



**Mississippi Headwaters Board  
Meeting Agenda  
Cass County Board Room Walker, MN**

<https://us02web.zoom.us/j/89880373341>

**November 18, 2022  
10:00 am**

**10:00 AM**

- Call to Order/Pledge of Allegiance

**10:05 AM Approve/Amend**

- Agenda
- Consent Agenda – October '22 Minutes & Expenses

**Correspondence**

- Press Release

**Planning and Zoning (Actions)**

- M11a22- Barsody Variance

**Action / Discussion Items:**

- 1 Watershed 1 Plan and MHB
- Enbridge payment acknowledgement- action
- December meeting date?- action
- Executive Directors report- Discussion

**Misc:** ☼ Legislature Update (if any) ☼ County Updates

**Meeting Adjourned - Thank you**

**Mtgs: December 23, 2022 10:00 AM- Cass County Courthouse, Walker, MN**

**Attachment**

Draft Minutes

Monthly Expenses

Mississippi Headwaters Board  
October 28, 2022  
Cass County Board Room  
322 Laurel St.  
Brainerd, MN

Optional interactive technology: <https://us02web.zoom.us/j/84301638911>

MEETING

MINUTES

Members present by Roll Call: Scott Bruns (Cass), Davin Tinquist (Itasca interactive), Ted VanKempen (Hubbard), Dean Newland (Clearwater), Mike Wilson (Morrison), Steve Barrows (Crow Wing), and Tim Terrill (Executive Director).

Others Present: Marcel Noyes (Hubbard SWCD Commissioner), Mark Holsten (MN Fish Executive Director)

Pledge of Allegiance

Chair Van Kempen asked if there were any additions to the agenda. **M/S (Wilson/Barrows) to approve of the agenda. Motion carried unanimously.**

**M/S (Tinquist/Wilson) to approve of the Consent agenda. Motion carried unanimously.**

**Correspondence**

Tim provided the board with a picture of a sign that will be installed at the Leech Lake Band of Ojibwe pollinator garden that we provided funding too last year. The sign will have the MHB logo on it.

Tim also said that Paula West, MHHCP program coordinator will give a radio interview announcement the second week of November to KAXE radio. Tim said he provided her with a list of sound bites to give that will make it easier for the public to understand, and sent her information about how to discuss the funding was attained through the Clean Water Fund.

**Planning and Zoning**

None

**Action/Discussion:**

1. MN Fish Sport fishing Coalition- Mark Holsten, Executive Director of MN-Fish provided the board with information about MN Fish and how they work as an grassroots advocacy group for the average angler. He stated that the fishing tourism industry supports \$4.2 million and he wanted to focus on two agenda items concerning fish hatcheries and public water accesses (PWA's). Mark said that a study was done by MN Fish on fish hatcheries and only \$2 million was invested in them over a ten year time frame. A feasibility study was completed with estimated cost with inflation and contingency and the cost to improve on four fish hatcheries would exceed \$88 million. Mark also mentioned PWA's and

said there is 651 of them in the eight MHB counties. He added that with the increase of over 30,000 new boats added to public over the last 10 years, and more funding is needed to refurbish the PWA's. This will have a huge impact on the MHB counties.

Mark briefly concluded his talk about the Keep it Clean program that is looking to prevent trash and human waste from ice fishing from entering the system.

MN Fish is advocating for \$37 million to refurbish these accesses in the 2023 legislative session, and his ask was that if the Bill passes, that there might be an opportunity to work with the MHB and local counties to assess what accesses need refurbishing and apply for grants to fix them using engineering staff at the local level. Discussion ensued and Comm Wilson asked if lottery funding can help with this funding need, and Mark replied that it does not. Comm. Barrows asked, "How does the DNR feel about this?" and Mark replied that they are supportive of new funding. Barrows asked a follow up question about the new legislature coming on board in 2022 and if he sees it as a positive or negative. Mark said that there will be a turnover of 1/3 of the elected officials and there will be a large need to educate them about these issues. He asked the board to utilize their position to keep them up to date about these issues.

2. Signage Data- Tim stated that when the QR codes were put up at the local accesses they can be tracked as to how many people downloaded them to their phone. Tim said that this data will be helpful at the next MHB biennial conference to show use and economic activity of that stretch of the river.
3. MHB cell phone number- Tim explained that he can have 2 unique cell phone numbers on his personal cell phone and asked what the board thought about using one line for personal calls and the other for MHB business calls as a way for people to call a person rather than a place which is what they do now with the current landline. Comm. Barrows stated that it could be done, but that Tim's personal cell phone could be confiscated and personal and work data be taken off of it if there was an audit. Comm. Wilson also asked what would happen if Tim left the MHB, and what the organization would do with that number. Tim replied that the MHB would need to reinstate a landline. In the end, no decision was made, but they thanked him for exploring the option of saving the MHB money.
4. New potential marketing partnerships- Tim explained to the board that MN Traditions is growing as an influencer due to the fact that they have such a large following. He stated that now he is getting calls from people wanting to utilize MN Traditions to get their message out. Tim stated as an example that he met with Aitkin county and they want to develop an outdoor recreation plan to promote tourism of their natural resources, and MN Traditions already has a large following to get the word out. Funding could be used to pay for administration of the social media program, and MOU's could be developed showing responsibilities of each organization. Generally the board liked the idea, but would need more specific information about roles and responsibility before a decision was made. Someone suggested that a business plan be developed to provide a framework for discussion. Comm. Tinquist said that we would also need to determine if this follows the MHB comprehensive plan.
5. November meeting date- Tim stated that the next MHB board meeting is scheduled for the day after Thanksgiving and he said we may have 1 or 2 variances presented at that meeting. He asked if the board wanted to move the date and it was mutually agreed upon that November 18<sup>th</sup> would be the date of the MHB board meeting. **M/S (Newland/Barrows) to move the date to November 18th.**  
**Motion carried unanimously.**



1. Tim updated the board that the MHHP tech committee met and they approved over \$1.579M for easements out of \$2.2M available. One of the parcels is on Schoolcraft lake in Hubbard county. The SWCD's have really done a good job with finding parcels that match our program criteria. Tim also said that he will be meeting at a Crow Wing COW meeting on 12/20 to notify the county board of a potential interest to buy 1,283 acres near Emily.
2. Tim attended the MN Association of Professional County Economic Developers and presented the signage and resourcetainment program to them.
3. Tim let the board know that an outfitter called Paddlefolk in Crow Wing county is stepping down and looking for new leadership for the club. Tim replied to the group of paddlers that MHB has a paddling option on the Miss. river and 12 new people added their name to the MHB email list.
4. Tim mentioned that at the last board meeting he emphasized a different aspect of the Sheep Ranch audit. While DNR is delaying the turnover of the sheep ranch parcel to the MHHCP, he said that was not the main concern. The main concern was that DNR is asking for specific information that is not normally asked for during an acquisition process. Tim said that he talked with Bob McGillivray from the Trust for Public Land, and Bob said that 2 of the 3 DNR employees think that seeing the documents is okay, and that MHB should hold off on sending a letter to the DNR asking why there is such a delay. Tim said that he brought this to the attention of the MHB Chair and he said to bring it before the board at the October meeting. Through consensus, the board agreed that waiting might be a prudent option.

#### **County or Legislative Updates**

Various board members from the county talked about how the election campaign was going. Others talked about the state providing funding for roads and how that is a good program because it lessens the property tax burden off the people.

**M/S (Wilson/Barrows) to adjourn. Motion carried unanimously.**

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Chair, Ted VanKempen

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Executive Director Tim Terrill

**October SFY'23 Budget Summary**

		YTD spending/rei mbursement	Projected Budget	% of budget spent	
<b>Revenues:</b>	<b>Monthly Amount</b>				<b>Notes</b>
Governor's DNR grant (53290)		\$34,855.23	\$124,000.00	28.11%	non competitive quarterly reimbursement
LSOHC grant (53290)		\$2,819.86	\$9,000.00	31.33%	LSOHC reimbursement
Guidebook sales (58400)			\$200.00	0.00%	reimbursment for Guidebook sales
Enbridge program (58300)			\$12,000.00	0.00%	enbridge reimbursement
Miscell. Other revenue (58300)			\$3,600.00	0.00%	AIS reimbursement
MCIT Dividend (58300)		\$83.00	\$83.00	100.00%	MCIT refund
County Support (52990)			\$12,000.00	0.00%	8 county support
LCCMR acquisition			\$500.00	0.00%	competitive reimbursement
<b>Total</b>	<b>\$0.00</b>	<b>\$2,902.86</b>	<b>\$36,883.00</b>		
<b>Expenses:</b>	<b>Monthly Amount</b>				<b>Notes</b>
Salaries/Benefits FICA/Med/PERA/LIFE/LTD/Hlth/ WC(61000)	\$ 8,351.59	\$28,395.57	\$105,064.00	27.03%	reimbursed by Gov. DNR grant
MCIT insurance/work comp/liability (61500)			\$2,492.00	0.00%	reimbursed by Gov. DNR grant
MHB board Per Diem (62680)		\$550.00	\$2,200.00	25.00%	reimbursed by Gov. DNR grant
Hotel/Meals/travel exp. (63340)		\$47.84	\$550.00	8.70%	meal reimbursement
Commissioner Mileage (62720)		\$426.88	\$1,600.00	26.68%	reimbursed by Gov. DNR grant
Employee Mileage (63320)	\$ 220.39	\$992.08	\$3,000.00	33.07%	reimbursed by Gov. DNR grant
Professional Services (62990)	\$ 525.00	\$1,575.00	\$30,000.00	5.25%	CW financial
Office supplies/operations (64090)	\$ 62.83	\$753.29	\$1,350.00	55.80%	telephone
Training & Registration Fees (63380)			\$750.00	0.00%	reimbursed by Gov. DNR grant
<b>Total</b>	<b>\$9,159.81</b>	<b>\$32,740.66</b>	<b>\$147,006.00</b>		

Governor's DNR grant is always \$124K every year

LSOHC grant is around \$6K to \$8K every year

\*The total under revenue does not reflect the \$124K because it is a non-competitive grant, and it doesn't always fall in the fiscal year.

ACCOUNT DETAIL HISTORY FOR 2022 09 TO 2022 09

ORG YR/PR	OBJECT JNL	PROJ EFF DATE	SRC REF1	REF2	REF3	CHECK #	OB	AMOUNT	NET LEDGER BALANCE	NET BUDGET BALANCE
74830	58300		Miscellaneous Other Revenue							
										REVISED BUDGET .00
										PER 02 -42,000.00 -42,000.00
										PER 03 -44,300.00 -86,300.00
										PER 08 -83.00 -86,383.00
22/09	1097	09/23/22	GNI 441264	AmyG	46651			-5,000.00		-91,383.00
	iNovah	ITASCA	2ND AIS PAYMENT							
										LEDGER BALANCES --- DEBITS: .00
										CREDITS: -91,383.00
										NET: -91,383.00
74830	61000		Salaries & Wages - Regular							
										REVISED BUDGET .00
										PER 01 5,523.01 5,523.01
										PER 02 6,012.04 11,535.05
										PER 03 5,802.46 17,337.51
										PER 04 5,802.46 23,139.97
										PER 05 5,802.47 28,942.44
										PER 06 5,802.46 34,744.90
										PER 07 8,703.69 43,448.59
										PER 08 5,802.47 49,251.06
22/09	288	09/09/22	PRJ PR0909	1220909	1220909	1220		2,901.24		52,152.30
			PAY090922 WARRANT=220909 RUN=1 BI-WEEKL							
22/09	1031	09/23/22	PRJ PR0923	1220923	1220923	1220		2,901.24		55,053.54
			PAY092322 WARRANT=220923 RUN=1 BI-WEEKL							
										LEDGER BALANCES --- DEBITS: 55,053.54
										CREDITS: .00
										NET: 55,053.54
74830	61200		Active Insurance							
										REVISED BUDGET .00
										PER 01 1,709.26 1,709.26
										PER 02 1,709.26 3,418.52
										PER 03 1,709.96 5,128.48
										PER 04 1,709.96 6,838.44
										PER 05 1,711.36 8,549.80
										PER 06 1,709.96 10,259.76
										PER 07 1,709.96 11,969.72
										PER 08 1,709.96 13,679.68
22/09	288	09/09/22	PRJ PR0909	1220909	1220909	1220		866.91		14,546.59
			PAY090922 WARRANT=220909 RUN=1 BI-WEEKL							
22/09	1031	09/23/22	PRJ PR0923	1220923	1220923	1220		843.05		15,389.64
			PAY092322 WARRANT=220923 RUN=1 BI-WEEKL							
										LEDGER BALANCES --- DEBITS: 15,389.64
										CREDITS: .00
										NET: 15,389.64

ACCOUNT DETAIL HISTORY FOR 2022 09 TO 2022 09

ORG YR/PR	OBJECT JNL	PROJ EFF DATE	SRC REF1	REF2	REF3	CHECK #	OB	AMOUNT	NET LEDGER BALANCE	NET BUDGET BALANCE
74830	61300		Employee Pension & FICA							.00
								REVISED BUDGET		
								PER 01	796.85	796.85
								PER 02	870.93	1,667.78
								PER 03	839.18	2,506.96
								PER 04	839.17	3,346.13
								PER 05	839.18	4,185.31
								PER 06	839.17	5,024.48
								PER 07	1,278.70	6,303.18
								PER 08	839.18	7,142.36
22/09	288	09/09/22	PRJ PR0909	1220909	1220909	1220		419.58	7,561.94	
			PAY090922 WARRANT=220909 RUN=1 BI-WEEKL							
22/09	1031	09/23/22	PRJ PR0923	1220923	1220923	1220		419.59	7,981.53	
			PAY092322 WARRANT=220923 RUN=1 BI-WEEKL							
			LEDGER BALANCES --- DEBITS:		7,981.53	CREDITS:		.00	NET:	7,981.53
74830	62100		Telephone							.00
								REVISED BUDGET		
								PER 01	57.37	57.37
								PER 02	56.83	114.20
								PER 03	56.91	171.11
								PER 04	57.66	228.77
								PER 05	57.84	286.61
								PER 06	67.83	354.44
								PER 07	60.99	415.43
								PER 08	60.32	475.75
22/09	1030	09/27/22	API 006205		178394	31840		8.92	484.67	
			W C092722 SEPTEMBER 2022			CONSOLIDATED TELECOM				
22/09	1031	09/23/22	PRJ PR0923	1220923	1220923	1220		55.00	539.67	
			PAY092322 WARRANT=220923 RUN=1 BI-WEEKL							
			LEDGER BALANCES --- DEBITS:		539.67	CREDITS:		.00	NET:	539.67
74830	62680		Non-Employee Per Diems							.00
								REVISED BUDGET		
								PER 02	150.00	150.00
								PER 03	550.00	700.00
								PER 05	150.00	850.00
								PER 06	200.00	1,050.00
								PER 07	250.00	1,300.00
22/09	1240	09/27/22	API 003257		178473	31887		50.00	1,350.00	
			W A092722 MHB PER DIEM 09.23.2022			GAASVIG, CRAIG				

ACCOUNT DETAIL HISTORY FOR 2022 09 TO 2022 09

ORG YR/PR	OBJECT JNL	PROJ EFF DATE	SRC REF1	REF2	REF3	CHECK #	OB	AMOUNT	NET LEDGER BALANCE	NET BUDGET BALANCE
22/09	1240	09/27/22	API 002534		178474		31891	50.00	1,400.00	
	W A092722	MHB PER DIEM 09.23.2022			NEULAND, DEAN					
22/09	1240	09/27/22	API 100532		178475		1942367	50.00	1,450.00	
	W A092722	MIKE WILSON MHB PER DIEM 09.23			MORRISON COUNTY AUDI					
22/09	1240	09/27/22	API 001099		178477		31889	50.00	1,500.00	
	W A092722	MHB MILEAGE & PER DIEM 09.23.2			MARCOTTE, ANNE					
22/09	1240	09/27/22	API 003356		178478		31888	50.00	1,550.00	
	W A092722	TED VANKEMPEN MHB PER DIEM/MIL			HUBBARD COUNTY TREAS					
22/09	1240	09/27/22	API 002809		178479		31895	50.00	1,600.00	
	W A092722	MHB PER DIEM 09.23.2022			TINQUIST, DAVIN C					
LEDGER BALANCES --- DEBITS:					1,600.00	CREDITS:		.00	NET:	1,600.00
74830	62720	Non-Employee Mileage			REVISED BUDGET					.00
					PER 02			198.90	198.90	
					PER 03			359.19	558.09	
					PER 05			164.97	723.06	
					PER 06			227.92	950.98	
					PER 07			210.00	1,160.98	
22/09	1240	09/27/22	API 101580		178476		31896	112.50	1,273.48	
	W A092722	MHB MILEAGE 09.23.2022			WILSON, MICHAEL					
22/09	1240	09/27/22	API 001099		178477		31889	69.38	1,342.86	
	W A092722	MHB MILEAGE & PER DIEM 09.23.2			MARCOTTE, ANNE					
22/09	1240	09/27/22	API 003356		178478		31888	35.00	1,377.86	
	W A092722	TED VANKEMPEN MHB PER DIEM/MIL			HUBBARD COUNTY TREAS					
LEDGER BALANCES --- DEBITS:					1,377.86	CREDITS:		.00	NET:	1,377.86
74830	62990	Prof. & Tech. Fee - Other			REVISED BUDGET					.00
					PER 01			2,080.20	2,080.20	
					PER 02			595.00	2,675.20	
					PER 03			92,098.80	94,774.00	
					PER 04			6,725.98	101,499.98	
					PER 05			1,818.08	103,318.06	
					PER 06			11,820.00	115,138.06	
					PER 07			11,986.66	127,124.72	
					PER 08			1,120.00	128,244.72	
22/09	1591	09/30/22	GEN					525.00	128,769.72	
		RECURRING	FINANCIAL SERVICE							

ACCOUNT DETAIL HISTORY FOR 2022 09 TO 2022 09

ORG YR/PR	OBJECT JNL	PROJ EFF DATE	SRC REF1	REF2	REF3	CHECK #	OB	AMOUNT	NET LEDGER BALANCE	NET BUDGET BALANCE
LEDGER BALANCES --- DEBITS:					128,769.72	CREDITS:		.00	NET:	128,769.72
74830	63320	Employee Mileage				REVISED BUDGET				.00
						PER 01		239.96	239.96	
						PER 02		90.97	330.93	
						PER 03		345.21	676.14	
						PER 04		386.81	1,062.95	
						PER 05		240.60	1,303.55	
						PER 06		116.42	1,419.97	
						PER 07		405.00	1,824.97	
						PER 08		345.26	2,170.23	
22/09	1165	09/23/22	GNI AUG					150.00	2,320.23	
	WF PCARD	1434 - sign drop off Grand Rap								
			TIM TERRILL - OOP							
22/09	1165	09/23/22	GNI AUG					15.63	2,335.86	
	WF PCARD	1434 - Crow Wing Lakes Rivers								
			TIM TERRILL - OOP							
22/09	1165	09/23/22	GNI AUG					40.38	2,376.24	
	WF PCARD	1434 - Aitkin Ripplesippi								
			TIM TERRILL - OOP							
22/09	1165	09/23/22	GNI AUG					35.81	2,412.05	
	WF PCARD	1434 - Morrison SWCD tour								
			TIM TERRILL - OOP							
LEDGER BALANCES --- DEBITS:					2,412.05	CREDITS:		.00	NET:	2,412.05
74830	63340	Hotel & Meals Travel Expense				REVISED BUDGET				.00
						PER 01		303.48	303.48	
						PER 02		9.33	312.81	
						PER 03		10.19	323.00	
						PER 04		16.35	339.35	
						PER 06		20.92	360.27	
						PER 07		29.00	389.27	
						PER 08		9.24	398.51	
22/09	1166	09/19/22	GNI AUG					9.60	408.11	
	BREM PCARD	Meal dropping off signs								
			TIM TERRILL - LUCKY DOGS							
LEDGER BALANCES --- DEBITS:					408.11	CREDITS:		.00	NET:	408.11
74830	64090	Office Supplies				REVISED BUDGET				.00
						PER 02		1.76	1.76	
						PER 03		34.72	36.48	
						PER 04		35.81	72.29	





PROTECTING THE FIRST 400 MILES

IMMEDIATE PRESS RELEASE 11/1/22

Media Contact

Tim Terrill

218-824-1189

timt@mississippiheadwaters.org

[www.mississippiheadwaters.org](http://www.mississippiheadwaters.org)

322 Laurel St.

Brainerd, MN 56401

**Mississippi Headwaters Board is Informed about the DNR Coordination Role**

The Mississippi Headwaters Board (MHB) heard from James Wanstall, DNR Conservation Focus Area Coordinator, about his job and how he can help the MHB with their goals. James gave a brief history of his career in New Mexico and said that he worked with a number of local Soil & Water Conservation Districts there and hopes to emulate that practice here in Minnesota. He provided the board with an explanation of his job and said that conservation focus areas (CFA) are based on a number of factors like natural resources, and endangered species of concern. James stated that there is a CFA in the Camp Ripley/Brainerd area and he sees his role as working with the MHB in the future with restoration and enhancement on state and private lands. He wishes to coordinate this effort with local conservation agencies to help this happen.



## **Planning and Zoning**

M11a22- Barsody



# -MORRISON COUNTY- BOARD OF ADJUSTMENT

OCTOBER 25, 2022





## AGENDA

- DAVID AND LESLI BARSODY— *BELLEVUE TOWNSHIP*



# BARSDODY

VARIANCE TO EXPAND A NONCONFORMING  
STRUCTURE; LOCATED IN SECTION 6,  
BELLEVUE TOWNSHIP

# ORDINANCE REFERENCE

## 301.6 Nonconforming structures in SR and SC

- a. A nonconformity, including the lawful use or occupation of land or premises existing at the time of the adoption of an official control, may be continued, including through repair, replacement, restoration, maintenance, or improvement, but not including expansion.

**706.3 Nonconformities.** Nonconforming lots and structures shall follow the provisions within Section 301 of this ordinance, except that a change in roof pitch on a principle dwelling that increases overall height but does not result in a gain in living space shall be allowed with a permit if it meets the height allowance in Section 706.2.



## Section F — Construction or Structure Standards

### F.1. Standards

The following table establishes the minimum standards for lot size, lot width, structure and ISTS setback, shore impact zone, and structure height for each zoning classification.

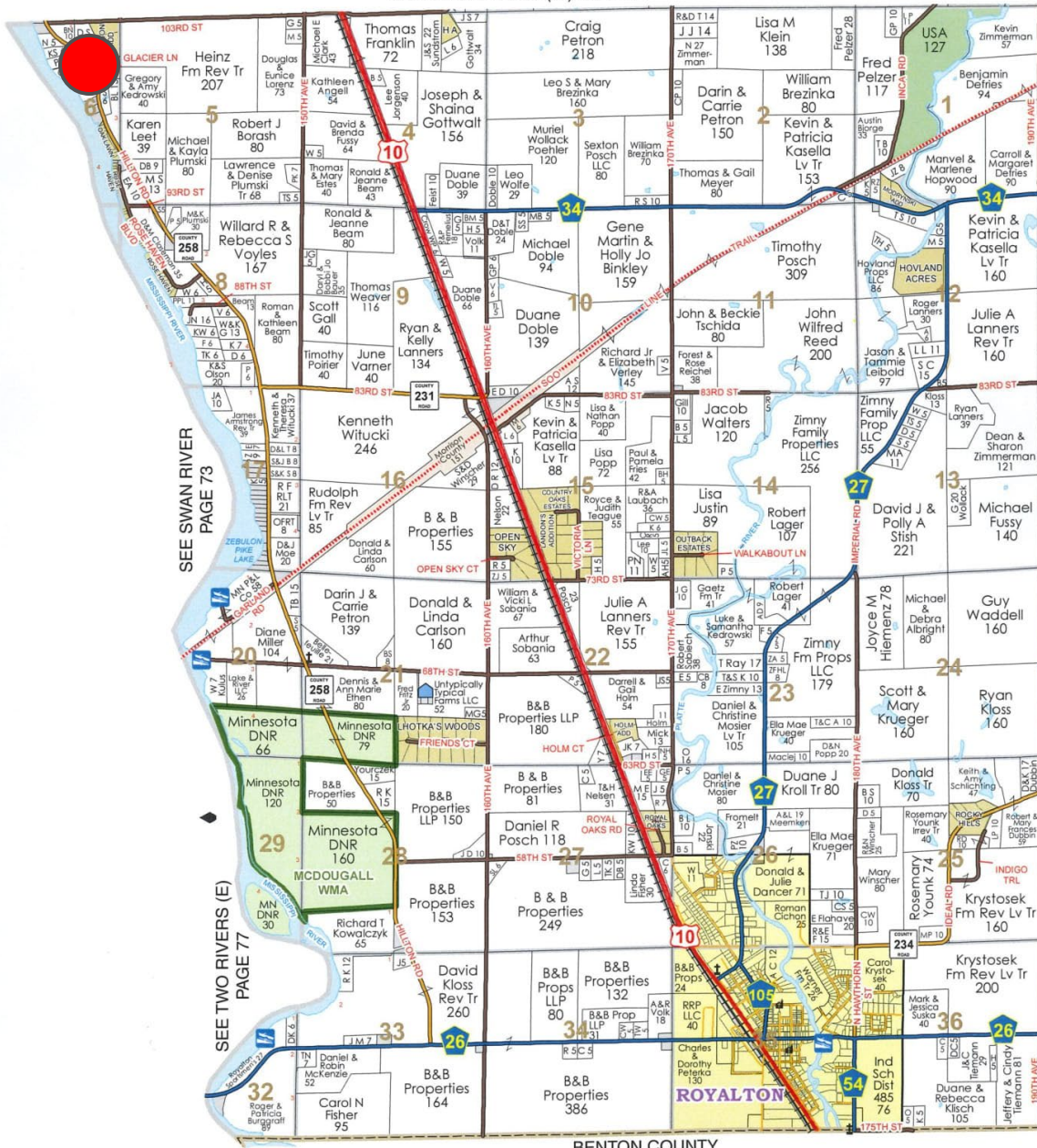
The following standards apply to the Corridor:

Classification	Minimum Lot Size	Structure Setback from OHWM	ISTS Setback from OHWM	Lot Width at OHWM and at Building Line	Shore Impact Zone	Structure Height
River Wild	10 acres	200 feet	150 feet	330 feet	100 feet	18 feet
River Scenic	5 acres	150 feet	125 feet	330 feet	75 feet	35 feet
Headwaters Lakes: General Development*	30,000 square feet	100 feet	75 feet	100 feet	50 feet	35 feet
Headwaters Lakes: Recreational Development*	40,000 square feet	100 feet	75 feet	150 feet	50 feet	35 feet
Headwaters Lakes: Natural Environment*	80,000 square feet	150 feet	150 feet	200 feet	75 feet	35 feet



SEE LITTLE FALLS (W) PAGE 43

103  
93  
83  
73  
63  
53  
43



SEE SWAN RIVER PAGE 73

SEE TWO RIVERS (E) PAGE 77

SEE BUCKMAN (W) & BELLEVUE (E) PAGE 15





MORRISON COUNTY SEP 28 2022

Morrison County will provide cost effective, MORRISON COUNTY LAND SERVICES Services to county residents in a friendly and respectful manner.

RECEIVED

Land Services Department

213 1st Avenue S.E., Little Falls, MN 56345 Telephone (320) 632-0170 Toll Free 866-401-1111 All Public Hearings will be held in the County Board Room of the Government Center.

agx

Variance Request

Name of Applicant: David and Lesli Barsady
Address: 9621 Hillton Rd
City: Little Falls State: MN Zip: 56345
Property Address: 9621 Hillton Rd
City: Little Falls State: MN Zip: 56345
E-Mail Address: dlbarsady@frontiernet.net
Parcel Number: 03.0569.000 03.0570.000 Phone: 612-219-2252
Sec: 5&12 Twp: 39 Range: 32 Twp. Name: BELLEVUE
Lake/River Name: Mississippi
Legal Description: Subdivision Name Oak Lawn lot 11 subdivision cd 05002 Subdivision Name Oak Lawn lot 10 subdivision cd 05002

(ATTACH A COPY OF YOUR LEGAL DESCRIPTION OFF YOUR DEED)

TWO SEPARATE CHECKS ARE REQUIRED

Public Hearing Fee: (Non-returnable) \$ 600.00 to MORRISON COUNTY TREASURER.

Recording Fee: (Non-returnable) \$ 46.00 to MORRISON COUNTY TREASURER. (If the property is in Abstract & Torrens two (2) recording fees will be required)

\*\*\*\* APPLICATION WILL NOT BE PROCESSED UNLESS ALL THE REQUIRED FORMS ARE COMPLETED AND FEES PAID BY THE DEADLINE DATE.

AGREEMENT: I hereby certify that I am the owner of the herein described property, or, have the written permission of the owner, and that the information contained herein is accurate.

Signature: David Barsady

DATE: 9-27-22

Please explain your request in detail:

The Main Entrance door to the home is made of stone to match the rest of the home. The main door is on the roadside of the home/the back of the home, opposite the river side. The stone stairway is deteriorating from the elements. The stairway was re-constructed 10 years ago for the same reason. We would like to put a roof over the stairway, before we repair them, to protect them from the elements. Most homes along Hillton Rd have roofs over these stairways. Currently the area is impervious - so we will not be increasing our impervious area.

Please explain your practical difficulty:

Our home falls in the Mississippi Headwaters Jurisdiction. Our home is considered non conforming. I know repairing the stairway will cost several thousand dollars, and this expense every 10 years, is a lot. And being the main entrance to the home, it is dangerous for visitors and ourselves.

Variances shall only be permitted when they are in harmony with the general purposes and intent of the ordinance and when the variances are consistent with the comprehensive plan. Variances may be granted when the applicant for the variance establishes that there are practical difficulties in complying with the zoning ordinance. "Practical difficulties," as used in connection with the granting of a variance, means that the property owner proposes to use the property in a reasonable manner not permitted by the zoning ordinance; the plight of the landowner is due to circumstances unique to the property not created by the landowner; and the variance, if granted, will not alter the essential character of the locality. Economic considerations alone do not constitute practical difficulties. Practical difficulties include, but are not limited to, inadequate access to direct sunlight for solar energy systems. The board or governing body as the case may be may impose conditions in the granting of variances. A condition must be directly related to and must bear a rough proportionality to the impact created by the variance.



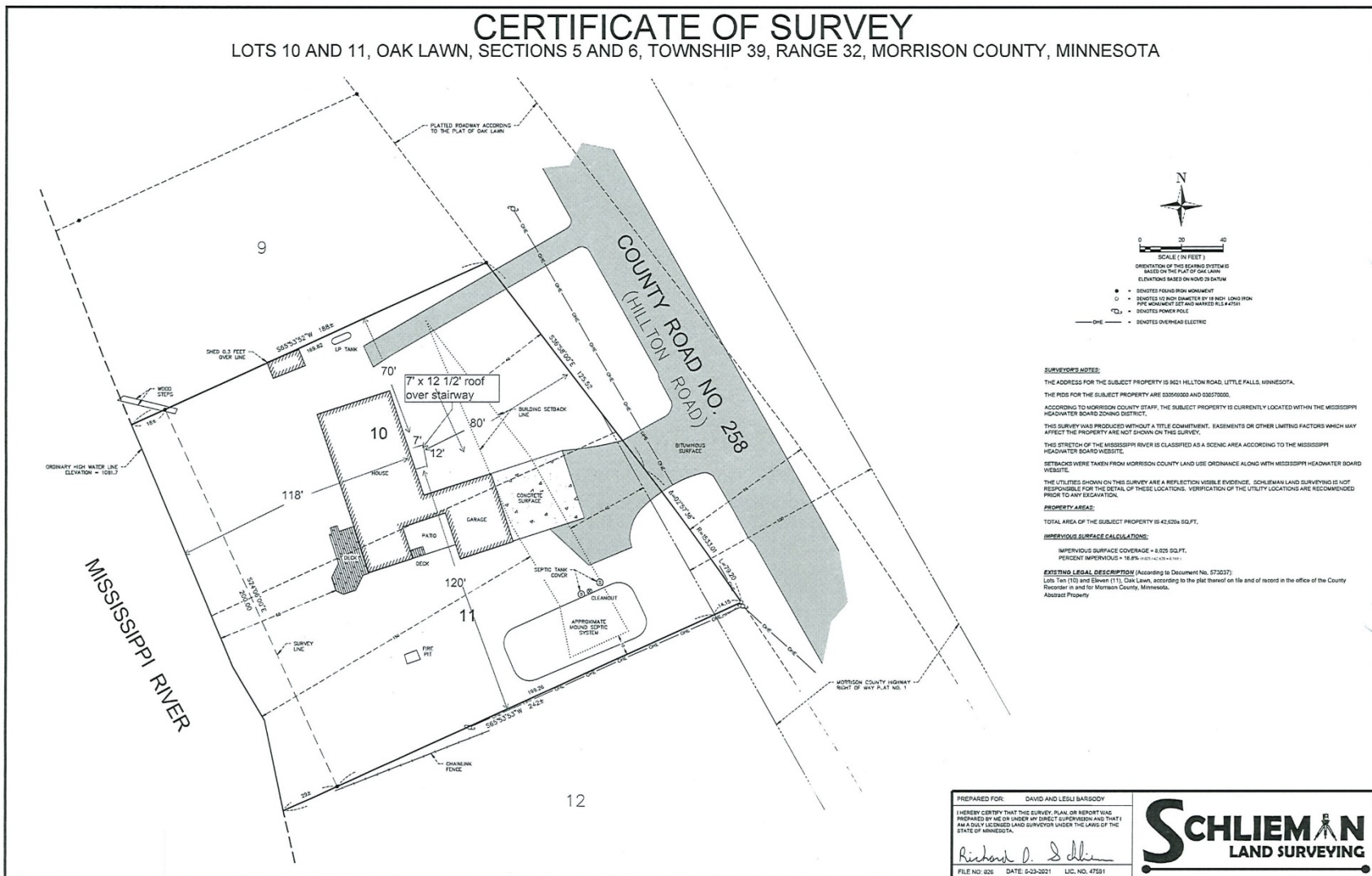
## Background Information Landowner Variance Request

State Statutes section 394.27 provides the property owner the right to apply for relief from the strict enforcement of the county land use ordinance. An area variance may be granted only where the strict enforcement of county zoning controls will result in "practical difficulty." A determination that a "practical difficulty" exists is based upon the consideration of the criteria listed below. For each of the criteria below, please answer the question as completely as possible.

1. Is the variance request in harmony with the general purpose & intent of the Morrison County Land Use Control Ordinance and Comprehensive Plan?  
Yes, the small roof addition does not increase impervious surface coverage. The roof will be on the road side opposite the river. Many homes along Hilton Rd have roofs over their front entries to their homes. This will fit right in.
2. Is the variance request proposing to use the property in a reasonable manner not permitted by the Land Use Ordinance?  
Yes, Again the roof will not add to the impervious coverage. The small, Post Framed Roof, will fit right in with the home.
3. Will the requested variance maintain the character of the neighborhood?  
Yes, As I drive Hilton Rd, most homes have a roof over their front entry. The Post Frame Roof will look great in the neighborhood.
4. Is the practical difficulty due to circumstances unique to the property?  
Yes, our home is considered a nonconforming structure in the Mississippi River Waters jurisdiction. The home needed a variance when it was built and now we need a variance to add small roof over the entry.
5. How did the need for the variance arise? Is the need for the variance created by actions other than the current owner or prior landowners?  
The need arose due to mother nature. With no protection the stone stairs do not last much more than 10 years.
6. Does the practical difficulty involve more than just economic considerations?  
Yes, protecting the entry from snow and rain will make it safer.

# CERTIFICATE OF SURVEY

LOTS 10 AND 11, OAK LAWN, SECTIONS 5 AND 6, TOWNSHIP 39, RANGE 32, MORRISON COUNTY, MINNESOTA



- ORIENTATION OF THE BEARING SYSTEM IS BASED ON THE PLAT OF OAK LAWN. ELEVATIONS BASED ON NAVD 28 DATUM
- DOTTED ROUND IRON MONUMENT
  - DOTTED 1/2" ROD DIAMETER BY 18" INCH LONG IRON PIPE W/ WOODEN LEEB AND MARKED PLS #7551
  - DOTTED POWER POLE
  - DOTTED OVERHEAD ELECTRIC

**SURVEYOR'S NOTES:**

THE ADDRESS FOR THE SUBJECT PROPERTY IS 9621 HILLTON ROAD, LITTLE FALLS, MINNESOTA.

THE PDS FOR THE SUBJECT PROPERTY ARE 03069000 AND 03070000.

ACCORDING TO MORRISON COUNTY STAFF, THE SUBJECT PROPERTY IS CURRENTLY LOCATED WITHIN THE MISSISSIPPI HEADWATER BOARD ZONING DISTRICT.

THIS SURVEY WAS PRODUCED WITHOUT A TITLE COMMITMENT. EASEMENTS OR OTHER LIMITING FACTORS WHICH MAY AFFECT THE PROPERTY ARE NOT SHOWN ON THIS SURVEY.

THIS STRETCH OF THE MISSISSIPPI RIVER IS CLASSIFIED AS A SCENIC AREA ACCORDING TO THE MISSISSIPPI HEADWATER BOARD WEBSITE.

SETBACKS WERE TAKEN FROM MORRISON COUNTY LAND USE ORDINANCE ALONG WITH MISSISSIPPI HEADWATER BOARD WEBSITE.

THE UTILITIES SHOWN ON THIS SURVEY ARE A REFLECTION OF VISIBLE EVIDENCE. SCHLIEMAN LAND SURVEYING IS NOT RESPONSIBLE FOR THE DETAIL OF THESE LOCATIONS. VERIFICATION OF THE UTILITY LOCATIONS ARE RECOMMENDED PRIOR TO ANY EXCAVATION.

**PROPERTY AREA:**

TOTAL AREA OF THE SUBJECT PROPERTY IS 42,026.9 SQ. FT.

**IMPERVIOUS SURFACE CALCULATIONS:**

IMPERVIOUS SURFACE COVERAGE = 8,039 SQ. FT.

PERCENT IMPERVIOUS = 19.1% (8,039 / 42,026.9)

**EXISTING LEGAL DESCRIPTION** (According to Document No. 572037):  
Lots Ten (10) and Eleven (11), Oak Lawn, according to the plat thereon in file and of record in the office of the County Recorder in and for Morrison County, Minnesota.  
Abstract Property

PREPARED FOR: DAVID AND LESLI BARGODY

I HEREBY CERTIFY THAT THE SURVEY, PLAN, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.

*Richard D. Schlieman*

FILE NO. 026 DATE: 9-23-2021 LIC. NO. 47591



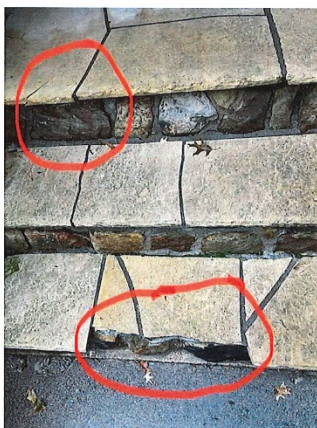
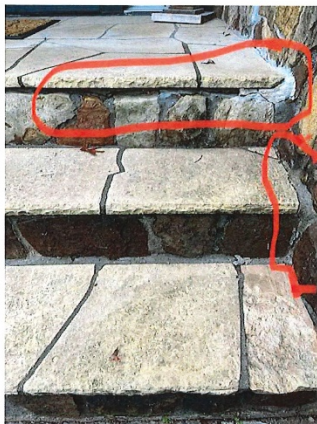


Front porch being repaired in 2010





Current Pictures showing Damage



Current Pictures showing Damage





030568000

030569000

*Bellevue*

030570000

030571000

HILLTON RD

258











10/21/2022





Welcome  
to the  
Barscays

10/21/2022





10/21/2022



# STAFF REPORT

- THE PROPERTY IS IN SECTION 6 OF BELLEVUE TOWNSHIP. IT IS ON THE MISSISSIPPI RIVER AND WITHIN THE OAK LAWN SUBDIVISION WHICH WAS ESTABLISHED IN 1962. IT IS A NON-CONFORMING SINGLE LOT (LESS THAN FIVE ACRES AND 330 FEET WIDE). THE PROPERTY IS 212 FEET WIDE AND 39,450 SQUARE FEET.
- THE FIRST MISSISSIPPI HEADWATERS BOARD STANDARDS WENT INTO EFFECT IN 1981. THE REQUIRED SETBACK FROM THE RIVER IS 150 FEET. THE SHORE IMPACT ZONE IS THE FIRST 100 FEET FROM THE RIVER.



# STAFF REPORT

- ZONING HISTORY ON THE PROPERTY INCLUDES:
  - 1983: VARIANCE TO ERECT A YEAR-ROUND HOME 90 FEET FROM THE ORDINARY HIGH WATER MARK OF THE MISSISSIPPI RIVER WITH THE STIPULATION THAT THE MOBILE HOME BE PERMANENTLY REMOVED FROM THE PROPERTY.
  - 1992: PERMIT TO ENCLOSE EXISTING 16' X 22' DECK

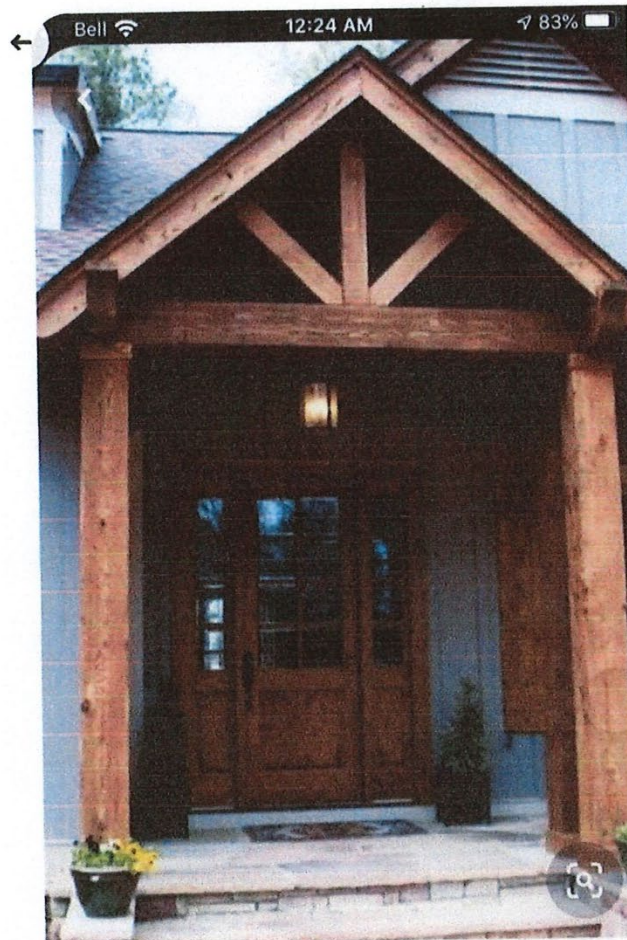


# STAFF REPORT

- THE APPLICANT IS REQUESTING TO CONSTRUCT A ROOF OVER THE EXISTING ENTRY ON THE ROADSIDE OF THE HOME, DUE TO ONGOING DAMAGE TO THE STONE STEPS (SEE APPLICANT'S SUBMITTED PHOTOS). THE ROOF WOULD BE APPROXIMATELY 118 FEET FROM THE RIVER.

STA

Example of what we want it to look like




...  

Uploaded by Cryst


Note to self

What do you want to remen

1 comment 

 sculy31 what is the please?

ly Reply React

 Add a comm



# STAFF REPORT

- THE IMPERVIOUS SURFACE IS 18.8 %; 25% IMPERVIOUS SURFACE IS ALLOWED.
- THE APPLICANT ATTENDED A DRT MEETING



# STAFF REPORT

- APPLICABLE COMPREHENSIVE LAND USE PLAN GOALS:

## NATURAL RESOURCES AND OPEN SPACES

GOAL C2: PRESERVE NATURAL RESOURCES IDENTIFIED AS CRITICAL AND SENSITIVE INCLUDING WILDLIFE HABITATS, WETLANDS, FOREST LANDS, ETC., WITHIN MORRISON COUNTY.

## SHORELAND DEVELOPMENT

GOAL D1: WORK TO ENSURE THAT DEVELOPMENT OCCURRING WITHIN THE COUNTY'S WATERSHEDS IS DONE IN A THOUGHTFUL AND DELIBERATE MANNER SO AS TO BALANCE ENVIRONMENTAL, SOCIAL AND ECONOMIC GOALS TO THE GREATEST EXTENT POSSIBLE.



# STAFF REPORT

- APPLICABLE MORRISON COUNTY COMPREHENSIVE WATER PLAN GOALS AND OBJECTIVES:

SURFACE WATER GOAL: TO PROTECT, ENHANCE AND MAINTAIN THE QUALITY OF ALL SURFACE WATERS IN MORRISON COUNTY (LAKES, RIVERS, STREAMS AND WETLANDS)

OBJECTIVE B: ENSURE THAT LAND USE DECISIONS FOR SHORELAND DEVELOPMENT TAKE ENVIRONMENTAL IMPACTS AND CLIMATE CHANGE INTO CONSIDERATION

LAND USE AND DEVELOPMENT GOAL: TO ENSURE THAT LAND USE DECISIONS ARE COMPATIBLE WITH NATURAL RESOURCE PROTECTION

OBJECTIVE B: ENSURE THAT LAND USE DECISIONS FOR SHORELAND DEVELOPMENT AND PLAT DEVELOPMENT TAKE ENVIRONMENTAL IMPACTS INTO CONSIDERATION

OBJECTIVE D: REDUCE THE LOSS OF NATURAL HABITAT AND ENHANCE NATURAL HABITAT COMMUNITIES WHEN POSSIBLE



# NOTICE AND CORRESPONDENCE

- 62 NOTICES WERE SENT; NO COMMENT WAS RECEIVED PRIOR TO THE PUBLIC HEARING



# FINDING OF FACT & DECISION QUESTIONS

IS THE REQUEST IN HARMONY WITH THE GENERAL PURPOSES AND INTENT OF THE MORRISON COUNTY LAND USE ORDINANCE AND COMPREHENSIVE PLAN?

IS THE APPLICANT PROPOSING TO USE THE PROPERTY IN A REASONABLE MANNER NOT PERMITTED BY THE LAND USE ORDINANCE?

WILL THE ISSUANCE OF THE VARIANCE MAINTAIN THE ESSENTIAL CHARACTER OF THE LOCALITY?

IS THE ALLEGED PRACTICAL DIFFICULTY DUE TO CIRCUMSTANCES UNIQUE TO THE PROPERTY?

IS THE NEED FOR THE VARIANCE CREATED BY ACTIONS OTHER THAN THE LANDOWNER OR PRIOR LANDOWNERS?

DOES THE ALLEGED PRACTICAL DIFFICULTY INVOLVE MORE THAN ECONOMIC CONSIDERATIONS?



MORRISON COUNTY

RECEIVED

SEP 28 2022

Morrison County will provide cost effective, high quality services to county residents in a friendly and respectful manner.

MORRISON COUNTY LAND SERVICES

Land Services Department

213 1st Avenue S.E., Little Falls, MN 56345

Telephone (320) 632-0170

Toll Free 866-401-1111

All Public Hearings will be held in the County Board Room of the Government Center.

# Variance Request

Name of Applicant: David and Lesli Barsody

Address: 9621 Hillton Rd

City: Little Falls State: MN Zip: 56345

Property Address: 9621 Hillton Rd

City: Little Falls State: MN Zip: 56345

E-Mail Address: d1barsody@frontiernet.net

Parcel Number: 03.0569.000 Phone: 612-219-2252  
03.0570.000

Sec: 5 & 6 Twp: 39 Range: 32 Twp. Name: BelleVue

Lake/River Name: Mississippi

Legal Description: subdivision name oak lawn lot 11 subdivision cd 03002  
subdivision name oak lawn lot 10 subdivision cd 03002

**(ATTACH A COPY OF YOUR LEGAL DESCRIPTION OFF YOUR DEED)**

## TWO SEPARATE CHECKS ARE REQUIRED

Public Hearing Fee: (Non-returnable) \$ 600.00 <sup>#2114</sup> to MORRISON COUNTY TREASURER.

Recording Fee: (Non-returnable) \$ 46.00 <sup>#4120</sup> to MORRISON COUNTY TREASURER.  
(If the property is in Abstract & Torrens two (2) recording fees will be required)

\*\*\*\* APPLICATION WILL NOT BE PROCESSED UNLESS ALL THE REQUIRED FORMS ARE COMPLETED AND FEES PAID BY THE DEADLINE DATE.

AGREEMENT: I hereby certify that I am the owner of the herein described property, or, have the written permission of the owner, and that the information contained herein is accurate.

David Barsody  
SIGNATURE

9-27-22  
DATE



**Please explain your request in detail:**

The Main Entrance door to the home is made of stone to match the rest of the home. The main door is on the roadside of the home / the back of the home, opposite the river side. The stone stairway is deteriorating from the elements. The stairway was re-constructed 10 years ago for the same reason. We would like to put a roof over the stairway, before we repair them, to protect them from the elements. Most homes along Hillen Rd have roofs over there stairways. Currently the area is impervious - so we will not be increasing our impervious area.

**Please explain your practical difficulty:**

Our home falls in the Mississippi Headwaters Jurisdiction. Our home is considered non conforming. I know repairing the stairway will cost several thousand dollars, and this expense every 10 years, is a lot. And being the main entrance to the home, it is dangerous for visitors and ourselves.

Variations shall only be permitted when they are in harmony with the general purposes and intent of the ordinance and when the variations are consistent with the comprehensive plan. Variations may be granted when the applicant for the variance establishes that there are practical difficulties in complying with the zoning ordinance. "Practical difficulties," as used in connection with the granting of a variance, means that the property owner proposes to use the property in a reasonable manner not permitted by the zoning ordinance; the plight of the landowner is due to circumstances unique to the property not created by the landowner; and the variance, if granted, will not alter the essential character of the locality. Economic considerations alone do not constitute practical difficulties. Practical difficulties include, but are not limited to, inadequate access to direct sunlight for solar energy systems. The board or governing body as the case may be may impose conditions in the granting of variations. A condition must be directly related to and must bear a rough proportionality to the impact created by the variance.



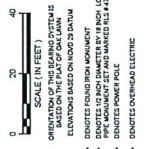
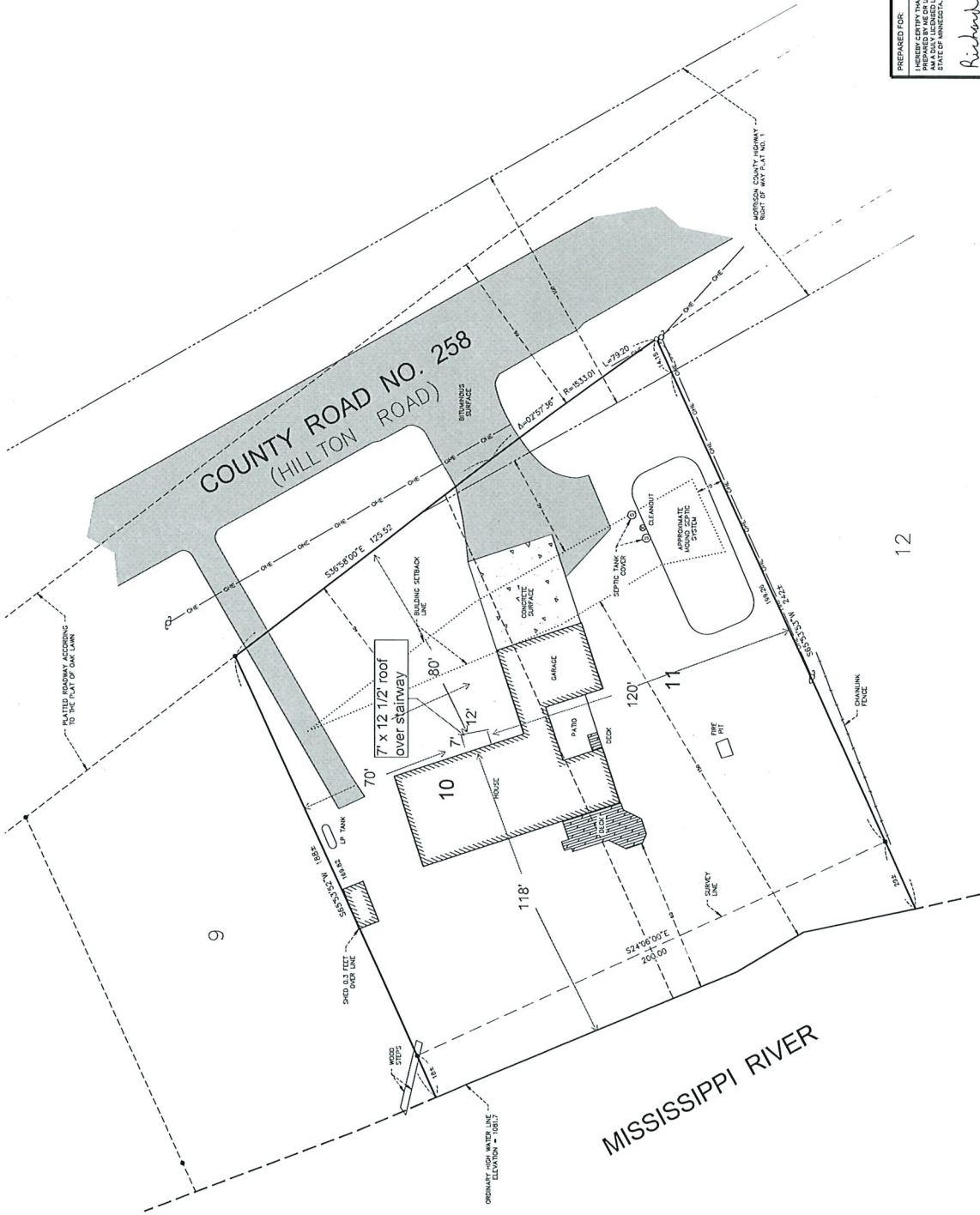
## Background Information Landowner Variance Request

State Statutes section 394.27 provides the property owner the right to apply for relief from the strict enforcement of the county land use ordinance. An area variance may be granted only where the strict enforcement of county zoning controls will result in "practical difficulty." A determination that a "practical difficulty" exists is based upon the consideration of the criteria listed below. For each of the criteria below, please answer the question as completely as possible.

1. Is the variance request in harmony with the general purpose & intent of the Morrison County Land Use Control Ordinance and Comprehensive Plan?  
Yes, the small roof addition does not increase impervious surface coverage. The roof will be on the road side opposite the river. Many homes along Hilton Rd have roofs over their front entries to their homes. This will fit right in.
2. Is the variance request proposing to use the property in a reasonable manner not permitted by the Land Use Ordinance?  
Yes, Again the roof will not add to the impervious coverage. The small, Post Framed Roof, will fit right in with the home.
3. Will the requested variance maintain the character of the neighborhood?  
Yes, As I drive Hilton Rd, most homes have a roof over their front entry. The Post Frame Roof will look great in the neighborhood.
4. Is the practical difficulty due to circumstances unique to the property?  
Yes, our home is considered a nonconforming structure in the Mississippiheadwaters jurisdiction. The home needed a variance when it was built and now we need a variance to add small roof over the entry.
5. How did the need for the variance arise? Is the need for the variance created by actions other than the current owner or prior landowners?  
The need arose due to mother nature. With no protection the stone stairs do not last much more than 10 years.
6. Does the practical difficulty involve more than just economic considerations?  
Yes, protecting the entry from snow and rain will make it safer.

# CERTIFICATE OF SURVEY

LOTS 10 AND 11, OAK LAWN, SECTIONS 5 AND 6, TOWNSHIP 39, RANGE 32, MORRISON COUNTY, MINNESOTA



**BACKGROUND NOTE:**  
 THE ADDRESS FOR THE SUBJECT PROPERTY IS 1821 HILLTON ROAD, LITTLE FALLS, MINNESOTA.  
 THE PINS FOR THE SUBJECT PROPERTY ARE 02000000 AND 02000000.  
 ACCORDING TO MORRISON COUNTY STAFF, THE SUBJECT PROPERTY IS CURRENTLY LOCATED WITHIN THE MISSISSIPPI HEADWATER BOARD ZONING DISTRICT.  
 THE MISSISSIPPI HEADWATER BOARD ZONING DISTRICT IS A SPECIAL USE ZONING DISTRICT.  
 THE STRETCH OF THE MISSISSIPPI RIVER IS CLASSIFIED AS A SPECIAL AREA ACCORDING TO THE MISSISSIPPI HEADWATER BOARD WEBSITE.  
 SETBACKS WERE TAKEN FROM MORRISON COUNTY LAND USE ORDINANCE ALONG WITH MISSISSIPPI HEADWATER BOARD WEBSITE.  
 THE UTILITIES SHOWN ON THE SURVEY ARE A REFLECTION OF THE RECORDS. THE SURVEYOR HAS CONDUCTED VISUAL INSPECTION OF THE PROPERTY AND HAS NOT CONDUCTED ANY TESTS TO VERIFY THE LOCATION, DEPTH OR TYPE OF UTILITIES. THE LOCATION OF UTILITIES IS NOT GUARANTEED.  
 PROPERTY AREA:  
 TOTAL AREA OF THE SUBJECT PROPERTY IS 6.229 ACRES.  
 IMPERVIOUS SURFACE CALCULATIONS:  
 IMPERVIOUS SURFACE COVERAGE = 8,020 SQ. FT.  
 PERCENT IMPERVIOUS = 12.8% (8,020 / 62,600 x 100)

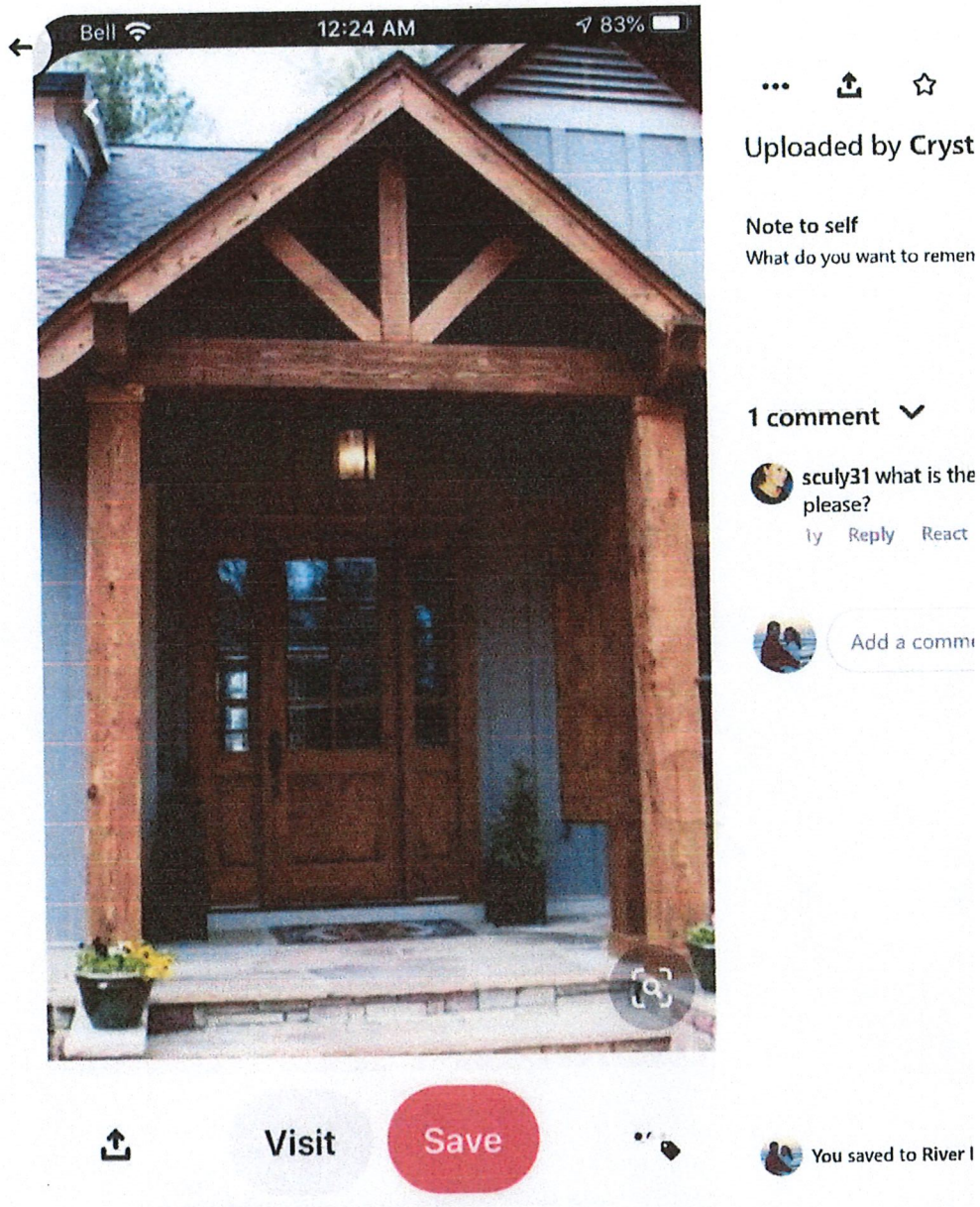
**EXISTING LEGAL DESCRIPTION:** (According to Document No. 573037)  
 THE SURVEY IS A REFLECTION OF THE RECORDS. THE SURVEYOR HAS CONDUCTED VISUAL INSPECTION OF THE PROPERTY AND HAS NOT CONDUCTED ANY TESTS TO VERIFY THE LOCATION, DEPTH OR TYPE OF UTILITIES. THE LOCATION OF UTILITIES IS NOT GUARANTEED.  
 Abstract Property

PREPARED FOR: DAVID AND LESLI BARSDOY  
 THE SURVEYOR HAS CONDUCTED VISUAL INSPECTION OF THE PROPERTY AND HAS NOT CONDUCTED ANY TESTS TO VERIFY THE LOCATION, DEPTH OR TYPE OF UTILITIES. THE LOCATION OF UTILITIES IS NOT GUARANTEED.  
 Richard D. Schlieman  
 FILE NO. 028 DATE 5-23-2021 LIC. NO. 47531

**SCHLIEMAN**  
 LAND SURVEYING



Example of what we want it to look like



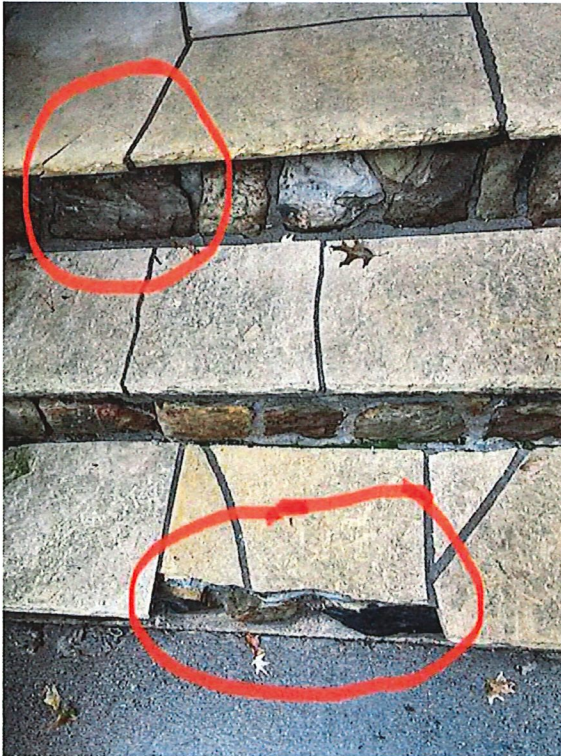
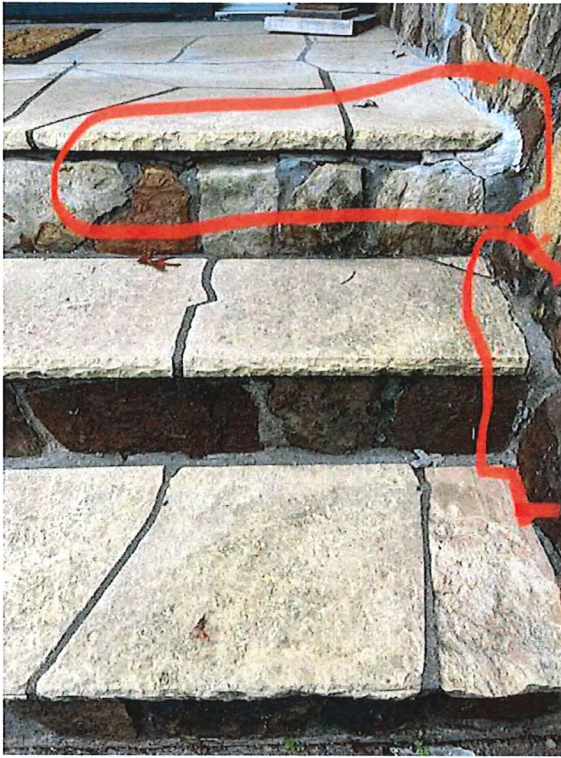


Front porch being repaired in 2010



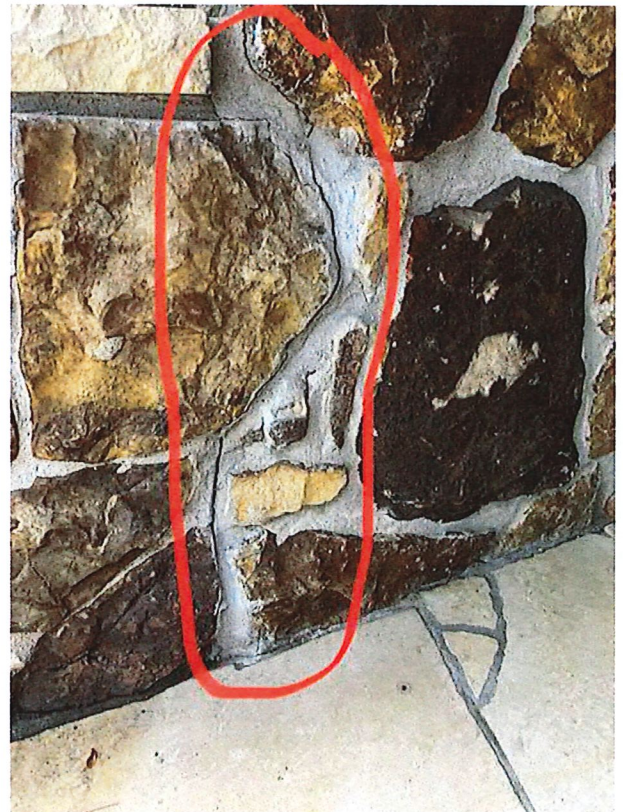
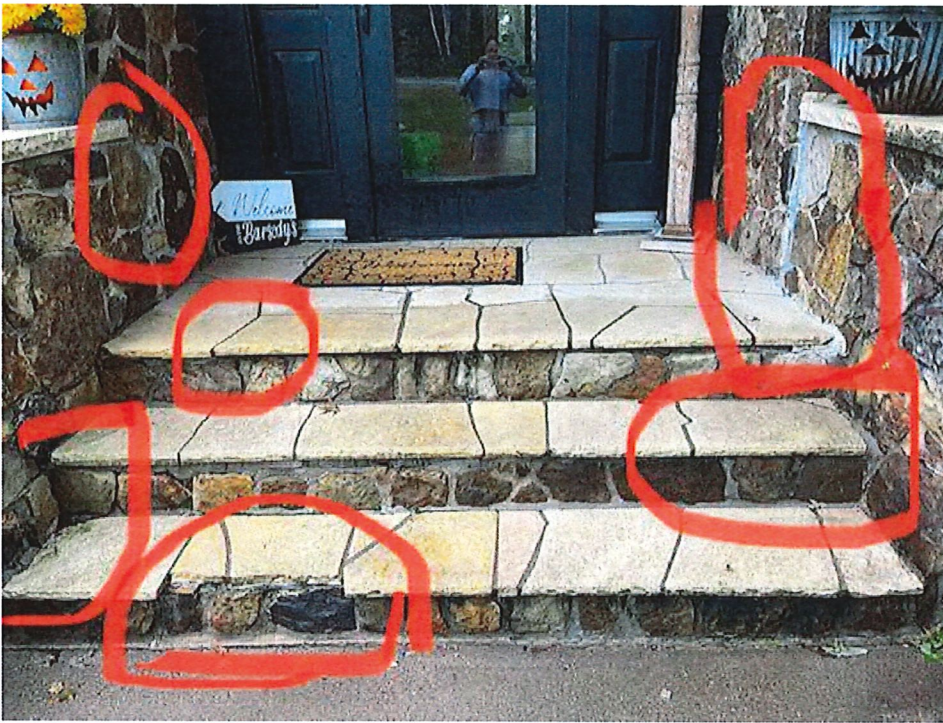


Current Pictures showing Damage





Current Pictures, showing  
Damage





# Impervious Surface Calculation

This calculation sheet is a necessary attachment for all land use permit applications and variance applications in the shoreland zoning district. Because of the impact of storm water runoff, the Morrison County Zoning Ordinance limits the amount of impervious surface coverage. Impervious surfaces include constructed or other hard surface that either prevents or retards the entry of water into the soil and causes the water to run off the surface in greater quantities at an increased rate of flow. Examples include gravel, concrete, or asphalt rooftops, sidewalks, patios, driveways, parking areas, storage areas, or areas of hardscaping.

Lot Dimensions: \_\_\_\_\_ X \_\_\_\_\_ Lot Sq.Ft. 42620

Use the following Table to Calculate Total Impervious Surface Area:  
**\*\* All structure dimensions must be measured from roof eaves\*\***

Impervious Surface Item	Structure Dimensions	Total Area (ft <sup>2</sup> )
Proposed or Existing House		
Proposed House Addition		
Existing Garage(s) or Accessory Buildings		
Proposed Garage or Accessory Buildings		
Boat House and/or Ramp		
Sidewalk(s)		
Patio(s)		
Deck(s)		
Driveway and Parking Area Including Gravel Surfaced Areas		
Other		
Other		
Other		
Total Impervious Surface		

$$\frac{8025}{42620} \times 100 = 18.8\%$$

Total impervious surface                      total lot sq. ft.                      percent impervious surface

*I certify that the above information is true and accurate to the best of my knowledge and that I have included all existing or proposed impervious surfaces on my property. I understand that if the percentage of total impervious surface is greater than the allowance, a variance will be required as part of my application.*

*Daniel Bausecky*  
 Signature of Applicant

9-27-22  
 Date

Attach additional sheet as necessary

Applicant Name David & Lesli Barsody

Figure 1

Date 09/26/2022

Item Number 3

Parcel Number (s) 03.0569.000 & 03.0570.000

## DRT (Development Review Team) Checklist

Surrounding Land Uses

Site Plan

Wetlands if Applicable

Conditional Use Packet

Variance Packet

Rezone Packet

Interim Packet

Subdivision Packet

Public Hearing Dates

Public Hearing Process

Other

### Attended By:

1. Amy Kowalzek
2. Mark Anderson - DNR
3. Shannon Wettstein - SWCD
4. Sharon Peterson
- 5.
- 6.
- 7.
- 8.

**Request:** Add a roof onto a non-conforming structure

### Items of Discussion

The structure does not meet the 150' setback to the river. This roof area will be 7' x 12.5' over front stairs. The area the roof will be placed is 118' from the Mississippi River. Looked into a different method of replacing the area. The front of the home has alot of stone work so something else may change to look of the home. This is a minor request. No further encroachment into the setback from the river. Our BOA is the first step in the process of a variance when it is on the Mississippi River. If our BOA grants the variance it will then go to the Mississippi River Headwaters Board for final approval or denial. Normally when our BOA grants the request with good findings the MHB will also approve the request. There is no more pressure on the river and does not include more living space. The BOA views the property. The questions in the packet are the same questions the BOA will answer to determine if they approve or deny.



**Board of Adjustment Findings  
(PID 03.0569.000)**

**Applicant:** David and Lesli Barsody

**Variance Request:** Expand a nonconforming structure

**Date of Hearing:** October 25, 2022

The property is in Section 6 of Bellevue Township. It is on the Mississippi River and within the Oak Lawn subdivision which was established in 1962. It is a non-conforming single lot (less than five acres and 330 feet wide). The property is 212 feet wide and 39,450 square feet.

The first Mississippi Headwaters Board standards went into effect in 1981. The required setback from the river is 150 feet. The shore impact zone is the first 100 feet from the river.

Zoning history on the property includes:

- 1983: Variance to erect a year-round home 90 feet from the Ordinary High Water Mark of the Mississippi River with the stipulation that the mobile home be permanently removed from the property.
- 1992: Permit to enclose existing 16' x 22' deck

The applicant is requesting to construct a roof over the existing entry on the roadside of the home, due to ongoing damage to the stone steps. The roof would be approximately 118 feet from the river.

The impervious surface is 18.8 %; 25% impervious surface is allowed.

The applicant attended a DRT meeting.

Applicable Comprehensive Land Use Plan Goals:

Natural Resources and Open Spaces

Goal C2: Preserve natural resources identified as critical and sensitive including wildlife habitats, wetlands, forest lands, etc., within Morrison County.

Shoreland Development

Goal D1: Work to ensure that development occurring within the County's watersheds is done in a thoughtful and deliberate manner so as to balance environmental, social and economic goals to the greatest extent possible.

Applicable Morrison County Comprehensive Water Plan Goals and Objectives:

Surface Water Goal: To protect, enhance and maintain the quality of all surface waters in Morrison County (lakes, rivers, streams and wetlands)

Objective B: Ensure that land use decisions for shoreland development take environmental impacts and climate change into consideration

Land Use and Development Goal: To ensure that land use decisions are compatible with natural resource protection

Objective B: Ensure that land use decisions for shoreland development and plat development take environmental impacts into consideration

Objective D: Reduce the loss of natural habitat and enhance natural habitat communities when possible

Five members of the Board of Adjustment viewed the property prior to the public hearing.

A plat map, aerial photographs, figures and site photographs were presented to the board.

62 notices were mailed; no comment was received prior to and at the public hearing.

Five members of the Board of Adjustment were present at the hearing

The Board of Adjustment discussed the following at the public hearing:

- The site slopes towards the road and the home is guttered
- Proposed roof peak would be lower than the existing roof peak
- Shoreline is natural and well vegetated

The following factors for consideration of a practical difficulty were:

1. Is the request in harmony with the general purpose and intent of the Morrison County Land Use Ordinance and Comprehensive Plan.
2. Is the applicant proposing to use the property in a reasonable manner not permitted by the Land Use Ordinance.
3. Will the issuance of the variance maintain the essential character of the locality.
4. Is the alleged practical difficulty due to circumstances unique to the property.
5. Is the need for the variance created by actions other than the landowner or prior landowners.
6. Does the alleged practical difficulty involve more than just economic considerations



## Conclusions

1. The Morrison County Board of Adjustment found the request is in harmony with the intent of the Comprehensive Plan and Land Use Ordinance. No additional impervious surface is proposed. This is mainly a repair and replacement project with an enhancement to avoid the need for constant repair. This addition is on the street side of the home and nothing additional is proposed between the home and the river. (5) yes (0) no
2. The Board of Adjustment found the applicant is proposing to use the property in a reasonable manner not permitted by the Land Use Ordinance. This is a modest addition to protect the entry steps, so they do not need to be replaced so often. The addition will not be enclosed and no additional living space is proposed. (5) yes (0) no
3. The Board of Adjustment found the issuance of the variance will maintain the essential character of the locality. There are similar homes in the area and some with covered entries. This project does not impact the riverside of the property. (5) yes (0) no
4. The Board of Adjustment found the alleged practical difficulty is due to circumstances unique to the property. The need to repair the steps creates this practical difficulty. The material the steps were built from compounded by MN weather creates the need for an enhanced improvement. (5) yes (0) no
5. The Board of Adjustment found the need for the variance is created by actions other than the landowner or prior landowners. MN weather impacts the steps and house materials and that creates the need for a covered entry. (5) yes (0) no
6. The Board of Adjustment found the alleged practical difficulty does involve more than just economic considerations. This request is about preservation and repair of the property to prevent further and ongoing damage. This is an expensive fix to a water issue. (5) yes (0) no

Based on the findings and the criteria as stated in Minnesota Statutes 394.27, a motion was made by Dave Brutscher, and seconded by Brent Lindgren to grant the variance request to construct a 7' x 12' roofed entryway on the east (road) side of the dwelling.

---

Chair  
Morrison County Board of Adjustment

---

Date

**APPLICANT:** David and Lesli Barsody

**LOCATION:** 9621 Hillton Road – Little Falls

**EXISTING ZONING:** Mississippi Headwaters Board

**DATE OF HEARING:** October 25, 2022

**APPLICATION SUBMITTED:** Variance to expand a nonconforming structure

**COUNTY ZONING ORDINANCE REQUIREMENT:** 301.6 a, 706.3, MHB F1

**STAFF REPORT:**

The property is in Section 6 of Bellevue Township. It is on the Mississippi River and within the Oak Lawn subdivision which was established in 1962. It is a non-conforming single lot (less than five acres and 330 feet wide). The property is 212 feet wide and 39,450 square feet.

The first Mississippi Headwaters Board standards went into effect in 1981. The required setback from the river is 150 feet. The shore impact zone is the first 100 feet from the river.

Zoning history on the property includes:

- 1983: Variance to *erect a year-round home 90 feet from the Ordinary High Water Mark of the Mississippi River with the stipulation that the mobile home be permanently removed from the property.*
- 1992: Permit to enclose existing 16' x 22' deck

The applicant is requesting to construct a roof over the existing entry on the roadside of the home, due to ongoing damage to the stone steps (see applicant's submitted photos). The roof would be approximately 118 feet from the river.

The impervious surface is 18.8 %; 25% impervious surface is allowed.

The applicant attended a DRT meeting – **See Figure 1**

Applicable Comprehensive Land Use Plan Goals:

**Natural Resources and Open Spaces**

Goal C2: Preserve natural resources identified as critical and sensitive including wildlife habitats, wetlands, forest lands, etc., within Morrison County.

**Shoreland Development**

Goal D1: Work to ensure that development occurring within the County's watersheds is done in a thoughtful and deliberate manner so as to balance environmental, social and economic goals to the greatest extent possible.



Applicable Morrison County Comprehensive Water Plan Goals and Objectives:

**Surface Water Goal:** To protect, enhance and maintain the quality of all surface waters in Morrison County (lakes, rivers, streams and wetlands)

**Objective B:** Ensure that land use decisions for shoreland development take environmental impacts and climate change into consideration

**Land Use and Development Goal:** To ensure that land use decisions are compatible with natural resource protection

**Objective B:** Ensure that land use decisions for shoreland development and plat development take environmental impacts into consideration

**Objective D:** Reduce the loss of natural habitat and enhance natural habitat communities when possible

## **Action/Discussion**

1 Watershed 1Plan and MHB

Enbridge Payment Acknowledgement- action

December meeting date?- action

Executive Directors report- Discussion



**Attachment A**  
**Supplemental Environmental Projects**

<b><u>Project</u></b>	<b>Total Cost</b>	<b>Description</b>	<b>Notes</b>
<b><u>Clear Creek - Nemadji River watershed</u></b>	\$842,451	Clear Creek, a trout stream - extensive culvert alignment, 35 tons of sediment/year, 35 pounds/phosphorus/year reduction. Carlton SWCD	Clear Creek is an important trout stream in the Nemadji Watershed. Currently, fish passage at the CSAH 4 culvert is impossible during all but the highest flows because the stream flows under the culvert, removing access to almost 2 miles of coldwater headwaters. In addition, approximately 35 tons of sediment are eroded into the stream each year due to the poor alignment and placement of the culvert. Clear Creek is impaired for TSS downstream of the structure, along with aquatic macroinvertebrates and fish. The public has told us there were historic fishing opportunities in Clear Creek that have been lost due to undersized structures.
<b><u>Spring Creek - Nemadji River watershed</u></b>	\$80,086	Spring Creek, a trout stream - extensive culvert alignment, 35 tons of sediment/year, 35 pounds/phosphorus/year reduction. Carlton SWCD	Spring Creek and County Road 104: Spring Creek is a high quality brook trout stream in the Nemadji watershed. It is an important cold water tributary to the Blackhoof River, the watershed's best known trout stream. A series of undersized and perched culverts are significantly affecting aquatic organism passage and causing approximately 35 tons of sediment annually. The stream is not currently impaired, but is a stream we wish to protect due to its trout populations.

<b><u>Leech Lake River, Cass County</u></b>	\$200,000	Urban stormwater analysis for the Leech Lake River Comprehensive Watershed Management Plan. The stormwater projects were identified within communities in the watershed, and a cost benefit analysis was done. Two projects ready to move forward in 2023: Longville and Federal Dam.	The Longville and Federal Dam project could be ready to go by mid-summer. These projects came out from a 1W1P project that did stormwater assessments for those 4 cities.
<b><u>Hines Lake (Hubbard County)</u></b>	\$30,000	Stormwater project—sediment entering lake from road and public access erosion	Construction could be completed in 2023 if funding is received.
<b><u>Hellcamp Creek (Hubbard County)</u></b>	\$15,000	Improving road crossing to allow fish (Natural Spawning Native Trout) crossing for spawning; Project is in design.	Could be executed in 2023 if funding is received.
<b><u>Beach Drive by Second Crow Wing Lake (Hubbard County)</u></b>	\$55,000	High amount of runoff that washes out road leading to sediment/nutrients ending up in 2nd Crow Wing Lake. Project has been designed. Awaiting funding. Working with Crow Wing Lake Township	Could be executed in 2023 if funding is received.
<b><u>Newfolden FDR Project-MSTRWD</u></b>	\$800,000	Provide for better movement of flood waters to not impact city of Newfolden, improve bank stability and water quality	
<b><u>Grade Stabilization Structures (410) Project in RLF Twp. Section 14 - CSAH 19 (Contract with Red Lake County)</u></b>	\$46,625	Red Lake River IWIP – Red Lake County SWCD Project List	Joint project with Red Lake County Highway Dept and Red Lake Co SWCD. Replace culvert under CSAH 19, add erosion control measures
<b><u>Voyager's View in Red Lake River Section 15</u></b>	\$17,300	Red Lake River IWIP – Red Lake County SWCD Project List	Streambank and shoreland protection project along 600 feet of eroded streambank on the Red Lake River
<b><u>Grade Stabilization Projects (3) - RLF Twp. Sect 21</u></b>	\$4,300	Red Lake River IWIP – Red Lake County SWCD Project List	Three grade stabilization projects that will reduce runoff velocity and sediment into the Red Lake River



<b><u>Grade Stabilization Structure (410) - Louisville 34</u></b>	\$12,500	Red Lake River IWIP – Red Lake County SWCD Project List	Replace grade stabilization structure that has reached the end of its life new drop structure and riprap
<b><u>Grade Stabilization Project - Gervais Section 8</u></b>	\$11,500	Red Lake River IWIP – Red Lake County SWCD Project List	Replace old drop structure and outlet pipe to stabilize area before it enters the Red Lake River
<b><u>Red Lake County Ditch 62 Outlet Stabilization - River Township Section 32</u></b>	\$17,400	Red Lake River IWIP – Red Lake County SWCD Project List	Replace old ditch outlet pipe with new cement culvert and riprap to protect downstream outlet ditch
<b><u>Grade Stabilization Project - Lake Pleasant Section 15</u></b>	\$9,400	Red Lake River IWIP – Red Lake County SWCD Project List	Replace old drop structure and outlet pipe to stabilize area before it enters the Red Lake River
<b><u>Keene Creek Park Culvert-Okerstrom Road (City of Hermantown)</u></b>	\$70,000	Joint project with MN Trout Unlimited and South St. Louis SWCD	Total funding needed up to \$315,000 but grant funding application also pending.
<b><u>Beltrami County Natural Resource Management Department</u></b>	\$13,570	Add erosion control and safety measures to steep embankment on Mississippi River	Install 30 timbers parallel to river to fix erosion and safety issues on Government Lot 3 of Section 23-T146N-R32W (Frohn Township), that is located on a steep hillside and as a result of lack of vegetation, is depositing sand and sediment into the Mississippi River. The depositing of sand/sediment degrades the fisheries habitat, especially pike and muskies, in that area of the river.

<b><u>Beltrami County</u></b>	\$250,000	Project is located within the Clearwater River, a designated trout stream, near the city of Pinewood in Buzzle Township, Beltrami County. The primary objective will be restoring instream and riparian habitat and removing perched culverts to improve fish and mussel connectivity. Location is within a mile of Line 3.	Total project cost is approximately \$3-4 million. Have secured approximately \$3m but still need to meet matching funds requirement
<b><u>Mississippi Headwaters Board</u></b>	\$150,000	Remove Mercury contamination from Whiskey Creek in Baxter	
<b><u>Total for all projects</u></b>	<b>\$2,625,132</b>		



## Local Government Receipt of Funds Acknowledgement

Mississippi Headwaters Board (“LGU”) hereby acknowledges and agrees that, in accordance with the terms and conditions of the Stipulation Agreement between the Minnesota Pollution Control Agency (“Agreement”) and Enbridge Energy, Limited Partnership (“Enbridge”) dated October 17, 2022 (“Stipulation Agreement”), Enbridge has made the payment listed below to the LGU to facilitate LGU’s completion of the supplemental environmental project (“Project”) described in **Attachment A** of the Stipulation Agreement and as restated below.

Project Description: Remove Mercury contamination from Whiskey Creek in Baxter

Payment Amount: \$ 150,000

Said lump sum payment has been made directly to the LGU.

In consideration for the payment, LGU agrees to diligently pursue completion of the Project in 2023 and to timely provide to Enbridge regular progress reports regarding the status of the Project, including but not limited to, a report dated no later than June 15, 2023 and upon completion of the Project. LGU shall notify Enbridge immediately if LGU cannot, for any reason, complete the Project in 2023. LGU shall maintain copies of all invoices, contracts, manifests, receipts and any and all other documentation of actual costs related to completion of the Project and make such records available to Enbridge upon request.

Please direct all reports and correspondence to: Bobby Hahn, ([Bobby.Hahn@enbridge.com](mailto:Bobby.Hahn@enbridge.com)) and Laura Kircher ([Laura.Kircher@enbridge.com](mailto:Laura.Kircher@enbridge.com)).

### LGU:

Signature: \_\_\_\_\_

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

Print Name: \_\_\_\_\_

Print Title: \_\_\_\_\_

Print Title: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_

### Enbridge:

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

Print Title: \_\_\_\_\_

Date: \_\_\_\_\_

Prepared By: Enbridge Energy, LP  
11 East Superior Street, Ste. 125  
Duluth, MN 55802  
Tel: 218-522-4751

# Executive Director Report

October - November 2022

## Personnel, Budget, Administration, Information & Education, Correspondence

1. Reviewed monthly budget.
2. Prepared monthly agenda packet.
3. Sent in monthly expense report.
4. Sent press release to newspapers.
5. Sent out an email to MHB counties, cities, and organizations about the DNR No Child Left Behind program. It's a natural resource education program targeted toward youth under 18 to get them outdoors. I think it fits well into our portfolio of recreation so I am hoping to find a partner to work with.
6. Reviewed Forestry timber harvest plan from Itasca county and it meetings the requirements of the MHB comprehensive plan.
7. Developed business plan for Resourcetainment event promotion and message promotion in the MHB counties.
8. Submitted recreational signs for draft development

## Meetings & Networking

1. Attended Crow Wing DRT meeting and listened to Oveby and Fotte requests. Overby was looking at placing storage units on a parcel by the Miss. river, and was interested in changing the zoning from residential to commercial.
2. Attended meeting with Aitkin county to establish a branding committee to promote ATV and Miss. river usage in Aitkin county. Aaron Hautaula from Stratelligent was there and he will be developing a marketing plan and goals for the group. I asked if the group would consider marketing their brand under a regional brand of MN Traditions, and they thought it had potential because it reduces competition and it has everyone working together rather than competing.
3. Attended Pine River 1W1P advisory committee meeting. Some highlights were the Crosslake sewer expansion project which will protect Crosslake and hence the Mississippi river.
4. Attended Miss. River Brainerd 1W1P advisory committee meeting and reviewed process of identifying impaired and protected lakes. The process is similar to other 1W1P's, so the terminology was consistent. It is the next generation of the MHB sub watershed prioritization.
5. Submitted potential whistleblower complaint to Morrison county from a concerned citizen expressing concern that a new owner is going to build on a lot without going through the proper channels.
6. Held Resourcetainment recap with Aitkin, Itasca, and ACOE. Each organization gave a recap of the positives and improvements of each event. I provided them with the tools that MHB uses to promote their events, and Aitkin said that our promotion of the event



was realized by the attendees. Big Sandy ACOE will be holding a ribbon cutting next year for the opening of their campground which has been closed for 2 years due to dam reconstruction. They want to hold a paddling event for it in which government people can participate in with the public. I think this will help ACOE federal and state staff appreciate the Miss. river and what the MHB is doing to promote recreation. I also see a strong partnership forming in the coming years.

7. The KAXE Conservation Conversations episode was recorded on Monday. Dave Parent, Itasca County, was the interviewed landowner. The program is tentatively aired on Tuesday on KAXE at 8:40 am and it will be posted on their website. Perhaps we can post on MHB as well. There wasn't an opportunity for Paula to review and edit the program.
8. LCCMR update- the soil from the whiskey creek site will not need any special handling and is not considered hazardous (only contaminated) so no special hauling requirements are needed. This will put the cost of removal at the \$150K range.
9. MN-Fish is looking at submitting a bonding request to the MN legislature once they figure out the funding requirements and structure by which it could be implemented.