

Mississippi Headwaters Board (MHB)

February 15th, 2013

Cass County Courthouse, Walker, MN

Meeting Minutes

Members Present: Davin Tinquist (Itasca County), Dean Newland (Clearwater County), Neal Gaalswyk (Cass County), Cal Johannsen (Hubbard County), Kevin Maurer (Morrison County), Brian Napstad (Aitkin County) and Pam Kichler (Admin. Asst. - Staff)

Members Excused: Jack Frost (Beltrami County) and Paul Thiede (Crow Wing County – CWC)

Others Present: Bill Patnaude (Beltrami County ESD) and Terry Freeman (Northern Engineering – Contractor)

9:01 am – Chairman Tinquist called to order the monthly meeting of the Mississippi Headwaters Board at 9:01 am on Feb. 15th, 2013 in Walker, MN. The meeting began with the pledge of allegiance.

9:02 am - Agenda (February 15th '13). Chairman Tinquist asked for amendments and/or approval of the Agenda. No amendments were noted. **Motion** was made and seconded by Commissioners Napstad / Newland to approve the Agenda - 6 ayes, 0 nays. Motion carried.

9:03 am – Consent Agenda (Jan. '13 Minutes and Jan. '13 Expenses). Staff made note of several expense entries: \$2,529 for MCIT (Insurance) and \$400.50 for EOM (BWSR Grant Contractor). **Motion** was made and seconded by Commissioners Napstad / Gaalswyk to approve the Consent Agenda and expenses for Jan. '13 - \$7,875.87 – 6 ayes, 0 nays. Motion carried. Commissioner Napstad advised that the board members were still receiving email requests from Wells Fargo for expenses. Staff was asked to contact CWC Auditor's dept. to have this stopped.

9:04 am – Staff Report (Jan. – Feb.) - Pam Kichler (Admin. Asst. - Staff) highlighted several items:

- **#7 (P/B)** - Staff advised that the office has prepared and mailed the required US Census of Gov. & Gov. Survey of Finance Report.
- **#12 (P/B)** – Staff has prepared/mailed the YE Special District Financial Report as required.
- **#13 (P/C)** – Staff sent in the 2nd Quarter reimbursement request to the DNR for \$ \$17,513.30 which has since been received/deposited.
- **#1 (P/C)** - Staff reminded the Commissioners of the CWC Land Management proposed Timber sale/harvest w/in 360' of the Mississippi River. CWC has sent it as an FYI and any concerns can be forward to them. None were noted.
- **#2 (P/C)** – Staff also reminded the Commissioners of the recent email re: Lake Winni AIS concerns. Staff asked if any of the Commissioners were able to attend the AIS meeting in Walker on 1/31 & 2/1. Commissioner Gaalswyk indicated that he attended the second day and was able to provide some meeting details. He believes these meetings are good to open conversation channels but he is not sure how AIS can be contained due to the multitude of transportation means and well as the many types of AIS. The citizen's perception maybe that it should be handled at the County level vs. State. It is a State issue but the DNR is currently driving to update the 612C Shoreland rules that all counties must adopt. Some may question whether money spent on the 6120 update would be best applied toward the AIS issues.
- Staff asked the members if there were concerns/question on the CWC proposed ordinance revisions forward to the board for comment (Art 11; 11.12). None were noted.
- Staff advised that the Funding ROS letter was sent to the 8 county Representatives/ Senators on 2/13/13. The board must now wait for the hearings to begin and be ready to travel to cities on a moments notice.
- Lastly, Staff asked the board members to check their calendars for conflicts with the next MHB meeting currently scheduled for 3/15/13. The few conflicts to-date that were noted would not pose a quorum issue.

9:32 am – Zoning Actions –

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A. Beltrami County (Ten Lake Township) –

1. Ba-1a-13 RE: Review/comment of a LUP for 60 +/- acre Plat – Cass Lake – applicant – Angler’s Beach Buddies, LLP

► Discussion: Bill Patnaude (Beltrami County ESD – on behalf of Ten Lake Township) and the applicant’s contractor/surveyor (Northern Engineering) were in attendance to offer details and answer any additional questions about the LUP request. Additional documentation was also provided for board review. Some other specifics noted in discussion were:

- a) The property was the former Angler’s Beach Resort on Cass Lake from the 1930’s. About 4 years ago a contractor from Chicago bought the resort, cleared it but ultimately lost it to foreclosure.
- b) The property was then purchased by 4 investors. They propose to continue clearing the property and subdivide into 4 residential lots. Outlot A & Outlot B will be owned in common, with Outlot A used for the roadway. The existing gravel pit will also be restored as a condition of approval.
- c) The Ten Lake Planning Commission & Town Board has reviewed/approved the application. Beltrami County has given a preliminary approval and will review the final 2/19/13.
- d) The Ten Lake PC will require the existing wells be sealed and removal of non-certified septic.
- e) Commissioner Gaalswyk shared his counties recent conversation on ‘no net loss’ concerns of properties that are changed from commercial to private.

After review/discussion, a **motion** was made and seconded by Commissioners Napstad / Gaalswyk to approve The Land Use Permit and Plans to re-classify the 60 +/- acres Plat as residential parcels (with outlots) as long as conditions and the Findings of Fact as noted by the Ten Lake Township BOA are adhered to - 6 ayes, 0 nays. Motion carried.

9:48 am – Actions / Discussion Items –

► **Resolution of Support (re: National Water Trail Designation of the Upper Mississippi River) –**

Chairman Tinquist opened discussion on the proposed ROS on the National Water Trail Designation for the Upper Mississippi River. This subject was initially reviewed at the Oct. 19th & Jan. 18th board meetings. A final draft of the ROS was offered for further discussion and approval. Commissioner Maurer took the floor and provided details of a recent conversation he had regarding concerns with designation and this board’s offer of support. The following highlights a few of the specifics noted in the discussion:

- 1) Com. Maurer met w/a citizen (Greg Smith) that lives south of Little Falls. Mr. Smith was previously employed by the Bureau of Land Management and offered an example of the Federal Gov. superseding jurisdiction and explained his concerns w/this happening here. Mr. Smith has also offered to come before the board to continue this conversation.
- 2) Another concern: Although the designation seems to offer positive outcomes, added recognition of the river could result in degradation of the resource. The solution could become the problem.
- 3) The ROS clearly notes that MHB supports the designation so long as it does not impinge upon the statutory duties to which the MHB has been assigned. That being said, whether the MHB is still in existence down the road or not, the Fed. Gov. does not have to ask us/or get our approval.
- 4) The players and mind-sets can change w/time but giving support now can only help preserve the quality while helping the local economy, so long as we as a board stay vigilant to future threats.
- 5) The ROS is not a contract w/the Feds or the State it simply stated that we are in support of the ‘collaborative partnership to maximize return on limited available resources...to promote the Mississippi River’. By offering the ROS, MHB may also gain public support for the use of the resource, so if the time comes to push back we will have better public backing

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After discussion, a **motion** was made and seconded by Commissioners Gaalswyk / Napstad to support the Resolution of Support of the continued effort to gain National Water Trail Designation - 5 ayes, 1 nay.
Motion carried.

► **UMFM Task Force (update)** – Chairman Tinquist explained his conversation w/Commissioner Napstad prior to today's meeting. The next course of action is to pull together a meeting in Grand Rapids to discuss the 205 Study (and areas for the study).

► **BWSR CWL Grant update** – Both Mitch Brinks (CWC Water Specialist) and Chris Pence (CWC Land Services Supervisor) were not in attendance. A Grant progress memo was provided for review prior. No concerns or questions were brought up at this time.

At conclusion Chairman Tinquist noted that conclusion of the '12 Staff Performance Review will be moved to the March MHB Agenda.

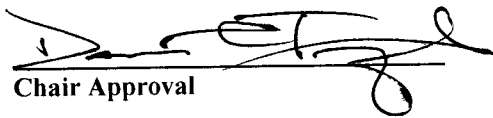
10:10 am – There was no further business. **Motion** was made by Chairman Tinquist to adjourn the meeting at 10:10 am.

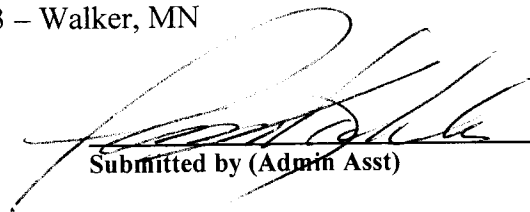
Meeting Adjourned

10:11 am – Misc –

- ☼ **Legislature Update** – None
- ☼ **County Updates** – None

Next MHB meeting: Friday, March 15th, 2013 – Walker, MN


Chair Approval


Submitted by (Admin Asst)