

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



To: Chairperson, Aitkin County Board of Commissioners Date: 3-20-13

Via: Patrick Wussow, County Administrator

From: John Welle

Title of Item: Set Public Meeting Date – Round lake Outlet Control Structure

Requested Meeting Date: 3-26-13 Estimated Presentation Time: 10 minutes

Presenter: John Welle

Type of Action Requested (check all that apply)

- For info only, no action requested Approve under Routine Business
- 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) _____
- 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 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) Draft Letter

AITKIN COUNTY COMMISSIONER'S MEMO

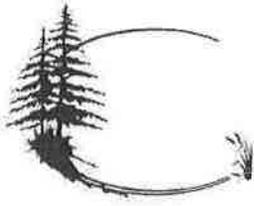
TO: Aitkin County Commissioners
Patrick Wussow, County Administrator

FROM: John Welle

DATE: March 20, 2013

Regular Agenda Item: Set Public Meeting Date – Round Lake Outlet Control Structure

As directed at the February 12, 2013 Board Meeting, I would like to set a public meeting date to provide information and receive public input regarding the Round Lake (Palisade) outlet control structure. Enclosed is a copy of the draft letter that will be sent to Round Lake lakeshore owners.



AITKIN COUNTY HIGHWAY DEPARTMENT

1211 Air Park Drive
Aitkin, MN 56431

Phone: 218/927-3741 · FAX: 218/927-2356

Date: March ??, 2013
To: Round Lake (Palisade) Property Owners
From: John Welle, P.E.
Aitkin County Engineer
Subject: Public Meeting Notice for Round Lake Outlet Control Structure Replacement

This letter is being sent to inform you that the Aitkin County Board of Commissioners will be hosting a public informational meeting to discuss the Round Lake (Palisade) outlet control structure replacement. The meeting will be held at the Waukenaboo Town Hall located at 36797 Grove Street, Palisade, MN on Saturday, ??, 2013 at 10:00 a.m. You are receiving notice of this meeting because you own property that may be impacted by this project.

As you may know, the condition of the outlet control structure located on the southeast side of Round Lake has been deteriorating for at least the past ten years, causing occasional periods of leakage around the ends of the dam. This control structure was initially constructed by Aitkin County as part of Aitkin County Ditch No. 21 in 1973. Since that time, it has also been periodically repaired by Aitkin County when repairs were necessary.

Approximately five years ago, Aitkin County began the process of replacing this outlet control structure by surveying the structure area, designing the replacement dam, and acquiring the necessary permits. Although the project is nearly ready to proceed to construction at this time, there continues to be a disagreement between the landowner and Aitkin County as to Aitkin County's authority to replace the structure without consent of the landowner. Although an independent legal opinion has stated that the structure is part of Aitkin County Ditch No. 21 and therefore Aitkin County has the legal authority and responsibility to replace the structure, this authority continues to be challenged. As a result, Aitkin County may be initiating declaratory judgement proceedings in the near future to resolve this disagreement.

Since the cost to replace this structure has escalated due to project delay and may further escalate due to the cost of legal proceedings, Aitkin County will need to address the funding source for the project in the event that the District Court ruling allows Aitkin County to proceed with the project. Two potential funding sources that have been discussed include a County Ditch 21 assessment and an assessment through the establishment of a Lake Improvement District.

Before proceeding with the declaratory judgement proceedings and incurring further project costs, your input is requested at this public meeting to guide future decisions that will need to be made by the Aitkin County Board of Commissioners on this project.