

By Commissioner: Marcotte

20160712-047

**OPTING-OUT OF THE REQUIREMENTS OF MINNESOTA STATUTES, SECTION 394.307**

**WHEREAS**, on May 12, 2016, the Governor of Minnesota signed into law Chapter 111 of the 89<sup>th</sup> Legislature of the State of Minnesota establishing definitions and requirements for Temporary Family Health Care Dwellings, which was introduced during the 2016 legislative session as Senate File 2555 and House File 2497; and

**WHEREAS**, Chapter 111 amends Minnesota Statute § 394 which regulates county permitting and zoning processes by establishing new rules for the placement of Temporary Family Health Care Dwellings on residential property; and

**WHEREAS**, the Minnesota Association of County Planning & Zoning Administrators, the professional association for county planning and zoning staff in Minnesota, supports the concept of Temporary Family Health Care Dwellings; and

**WHEREAS**, Chapter 111 erodes local control of the permitting process; limiting a county’s ability to foster and guide development, and placing an undue burden on county staff to forego standard permitting practices; and

**WHEREAS**, it is the intent of the Aitkin County Board of Commissioners to protect the public health, safety and welfare of County residents and the environment of the County; and

**WHEREAS**, subdivision 9 of Minnesota Statute § 394.307 allows a county to “opt-out” of the regulations through the passage of a county board resolution; now therefore,

**BE IT RESOLVED**, Aitkin County elects to regulate Temporary Family Health Care Dwellings through already existing permitting standards of the Aitkin County Zoning Ordinance; and

**BE IT RESOLVED**, pursuant to authority granted by Minnesota Statutes, Section 394.307, Subdivision 9, of the County of Aitkin opts-out of the requirements of Minnesota Statute 394.307, which defines and regulates Temporary Family Health Care Dwellings.

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, Nathan Burkett, 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 12<sup>th</sup> day of July 2016, and that the same is a true and correct copy of the whole thereof.

Witness my hand and seal this 12<sup>th</sup> day of July 2016.

Nathan Burkett  
County Administrator

By Commissioner: Niemi

20160712-048

**STATE OF EMERGENCY DECLARATION**

**WHEREAS**, the County of Aitkin, Minnesota has sustained severe losses of a major proportion, brought on by precipitation and flash flooding on the dates of July 11 and 12, 2016, and;

**WHEREAS**, Aitkin County is a public entity within the State of Minnesota, and;

**WHEREAS**, the following conditions exist in Aitkin County as a result of the disaster: significant damage to public infrastructure including roads, bridges, culverts and ATV trails.

**NOW, THEREFORE, BE IT RESOLVED**, that the Aitkin County Board of Commissioners, acting on behalf of and for the people of Aitkin County, declare that a state of emergency exists within Aitkin County, with all the powers and responsibilities attending thereto as provided by Chapter 12 of Minnesota Statutes.

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

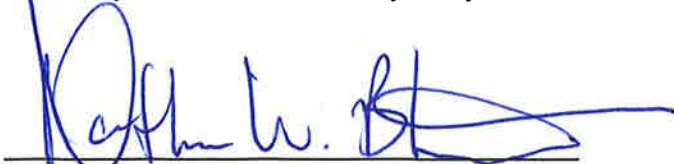
FIVE MEMBERS PRESENT

All Members Voting Yes

STATE OF MINNESOTA}  
COUNTY OF AITKIN}

I, Nathan Burkett, 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 12<sup>th</sup> day of July 2016, and that the same is a true and correct copy of the whole thereof.

Witness my hand and seal this 12<sup>th</sup> day of July 2016.



Nathan Burkett  
County Administrator