewawa	Shamrock
Wilkins	Fleming
Farm Island	Farm Island
Ripple	Nordland
Waukenabo	Waukenabo

**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
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Clear	Glen
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. The Aitkin County Board authorizes the Aitkin County Administrator to add or remove lakes from the no-wake lists as data is gathered.
- ii. The up-to-date lists will be maintained at the County's official website.
- iii. This resolution does not affect Resolution #060112-052 as identified for Big Sandy Lake and the associated area.
- iv. This resolution is in effect from July 24, 2012 through July 28, 2012.
- v. There are no restrictions with respect to wake on any Aitkin County lakes not listed above, except as already provided by Minnesota Statutes and the Aitkin County Watercraft Ordinance.

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 24<sup>th</sup> 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 24<sup>th</sup> day of July A.D., 2012

KIRK PEYSAR, County Auditor  
 BY \_\_\_\_\_, Deputy