



Board of County Commissioners Agenda Request

4A
Agenda Item #

Requested Meeting Date: March 10, 2015

Title of Item: Resolution for Annual Ice Heaving

<input checked="" type="checkbox"/> REGULAR AGENDA <input type="checkbox"/> CONSENT AGENDA <input type="checkbox"/> INFORMATION ONLY	Action Requested: <input type="checkbox"/> Approve/Deny Motion <input checked="" type="checkbox"/> Adopt Resolution (attach draft) <i>*provide copy of hearing notice that was published</i>	<input type="checkbox"/> Direction Requested <input type="checkbox"/> Discussion Item <input type="checkbox"/> Hold Public Hearing*
Submitted by: Terry Neff, Environmental Services Director		Department: Environmental Services
Presenter (Name and Title): Terry Neff, Environmental Services Director		Estimated Time Needed: 10 minutes
Summary of Issue: Several lakes within Aitkin County are experiencing ice heaving along the shoreline this winter. There will be land owners who need to exceed the 30 cubic yards of earth moving within the shore impact zone to reclaim the properties to pre-ice heaving conditions. I propose we adopt the attached resolution which will allow exceeding the 30 cubic yards of earth moving within the shore impact zone. A land alteration permit will be required, as per ordinance, to exceed 10 cubic yards. However, for these projects we will lower the cost of the land alteration permit from \$150.00 to \$50.00.		
Alternatives, Options, Effects on Others/Comments: Alternatives would not allow all properties to be reclaimed to pre-ice heaving conditions.		
Recommended Action/Motion: Recommend the attached resolution be adopted.		
Financial Impact: Is there a cost associated with this request? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No What is the total cost, with tax and shipping? \$ Is this budgeted? <input type="checkbox"/> Yes <input type="checkbox"/> No Please Explain:		

Ice Heaving

WHEREAS, the winter of 2014/2015 has had a lack of snow and fluctuating temperatures, and

WHEREAS, many riparian properties have experienced extensive ice heaving along the shoreline, and

WHEREAS, many riparian properties will require excavating and placement of fill within the shore impact zone and some properties will need to exceed the 30 cubic yards of excavation or placement of material to reclaim the property to pre-ice heaving 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 ice heaving from the recent lack of snow and fluctuating temperatures 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 annual ice heaving during the 2014/2015 winter season may need to exceed the 30 cubic yards of excavation and placement of material to reclaim or restore the property to pre-ice heaving 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 for reclamation of the 2014/2015 winter ice heaving damage until December 31, 2015.

BE IT FURTHER RESOLVED, any land alteration permit required for the project reclamation will require a photo before, reclamation plan and a photo after construction. Land alteration permits issued for projects exceeding 10 cubic yards of excavation and/or fill will be \$50.00 versus the normal \$150.00.

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 10th day of March A.D., 2015, 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 10th day of March A.D., 2015

KIRK PEYSAR, County Auditor

BY _____, Deputy