

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

ADOPTED March 1, 2022

By Commissioner: Marcotte

20220301-025

STS Donation-Logan Township

**WHEREAS**, Aitkin County is generally authorized to accept donations of real and personal property with a 2/3 majority vote pursuant to Minnesota Statutes Section 465.03 for the benefit of its citizens.

**WHEREAS**, the following persons and entities have offered to contribute the cash amounts set forth below to the county:

Logan Township \$125.00

**WHEREAS**, the terms or conditions of the donations, if any, are as follows:

Logan Township Aitkin County Sentence to Serve

**WHEREAS**, all such donations have been contributed to the county for the benefit of its citizens, as allowed by law.

**NOW THEREFORE BE IT RESOLVED**, the Aitkin County Board of Commissioners finds that it is appropriate to accept the donations offered.

Commissioner Napstad 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}

I, Jessica Seibert, County Administrator, Aitkin County, Minnesota do hereby certify that I have compared the foregoing with the original resolution filed in the Administration Office of Aitkin County in Aitkin, Minnesota as stated in the minutes of the proceedings of said Board on the 1<sup>st</sup> day of March 2022, and that the same is a true and correct copy of the whole thereof.

Witness my hand and seal this 1<sup>st</sup> day of March 2022

  
\_\_\_\_\_  
Jessica Seibert  
County Administrator

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

March 1, 2022

By Commissioner: Marcotte

20220301-026

Aitkin County Board of Commissioners Support Affirming Aitkin County's Support for Fully Funding SCORE Grants to Counties

**WHEREAS**, Minnesota Statutes requires counties to manage MSW according to an established hierarchy; and

**WHEREAS**, Minnesota's counties have made investments in waste prevention and recycling systems; and

**WHEREAS**, counties with innovative ideas should be provided the requisite opportunity and flexibility to successfully implement those ideas so as to best serve their communities; and

**WHEREAS**, Minnesota's counties have continued to invest in waste reduction and recycling by imposing local taxes and/or fees; and

**WHEREAS**, the revenues the State is collecting via the solid waste management taxes have continued to grow while amounts sent to the counties have not increased proportionally; and

**WHEREAS**, Minnesota counties face significant market trends that will require innovative approaches to manage materials separated from solid wastes in order to adequately meet the growing and changing needs of citizens and businesses; and

**WHEREAS**, Minnesota has an opportunity to improve its waste reduction and recycling system through funding the counties investments in infrastructure and expanded operations; and

**NOW, THEREFORE BE IT RESOLVED**, that Aitkin County supports the state funding, by increased SCORE (Select Committee on Recycling and the Environment) grants, in amounts which fully utilize the solid waste management tax revenues for solid waste reduction, management activities, and improving our environment.

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

FIVE MEMBERS PRESENT

All Members Voting

STATE OF MINNESOTA}  
COUNTY OF AITKIN}

I, Jessica Seibert, County Administrator, Aitkin County, Minnesota do hereby certify that I have compared the foregoing with the original resolution filed in the Administration Office of Aitkin County in Aitkin, Minnesota as stated in the minutes of the proceedings of said Board on the 1<sup>st</sup> day of March 2022 and that the same is a true and correct copy of the whole thereof.

Witness my hand and seal this 1<sup>st</sup> day of March, 2022

  
\_\_\_\_\_  
Jessica Seibert  
County Administrator

By Commissioner: Marcotte

20220301-027

**Apportionment of 2021 Tax-Forfeited Funds**

**WHEREAS**, pursuant to Minnesota Statute 282.08, County boards are authorized to set aside monies from the tax forfeited sale fund for timber and park development.

**NOW, THEREFORE, BE IT RESOLVED**, that in compliance with said law, the County Board set aside thirty (30) percent of the remaining receipts to be used for forest development and twenty (20) percent of these receipts remaining are to be used for the maintenance and development of County Parks or recreational areas, as defined in Minnesota Statute Section 398.31 to 398.36 to be expended under the supervision of the County Board.

Commissioner Napstad 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}

I, Jessica Seibert, County Administrator, Aitkin County, Minnesota do hereby certify that I have compared the foregoing with the original resolution filed in the Administration Office of Aitkin County in Aitkin, Minnesota as stated in the minutes of the proceedings of said Board on the 1<sup>st</sup> day of March 2022, and that the same is a true and correct copy of the whole thereof.

Witness my hand and seal this 1<sup>st</sup> day of March 2022

  
\_\_\_\_\_  
Jessica Seibert  
County Administrator

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

ADOPTED March 1, 2022

By Commissioner: Marcotte

20220301-028

Veteran Services Donation-Dale E Wayrynen American Legion

**WHEREAS**, Aitkin County is generally authorized to accept donations of real and personal property with a 2/3 majority vote pursuant to Minnesota Statutes Section 465.03 for the benefit of its citizens.

**WHEREAS**, the following persons and entities have offered to contribute to cash amounts set forth below to the county:

Dale E Wayrynen American Legion Auxiliary, McGregor MN      \$1,000.00

**WHEREAS**, the terms or conditions of the donations, if any, are as follows:

Dale E Wayrynen American Legion Auxiliary, McGregor MN      Aitkin County Veteran Services

**WHEREAS**, all such donations have been contributed to the county for the benefit of its citizens, as allowed by law.

**NOW THEREFORE BE IT RESOLVED**, the Aitkin County Board of Commissioners finds that it is appropriate to accept donations offered.

Commissioner Napstad 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}

I, Jessica Seibert, County Administrator, Aitkin County, Minnesota do hereby certify that I have compared the foregoing with the original resolution filed in the Administration Office of Aitkin County in Aitkin, Minnesota as stated in the minutes of the proceedings of said Board on the 1<sup>st</sup> day of March 2022, and that the same is a true and correct copy of the whole thereof.

Witness my hand and seal this 1<sup>st</sup> day of March 2022

  
\_\_\_\_\_  
Jessica Seibert  
County Administrator

By Commissioner: Napstad

**20220301-030**

**Deny a Citizen’s Petition Requesting an EAW for Proposed gun Lake Family Campground**

**WHEREAS**, a citizen’s petition requesting the preparation for an Environmental Assessment Worksheet (EAW) for the proposed commercial planned unit development of “Gun Lake Family Campground” was submitted by Steve Massey with the Gun Lake Environmental Alliance on January 21, 2022 with 166 signatures. The petition was verified by the Minnesota Environmental Quality Board (EQB) and assigned to Aitkin County as the Responsible Governmental Unit (RGU) to decide on the need for an EAW on January 24, 2022; and

**WHEREAS**, no governmental approvals may be given to the project named in the petition, nor construction initiated, until the need for an EAW has been determined. Construction includes any activities which directly affect the environment, including the preparation of land. If the decision is to prepare an EAW, approval must be withheld until either a Negative Declaration of the need for an Environmental Impact Statement (EIS) is issued or an EIS is completed (per MN Rules 4410.3100); and

**WHEREAS**, the proposed campground of Gun Lake Family Campground includes 16.1 of useable acres, including utilizing 1130 feet of 1610 property owned shoreline on Gun Lake, which is classified as recreation Development Lake within Fleming Township, Aitkin County. The property address is listed as 43016 328<sup>th</sup> Place, Palisade MN (PID 08-0-027400). The developers, Mike and Jennifer Hagel, are proposing to create recreational vehicle campground for commercial development on the property consisting of 22 individual campsites within Tier 1 shoreland with no variances requested; and

**WHEREAS**, the project, as currently proposed, does not meet the mandatory threshold of an EAW according to MN rules 4410.4300, and therefore the decision on the need for an EAW is subject to the discretion of the Responsible Government Unit (RGU) as per MN rules 4410.1000 subpart 3, Item B.

**Significant Environmental Impact Findings of the Aitkin County EAW Committee:**

Findings against a Discretionary EAW:

**Permanent Conversion.** In accordance with MN Rules 4410.0200 Subp. 57 it is the RGU’s determination whether the proposal fits the definition. “Permanent conversion” means a change in use of agricultural, naturally vegetated, or forest lands that impairs the ability to convert the land back to its agricultural, natural, or forest capacity in the future. It does not include changes in management practices, such as conversion to parklands, open space, or natural areas. A total 1130 of 1610 feet of shoreline being proposed for the Tier 1 campsites is less than 1320 feet mandatory EAW threshold of MN Rules 4410.4300 Subp. 36a. If warranted, this proposed commercial campground could be converted and restored, and nothing impairs the ability to do this in the future.

**Potential Lake Users.** Aitkin County Assessor’s Office reports 150 parcels on Gun Lake with building values over zero. Adding 22 seasonal sites could bring potential lake users to an overall increase of 14.67%, which is not a substantial increase to the users of Gun Lake. As part of the Conditional use Permit process, the Aitkin County Planning Commission has the authority to attach conditions they deem necessary to protect health, safety and general welfare of the people and environment. Conditions regarding vegetation removal along the shoreline, number of mooring sites, solid waste disposal, sewage treatment, etc, can be placed on the permit if approved.

**Conversion of Forestland.** The alteration of the forest within Tier 1 shoreland will be regulated by the conditional use permit which will require screening, road setbacks, and strict adherence to the impervious surface percentages outlined by Aitkin County zoning ordinances. The proposal of 22 sites can certainly not be considered “high density” as it is 56% less than mandatory EAW threshold of 50. No material evidence has been presented that suggests that conversion of forestland to 22 campground sites will have potential for significant environmental effects or would impact the type, extent, or reversibility of environmental effects or have any cumulative potential effect on Gun Lake.

**Impact of Additional 22 Users to Lake.** The proposed campground will entail approximately 12130 feet of a total 1610 feet of shoreline owned by proposer. Gun Lake has 292 acres of littoral (or shallow waters of 15 feet or less) of a total 711.9 total lake acres. Gun Lake 8.68 miles of shoreline with an average depth of 18 feet and maximum depth of 44 feet.

The summer seasonal impact of 22 additional users will have little or no significant environmental effects to Gun Lake, and the DNR Public Access is evidence of this. Insufficient material evidence exists that the lake users from the proposed addition of 22 campsites, may have potential for significant environmental effects.

**Drastic Altering of Land Surfaces.** The proposed campground consists of 14.96% of an allowable 25% of total impervious coverage and will have little or no significant environmental impact to Gun Lake. Incidental turning radius compaction areas are likely but no evidence of a potential for significant environmental effects has been established. No material evidence has been presented to support the concern regarding impervious coverage and there is nothing unique about this project or this concern that cannot be addressed in the typical zoning process, by ongoing public regulatory authority, where environmental effects can be anticipated and controlled.

**Infrastructure.** The expressed concerns of impact to pine trees during installation of water, sewer, electrical lines, structures, and roads within campground are unfounded. The proposer is mindful of the value and beauty of trees and will be preserving more trees than is required by Aitkin County's green space requirement. The installation of septic holding tanks is an acceptable method of handling sewage. Not installing a drain field further protects ground water. No evidence has been provided that this method of handling sewage has the potential environmental effects. Concerns regarding proposed infrastructure can be addressed in the typical zoning process, by ongoing public regulatory authority, where environmental effects can be anticipated and controlled, and by requirements established or conditions imposed in the CUP and PUD application process.

**Road.** Fleming Township Board met to discuss concerns about 328<sup>th</sup> Place on February 9, 2022, and expressed no concerns with the proposal in relation to this township road. There is nothing unique about the road concerns presented in the EAW Petition, and no material evidence has been provided that cannot be addressed in the typical zoning process, by ongoing public regulatory authority, where environmental effects can be anticipated and controlled, and by requirements established or conditions imposed in the CUP and PUB application process.

**Dock.** No material evidence that a dock or moorage has potential for significant environmental impacts has been presented, which would impact the type, extent or reversibility of environmental effects or have any cumulative potential effect on Gun Lake. Lakeshore ownership includes the riparian right of an owner of shore land property to wharf a boat or install a dock, and the typical zoning process will adequately address any dock concerns. Concerns of impact to the shoreline have been raised about parking in the vicinity of the docking area for the campers/residents off-loading boating equipment. No evidence has been provided that the road, additional impervious area created, or dock area has the potential for significant environmental effect.

**Campfires.** Campfires are common around the lakeshore of Gun Lake and most cabin and homeowners fire pits are much closer to the lake than 100-foot setback that will be required for the proposed campground. No material evidence that campfires have the potential for significant environmental effects have been presented that would impact the type, extent, or reversibility of environmental effects or have any cumulative potential effect on Gun Lake.

**Water Quality.** There is noted but minimal concern as to a significant environmental effect, as the proposed area is flat in elevation to lake, with ample vegetation to act as a buffer, minimizing water run-off. Concern has also been noted regarding the project obtaining, constructing, and complying with the required NPDES (National Pollutant Discharge Elimination System) permit due to the project location and topography. While there is no evidence that this concern is valid, obtaining, constructing, and complying with the NPDES permit will be a condition of the CUP. The Committee recommends the project proposer immediately engage with an engineering firm to determine location and size of the permanent storm water runoff facilities as it may impact the proposed project and the CUP (if issued). The project proposer has stated that "upon approval of the conditional permit, a Stormwater Pollution Protection Plan (SWPP) will be made, and NPDES will be applied for the MPCA. The NPDES permit will be followed, and the construction site will be inspected by the county and/or the MPCA"

**Effect on Wildlife.** State agencies such as the DNR and MPCA participate in the zoning process, and the typical zoning process will give these agencies an opportunity to comment or raise concerns. The argument that wildlife species will be disturbed, displaced, and destroyed is unfounded. The potential habitat loss due to the project is minimal, and no different than during select logging operations when timber is trimmed or removed. There is no material evidence that this project is likely to have significant adverse effects on the overall population of any animal species.

**Effect on Fish.** No material evidence has been provided in support of impact to fish on Gun Lake. The DNR has stated to the Proposer that the DNR Fisheries biologists had no concerns in this regard and have no intention of objecting to the application for the initial 49 campsite proposal. Aitkin County has never designated any of Gun Lake a "sensitive shoreland."

**NOW, THEREFORE BE IT RESOLVED**, based on information submitted in the project application, on the written submissions, and given all of the above findings, the project will not have the potential for significant environmental effects. Therefore, Aitkin County, as the responsible government unit, denies the citizen's petition for an EAW for the proposed commercial planned unit development of "Gun Lake Family Campground."

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

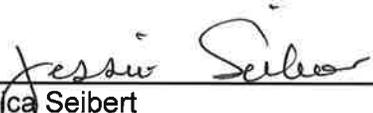
**FIVE MEMBERS PRESENT**

**All Members Voting Yes**

**STATE OF MINNESOTA)  
COUNTY OF AITKIN}**

I, Jessica Seibert, County Administrator, Aitkin County, Minnesota do hereby certify that I have compared the foregoing with the original resolution filed in the Administration Office of Aitkin County in Aitkin, Minnesota as stated in the minutes of the proceedings of said Board on the 1<sup>st</sup> day of March 2022, and that the same is a true and correct copy of the whole thereof.

Witness my hand and seal this 1<sup>st</sup> day of March 2022

  
\_\_\_\_\_  
Jessica Seibert  
County Administrator