

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



To: Chairperson, Aitkin County Board of Commissioners      Date: August 22, 2012  
Via: Patrick Wussow, County Administrator  
From: Kirk Peysar, County Auditor

Title of Item:  
Referendum on establishment of a Lake Improvement District-Lake Minnewawa (M.S. 103B.501-581)

Requested Meeting Date: August 28 Estimated Presentation Time: 5 mins

Presenter: Kirk Peysar

**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) Action to stay establishment of LID
- 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  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) Referendum petition

**Provide eleven (11) copies of supporting documentation NO LATER THAN Wednesday at 8:00am 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)**

**Kirk Peysar**  
**Aitkin County Auditor**  
209 Second Street Northwest Room 202  
Aitkin, Minnesota 56431  
218.927.7354

August 22, 2012

To: Board of Commissioners

From: Kirk Peysar, County Auditor

RE: Referendum on Establishment (M.S. 103B.545)

Pursuant to Minnesota Statute 103B.545, a petition calling for a referendum on establishment of a lake improvement district has been received and reviewed. The petition meets the required threshold of 26 percent of property owners within the proposed district.

At this time, the county board must issue an order to stay the establishment until a referendum vote is taken of all qualified voters and property owners within the proposed lake improvement district. Minnesota Statute specifies that the referendum be held in either the months of July or August.



August 20, 2012

Aitkin County Commissioners  
Attn: Mr. Kirk Peysar, County Auditor  
209 2<sup>nd</sup> St. NW.  
Aitkin, MN 56431

Dear Mr. Peysar:

The original petition submittal on August 8<sup>th</sup> with 141 signatures had several signatures we would ask that you reconsider validating as per your discussion with Al Eld. The changes/corrections are:

- ok* 1. On page 17 of 18, item #1, J. Bolks signature is correct but the address should read, 18639 488<sup>th</sup> Lane and not 185<sup>th</sup>.
- ok* ← 2. On page 1 of 18, item #8, Susan O'Toole signature is correct but the address should read 48445 197<sup>th</sup> Ave. and not 48443 197<sup>th</sup> Ave.
- Did count* 3. On page 10 of 18, item #2, the signature Barbara W. (Warner) Hopton is correct and is the co-owner with James Warner (trustee) per county tax records.

I have also attached additional petition signers (pp. 1-5 of 5) to address the eleven short to validate our petition. Our petition should now exceed the required 26% and 134 signatures needed *plus 1 of 1*

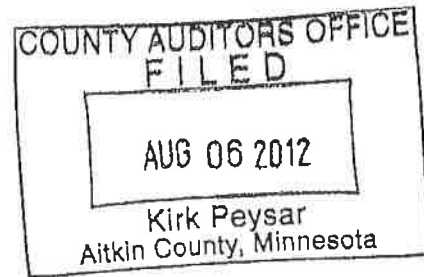
Please contact me at 218-330-6285 (cell) or 218-426-5260 (home) should there be a change.

Sincerely,

James Bradley  
Aitkin Co. Resident &  
S.La.M. Owner

August 6, 2012

Aitkin County Commissioners  
Attn: Mr. Kirk Peysar, County Auditor  
209 2<sup>nd</sup> St. NW.  
Aitkin, MN 56431



Dear Mr. Peysar & County Commissioners:

It is my understanding that you have received an application accompanied by a petition from the Lake Minnewawa Association (LMA) for the creation of a Lake Minnewawa Improvement District (L.I.D.). Since the LMA's petition signing initiative from this past Memorial Day weekend, we, the Shoreline Lake Minnewawa (S.La.M.) Owners against the LID, have generated an opposing petition. Our opposition is based on numerous issues, mostly related to its organization (conflict of interest by proposed LID Board members), poor planning and the lack of vision for the future of our lake. Our attached petition relates to MN Statute 103B.521 "Initiation by Petition and establishment by county board" and MN Statute 103B.545 "Referendum on establishment". We are requesting that the County Board not support the establishment of a LID at this time and, if otherwise, that **a voter referendum per 103B.545 be held before establishing a LID**. The attached petition exceeds the required 26% (141 count) of S.La.M. owners' signatures necessary for a voter referendum per statute.

I would also bring to your attention that many of the LMA original petition signers have since switched their support to our position against the LID. The LMA's petition posted on the county's website also lists another 40 signatures against the establishment of the LID that I hope will be considered in your deliberations.

I have also submitted a copy of the petition and this letter to the County Administrator. I am very much available and would like to speak to the Commissioners and answer your questions as to the specifics of our opposition at the Aug. 8, 2012 Board Meeting. I will be in attendance.

Please contact me at 218-330-6285 (cell) or 218-426-5260 (home) should there be a change in the Aug. 8<sup>th</sup> agenda or you desire additional information.

Sincerely,

James Bradley  
Aitkin Co. Resident &  
S.La.M. Owner