



**Mississippi Headwaters Board  
Meeting Agenda  
Cass County Board Room  
Walker, MN  
<https://us02web.zoom.us/j/84052575445>  
**April 26, 2024**  
**10:00 am****

**10:00 AM**

- **Call to Order/Pledge of Allegiance**

**10:05 AM Approve/Amend**

- Agenda
- Consent Agenda – March '24 Minutes & Expenses

**Correspondence**

- April Press Release
- Pequot Lakes high school presentation

**Planning and Zoning (Actions)**

- H4a24- Gee Variance
- CW4a24- Reiner Variance
- M4a24- Burns Variance

**Action / Discussion Items:**

- Resolution 2024-02- Approve
- RSDP grant- discussion
- Review of Bylaws- discussion
- Program Review- discussion
- Executive Directors report-discussion

Misc: Legislature Update (if any), County Updates

**Meeting Adjourned - Thank you**

**Mtgs:** May 24, 2024 10:00 AM- MHB Monthly Meeting, Walker, MN

Mississippi Headwaters Board

March 22, 2024

Cass County Board Room Walker, MN

Optional interactive technology: <https://us02web.zoom.us/j/81054960046>

MEETING

MINUTES

Members present: Ted Van Kempen (Hubbard), Craig Gaasvig (Beltrami), Bobby Kasper (Morrison), Steve Barrows (Crow Wing), Dean Newland (Clearwater), Michael Kearney (interactive Aitkin), and Tim Terrill (Executive Director).

Video Interactive Reasons: Commissioners attending interactively is due to scheduling differences.

Others Present: Sharon Peterson (Morrison County), Bill Chamberlain (landowner)

Pledge of Allegiance

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

Chair Van Kempen asked for approval to the consent agenda. Comm. Van Kempen asked to change the word “hire” to “create” under county updates; Comm. Gaasvig asked to change the name from Integrity to Contegrity; and it was noted to add the Commissioners that approved of the Hubbard Shoreland Ordinance. **M/S (Gaasvig/Newland) to approve of the Consent agenda with those additions. Motion carried unanimously.**

Correspondence

1. February Press Release- Tim provided the board with the press release that explained how leadership was elected to the 2024 Miss. Headwaters Board.
2. WDIO Press Release- Tim showed the board a press release from WDIO and told the Commissioners that he was on WDIO TV in Duluth. The article was about the land exchange and partners working together to make that happen.

Planning and Zoning

**M3a24- Bill Chamberlain Variance-** Planning & Zoning Specialist Sharon Peterson from Morrison County was there to present the variance. The landowner is replacing his existing deck with the same dimensions but sifting it over three feet to the North. The existing impervious surface is 26.1% where 25% is allowed. Discussion ensued and Comm. Gaasvig noted that it was an easy decision because the impervious surface is not being increased and the deck is being shifted. **M/S (Gaasvig/Kasper) to approve of the variance. Motion carried unanimously.**



## Action/Discussion:

1. Board Picture- The board chose to take the picture after the meeting.
2. SFY '25 Budget & Annual Work Plan- Tim presented the budget to the board and explained how he came up with the numbers. He also presented the Annual Plan. Discussion ensued and Comm. Barrows attested to the budgeting process and meeting that took place, and commended Tim for allowing the board to understand the budget by showing the comments in the document. He said this will help the board explain it to others and the legislature. It was noted by Comm. Gaasvig that an initiative should be added to the annual plan that explains the MHB is working with local high schools. Comm. Barrows added that he mentioned to Tim about a study on the Miss. river itself that provides us with some type of measurable on improvement or decline. Tim said there was a Large River Study done by the MPCA ten years ago, and they are repeating that study this year. Comm. Barrows said that we should get this information on the website so people will know what we are accomplishing. **M/S (Barrows/Kasper) to approve of the Annual Work Plan and Budget with additions. Motion carried unanimously.**

## Executive Directors Report

1. Tim held phone conversation with Bill Heig, Jens Heig, and Tom Glass to develop an awareness strategy to Senator Klobuchar and Smith. I drafted some themes and a strategy, and we worked on a letter to the Senators to make them aware of the progress we have made and asked how we should proceed further. An email was sent out informing them of HR 1657, and requesting them to proceed with a companion bill.
2. The MHB project idea draft was accepted by Regional Sustainable Development Program. The next step is for me to write a full proposal and submit it by April 15<sup>th</sup>. The proposal will request that University professors study the economic development impact on our Resource retention events.
3. Tim attended NCCR meeting and discussed with partners the various conservation activities occurring throughout the region. The MN Pollution Control Agency said that they are working on getting final approval for nutrient standards for shallow lakes. This could impact Lake Irving in Beltrami County and possibly delist it off the impaired waters list.

## County & Legislative Updates

Comm. Gaasvig said that the legislature is proposing a bill that will transfer state and federal land to the Red Lake Nation. This has the county concerned about the property values of the private landowners which could restrict access.

Comm. Barrows pointed out that the MHB Bylaws are out of date and he proposed that the MHB look into updating it either through committee or at the monthly meetings. He also said that the board could look at the Comprehensive Plan and also create a strategic plan as well. Board members agreed that the Comprehensive Plan has a process all on its own and can be updated every ten years. Tim said there were around five to six pages in the Bylaws. The board agreed through consensus that the Bylaws should be sent out to each board member and they should review them over following monthly board meetings. Comm. Barrows also stated that we should have our mission statement on our agenda and prominent on our website.

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

---

Ted Van Kempen, Chairman of the Board

---

Executive Director Tim Terrill

March SFY'24 Budget Summary		YTD spending/rei mbursement	Projected Budget	% of budget spent	
<u>Revenues:</u>	Monthly Amount				<u>Notes</u>
Governor's DNR grant (53290)		\$ 93,163.68	\$ 117,800.00	79.09%	non competitive quarterly reimbursement
LSOHC grant (53290)		\$ 5,082.41	\$ 8,000.00	63.53%	LSOHC reimbursement
Guidebook sales (58400)		\$ 126.00	\$ 200.00	63.00%	reimbursment for Guidebook sales
Enbridge program (58300)		\$ 10,409.92	\$ 11,000.00	94.64%	enbridge reimbursement
Miscell. Other revenue (58300)		\$ 5,686.88	\$ 9,000.00	63.19%	AIS reimbursement
MCIT Dividend (58300)		\$ 42.00	\$ 42.00	100.00%	MCIT refund
County Support (52990)		\$ 10,500.00	\$ 12,000.00	87.50%	8 county support
<b>Total</b>	<b>\$ -</b>	<b>\$ 31,847.21</b>	<b>\$ 40,242.00</b>		
<u>Expenses:</u>	Monthly Amount				<u>Notes</u>
Salaries/Benefits FICA/Med/PERA/LIFE/LTD/Hlth/ WC(61000)	\$ 9,007.39	\$ 83,098.99	\$ 116,691.00	71.21%	reimbursed by Gov. DNR grant
MCIT insurance/work comp/liability (61500)		\$ 2,563.00	\$ 2,563.00	100.00%	reimbursed by Gov. DNR grant
MHB board Per Diem (62680)	\$ 250.00	\$ 2,250.00	\$ 2,300.00	97.83%	reimbursed by Gov. DNR grant
Hotel/Meals/travel exp. (63340)	\$ 11.20	\$ 337.27	\$ 1,000.00	33.73%	reimbursed by Gov. DNR grant
Commissioner Mileage (62720)	\$ 105.86	\$ 2,309.30	\$ 2,500.00	92.37%	reimbursed by Gov. DNR grant
Employee Mileage (63320)	\$ 349.47	\$ 3,529.49	\$ 3,500.00	100.84%	reimbursed by Gov. DNR grant
Professional Services (62990)		\$ 14,658.07	\$ 35,000.00	41.88%	CW financial
Office supplies/operations (64090)	\$ 61.62	\$ 2,325.03	\$ 2,500.00	93.00%	telephone
Training & Registration Fees (63380)		\$ 400.00	\$ 800.00	50.00%	
<b>Total</b>	<b>\$ 9,785.54</b>	<b>\$111,471.15</b>	<b>\$ 166,854.00</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 2024 03 TO 2024 03

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 01		-2,250.00	-2,250.00	
							PER 02		-48,700.00	-50,950.00	
24/03	252	03/01/24	GNI	638699	Britny.McC	53164			-3,000.00	-53,950.00	
	iNovah	AIS support		2024							
24/03	909	03/26/24	GNI	640893	Britny.McC	53437			-5,000.00	-58,950.00	
	iNovah	Jackson AIS support									
24/03	909	03/26/24	GNI	640892	Britny.McC	53437			-2,000.00	-60,950.00	
	iNovah	Pine AIS aid									
24/03	909	03/26/24	GNI	640891	Britny.McC	53437			-8,822.00	-69,772.00	
	iNovah	aitkin ais support									
		LEDGER BALANCES --- DEBITS:				.00		CREDITS:	-69,772.00	NET:	-69,772.00
74830	61000			Salaries & Wages - Regular							
								REVISED BUDGET			.00
							PER 01		5,976.55	5,976.55	
							PER 02		6,394.92	12,371.47	
24/03	369	03/08/24	PRJ	PR0308	1240308	1240308	1240		3,107.81	15,479.28	
	PAY030824	WARRANT=240308		RUN=1	BI-WEEKL						
24/03	811	03/22/24	PRJ	PR0322	1240322	1240322	1240		3,107.81	18,587.09	
	PAY0322	WARRANT=240322		RUN=1	BI-WEEKL						
		LEDGER BALANCES --- DEBITS:				18,587.09		CREDITS:	.00	NET:	18,587.09
74830	61200			Active Insurance							
								REVISED BUDGET			.00
							PER 01		1,894.86	1,894.86	
							PER 02		1,894.86	3,789.72	
24/03	369	03/08/24	PRJ	PR0308	1240308	1240308	1240		936.41	4,726.13	
	PAY030824	WARRANT=240308		RUN=1	BI-WEEKL						
24/03	811	03/22/24	PRJ	PR0322	1240322	1240322	1240		959.07	5,685.20	
	PAY0322	WARRANT=240322		RUN=1	BI-WEEKL						
		LEDGER BALANCES --- DEBITS:				5,685.20		CREDITS:	.00	NET:	5,685.20

## ACCOUNT DETAIL HISTORY FOR 2024 03 TO 2024 03

ORG YR/PR	OBJECT PROJ JNL EFF DATE	SRC REF1	REF2	REF3	CHECK #	OB	AMOUNT	NET LEDGER BALANCE	NET BUDGET BALANCE
74830	61300	Employee Pension & FICA							
						REVISED BUDGET			.00
						PER 01	865.81	865.81	
						PER 02	929.18	1,794.99	
24/03	369 03/08/24	PRJ PR0308	1240308	1240308	1240		451.01	2,246.00	
	PAY030824	WARRANT=240308 RUN=1 BI-WEEKL							
24/03	811 03/22/24	PRJ PR0322	1240322	1240322	1240		445.28	2,691.28	
	PAY0322	WARRANT=240322 RUN=1 BI-WEEKL							
	LEDGER BALANCES --- DEBITS:		2,691.28		CREDITS:	.00	NET:	2,691.28	
74830	61500	Worker's Compensation							
						REVISED BUDGET			.00
24/03	306 03/05/24	API 101939		212288		2	2,563.00	2,563.00	
	W A030524	MCIT RENEWAL MN COUNTIES INTERGOV							
	LEDGER BALANCES --- DEBITS:		2,563.00		CREDITS:	.00	NET:	2,563.00	
74830	62100	Telephone							
						REVISED BUDGET			.00
						PER 01	61.54	61.54	
						PER 02	61.64	123.18	
24/03	598 03/19/24	API 006205		213278		37258	6.62	129.80	
	W C031924	COUNTY WIDE PHONE BILL CONSOLIDATED TELECOM							
24/03	811 03/22/24	PRJ PR0322	1240322	1240322	1240		55.00	184.80	
	PAY0322	WARRANT=240322 RUN=1 BI-WEEKL							
	LEDGER BALANCES --- DEBITS:		184.80		CREDITS:	.00	NET:	184.80	
74830	62680	Non-Employee Per Diems							
						REVISED BUDGET			.00
						PER 01	250.00	250.00	
						PER 02	250.00	500.00	
24/03	901 03/26/24	API 003257		213626		37350	50.00	550.00	
	W A032624	MHB MEETING & MILEAGE GAASVIG, CRAIG							
24/03	901 03/26/24	API 006980		213636		37358	116.58	666.58	
	W A032624	MHB MILEAGE ROBERT F. KASPER							
24/03	901 03/26/24	API 002534		213637		37354	50.00	716.58	
	W A032624	MHB MEETING NEWLAND, DEAN							

## ACCOUNT DETAIL HISTORY FOR 2024 03 TO 2024 03

ORG YR/PR	OBJECT JNL	PROJ EFF DATE	SRC	REF1	REF2	REF3	CHECK #	OB	AMOUNT	NET LEDGER BALANCE	NET BUDGET BALANCE	
24/03	901	03/26/24	API	006952		213638		37353	50.00	766.58		
	W	A032624	MHB	MEETING		MICHAEL KEARNEY						
24/03	901	03/26/24	API	003356		213639		37351	50.00	816.58		
	W	A032624	MHB	MEETING AND MILEAGE		HUBBARD COUNTY TREAS						
24/03	1908	03/26/24	APM	006980		213636		37358	-116.58	700.00		
	MODIFY		MHB	MILEAGE		ROBERT F. KASPER						
24/03	1909	03/26/24	APM	100532		213633		1954938	50.00	750.00		
	MODIFY		MHB	MEETING		MORRISON COUNTY AUDI						
LEDGER BALANCES --- DEBITS:						866.58	CREDITS:		-116.58	NET:	750.00	
74830	62720	Non-Employee Mileage										
										REVISED BUDGET	.00	
										PER 01	391.28	391.28
										PER 02	251.92	643.20
24/03	901	03/26/24	API	003257		213626		37350	68.34	711.54		
	W	A032624	MHB	MEETING & MILEAGE		GAASVIG, CRAIG						
24/03	901	03/26/24	API	100532		213633		1954938	50.00	761.54		
	W	A032624	MHB	MEETING		MORRISON COUNTY AUDI						
24/03	901	03/26/24	API	003356		213639		37351	37.52	799.06		
	W	A032624	MHB	MEETING AND MILEAGE		HUBBARD COUNTY TREAS						
24/03	1908	03/26/24	APM	006980		213636		37358	116.58	915.64		
	MODIFY		MHB	MILEAGE		ROBERT F. KASPER						
24/03	1909	03/26/24	APM	100532		213633		1954938	-50.00	865.64		
	MODIFY		MHB	MEETING		MORRISON COUNTY AUDI						
LEDGER BALANCES --- DEBITS:						915.64	CREDITS:		-50.00	NET:	865.64	
74830	62990	Prof. & Tech. Fee - Other										
										REVISED BUDGET	.00	
										PER 01	16,443.40	16,443.40
										PER 02	525.00	16,968.40
24/03	1675	03/31/24	GEN						525.00	17,493.40		
	RECURRING		FINANCIAL SERVICE									
LEDGER BALANCES --- DEBITS:						17,493.40	CREDITS:		.00	NET:	17,493.40	

## ACCOUNT DETAIL HISTORY FOR 2024 03 TO 2024 03

ORG YR/PR	OBJECT JNL	PROJ EFF DATE	SRC REF1	REF2	REF3	CHECK #	OB	AMOUNT	NET LEDGER BALANCE	NET BUDGET BALANCE
74830	63320		Employee Mileage							
							REVISED BUDGET			.00
						PER 01		479.54	479.54	
						PER 02		367.16	846.70	
24/03	1618	03/28/24	GNI					203.68	1,050.38	
	WF	OOP	Legacy Finance Committee							
			TIM TERRILL - testify before house legacy finance committee							
24/03	1618	03/28/24	GNI					102.51	1,152.89	
	WF	OOP	Visit Grand Rapids board mtg							
			TIM TERRILL - Visit Grand Rapids board meeting							
24/03	1618	03/28/24	GNI					43.28	1,196.17	
	WF	OOP	MHB monthly board meeting							
			TIM TERRILL - MHB monthly board meeting							
	LEDGER BALANCES --- DEBITS:				1,196.17	CREDITS:		.00	NET:	1,196.17
74830	63340		Hotel & Meals Travel Expense							
							REVISED BUDGET			.00
						PER 01		10.68	10.68	
24/03	1619	03/28/24	GNI					11.20	21.88	
	BREMPCARD	meal								
			TIM TERRILL - meal - DAIRY QUEEN 11320							
	LEDGER BALANCES --- DEBITS:				21.88	CREDITS:		.00	NET:	21.88
	GRAND TOTAL --- DEBITS:				50,205.04	CREDITS:		-69,938.58	NET:	-19,733.54

30 Records printed

\*\* END OF REPORT - Generated by Korie Wiggins \*\*



IMMEDIATE PRESS RELEASE 4/2/24

Media Contact

Tim Terrill

218-824-1189

[timt@mississippiheadwaters.org](mailto:timt@mississippiheadwaters.org)

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

322 Laurel St.

Brainerd, MN 56401

**Mississippi Headwaters Board Forms Budget Committee**

The MHB voted to form a budget committee to look at past expenses and revenue and plan a budget for the next fiscal year. It was decided that the Chair and the Secretary/Treasurer would be on the committee. The board thought this would be helpful because it would provide Commissioner input on the budget and they could look for ways to be more efficient and save the taxpayer money.







## **Planning and Zoning**

**H4a24- Gee Variance**

**CW4a24- Reiner Variance**

**M4a24- Burns Variance**



# Variance Application

Hubbard County Environmental Services

301 Court Ave., Park Rapids, MN 56470

Phone: 218.732.3890

www.co.hubbard.mn.us/departments/environmental\_services/index.php

**This form must be legibly completed in INK.**

Applicant name(s): Thomas and Cathy Gee Date: 01/30/2024

Owner name(s) (if different from applicant): \_\_\_\_\_

Mailing address (PO Box/Street, City, State, Zip): 32620 Wolf Lake Road, Cass Lake, MN 56633

E911 property address: S/A

Phone: 218-779-4193 Alt. phone: 218-329-8046 Email: cathylynnggee@gmail.com

Tax parcel number(s): 070101200

Legal description: See Attached

Sect: 1 Twp: 145 Rng: 032 Lake/river name: Wolf Lake Is this request after-the-fact? ☐ Yes ☒ No

**Place an "X" by the ordinance(s) and provide the section(s) of said ordinance(s) from which you are requesting a variance.**

25, 62, 26/24

<input checked="" type="checkbox"/> Shoreland Management Ordinance	Section(s): _____
<input type="checkbox"/> Subdivision Ordinance	Section(s): _____
<input checked="" type="checkbox"/> Sign Ordinance	Section(s): <u>506</u>
<input type="checkbox"/> Subsurface Sewage Treatment System	Section(s): _____
<input type="checkbox"/> Other _____	Section(s): _____

**Explain your requested variance need(s):** Give details of the type, size, and purpose of proposed changes. Explain why you cannot complete the project by permit as the burden is on the applicant to show a practical difficulty. Attach additional sheets labeled "Variance Request", if necessary.

A variance is requested from Section 506 of the shoreland management ordinance for a guest cottage space of 660 square feet. The structure is currently located within the existing shop, which is approximately 1200 square feet, located on the property. As mentioned, the guest cottage space of 660 square feet is located in a larger accessory structure (the shop). We understand that the lot is deficient in lot width at the shoreline, but the the accessory structure is located well over 250 feet from the shore on the 2-acre property. A portion of the existing shop space was remodeled into a guest cottage in 2018 by the previous owner (my dad) without a permit. We removed the stove and the furniture to be in compliance. However, we would like to apply for a variance so we can use it as a guest cottage. We have an existing septic in compliance for the shop with the guest cottage included. This was reconstructed last summer (2023) and we were given a SSTS Permit in August 2023.

## Applicant Statement

I have read and fully understand the above instructions. I hereby make application for a variance, agreeing to do all such work in accordance with all Hubbard County Ordinances. In making this application, I hereby affirm that I am the fee title owner of the above-described property or the authorized agent thereof, and I agree to this application and warrant and assert that I am authorized by ownership and/or law to apply for the variance in question. By signing this application, I hereby certify that the information contained in this application is a true, accurate and complete representation of facts and conditions concerning the proposed variance application. I hereby state and affirm that any and all applications, sketches, surveys, and all other attachments and documents submitted herewith are true and accurate. I understand that if any of the information provided by me in this application is later found or determined by the County to be inaccurate, the County may revoke the variance and/or any accompanying permit based upon the supplying of inaccurate information. I understand and agree that in making application for a variance, I am granting permission to Hubbard County, at reasonable times and in a reasonable manner, to enter the land and premises that are the subject of this application to determine compliance of that application with any applicable county, state, or federal laws, statutes, or ordinances. I certify and agree that I will comply with any and all conditions imposed in connection with the approval of the application. I understand that I may be required to submit additional property descriptions, property surveys, site plans, building plans, or other information as deemed necessary by the County for proper consideration of the request before the application is deemed complete or acted upon.

Signature of applicant(s): Thomas Gee

For Office Use:

Application date: 2/26/2024 Filing acknowledged by: SL Receipt #: 35210 App. #: 5-V-24





# Variance Application

Hubbard County Environmental Services

301 Court Ave., Park Rapids, MN 56470

Phone: 218.732.3890

[www.co.hubbard.mn.us/departments/environmental\\_services/index.php](http://www.co.hubbard.mn.us/departments/environmental_services/index.php)

**Note:** Place an "X" by each item below that applies to your request. Then, fill out **only** the applicable following section(s) that apply, as directed. **If a section does not apply to your request, leave it blank.**

**What is the reason(s) for applying for the variance? Place an "X" by each applicable item.**

- ☐ Setback issues: complete Section 1
- ☐ Land or vegetative alteration: complete Section 2
- ☒ Lot size not in compliance with minimum Ordinance standards: complete Section 3
- ☐ Alteration to nonconforming structure: complete Section 4
- ☐ Other: attach separate sheet explaining variance request

## Section 1

Check the item(s) from which you are requesting a variance and fill in the proposed setback distance. Setbacks are measured to the nearest point on a structure which can be the eave overhang or an attached deck/platform.

- |   |                           |
|---|---------------------------|
| <input type="checkbox"/> Ordinary High Water Mark (OHWM)  | Proposed Setback _____ ft |
| <input type="checkbox"/> Lot line   | Proposed Setback _____ ft |
| <input type="checkbox"/> Road Right of Way Twp Co. State  | Proposed Setback _____ ft |
| <input type="checkbox"/> Crest of bluff   | Proposed Setback _____ ft |
| <input type="checkbox"/> Septic system components ( <b>new SSTS site design must accompany variance application</b> ) |                           |

## Section 2

What is your land alteration? Check all categories that apply.

- ☐ Vegetative alteration
- ☐ Grading/filling
- ☐ Other (Attach separate sheet explaining the land alteration)

**Note:** An additional cross-section sketch showing L, W, and H dimensions and an itemized list showing volume (cubic yds.) of all proposed grading/filling must accompany application.

## Section 3

When was your lot created (month/day/year)? 05/18/2021 (This information can be found in your abstract of title. A copy of either this first deed or page in the abstract must be included in your application.)

**Note:** An ISTS site design showing your proposed building site, well location, a primary drainfield site, and an alternate drainfield site must be included in your application for a lot size variance.

## Section 4

**Note:** A sketch showing L, W, and H dimensions of all portions of the existing and proposed structure(s) and addition(s) must be included in your application.

**Circle all that apply and fill in requested information:**

### Existing structure

Foundation: basement, crawlspace, slab on grade

Stories above ground: ground level, 1 ½, two

Existing structure height: \_\_\_\_\_ ft

Existing # bedrooms \_\_\_\_\_

Overall change in roof height when project is completed: \_\_\_\_\_ ft

### Proposed addition(s)

Foundation: basement, crawlspace, slab on grade

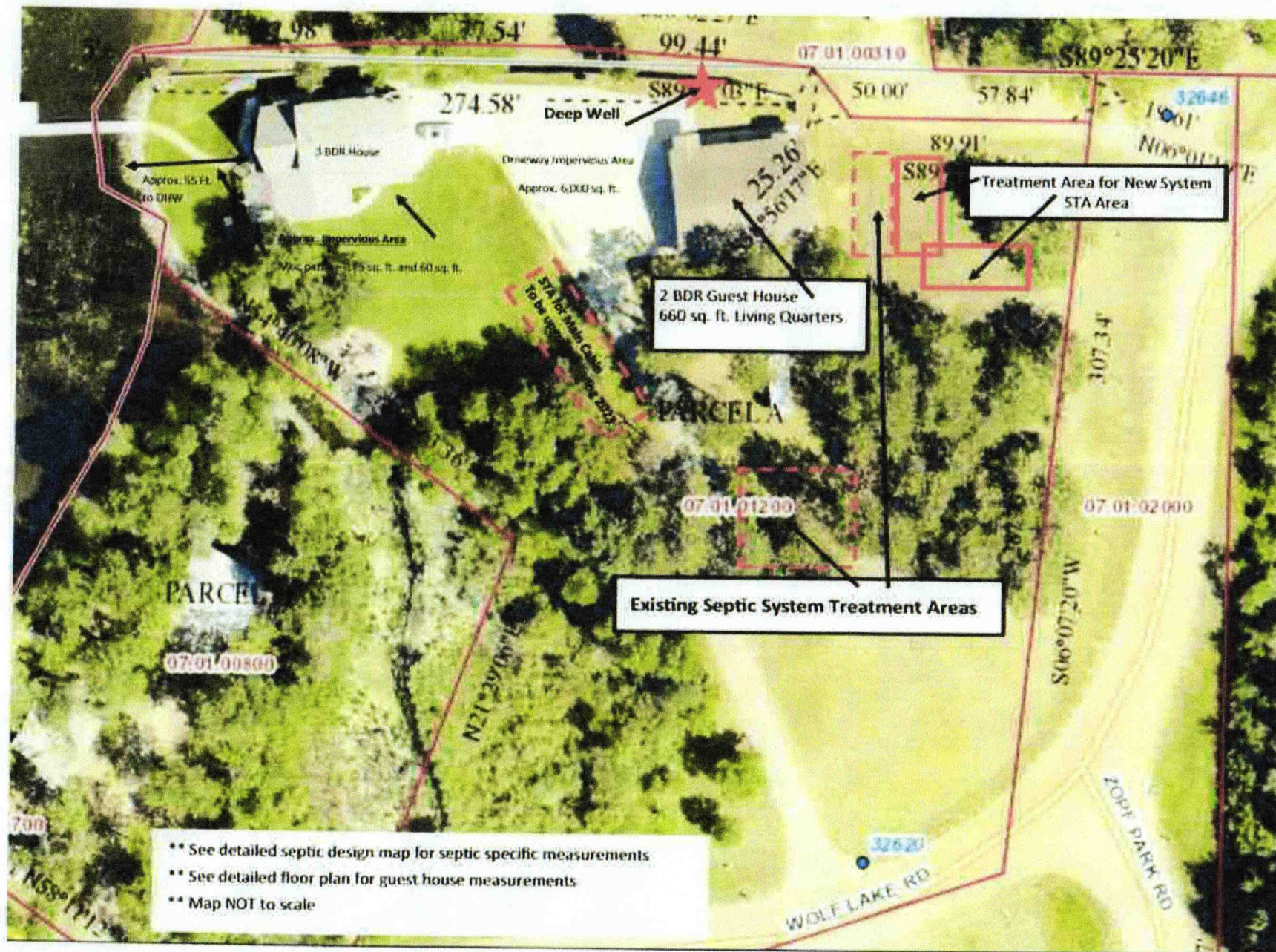
Stories above ground: ground level, 1 ½, two

Proposed addition(s) height: \_\_\_\_\_ ft

Final # bedrooms after remodel \_\_\_\_\_

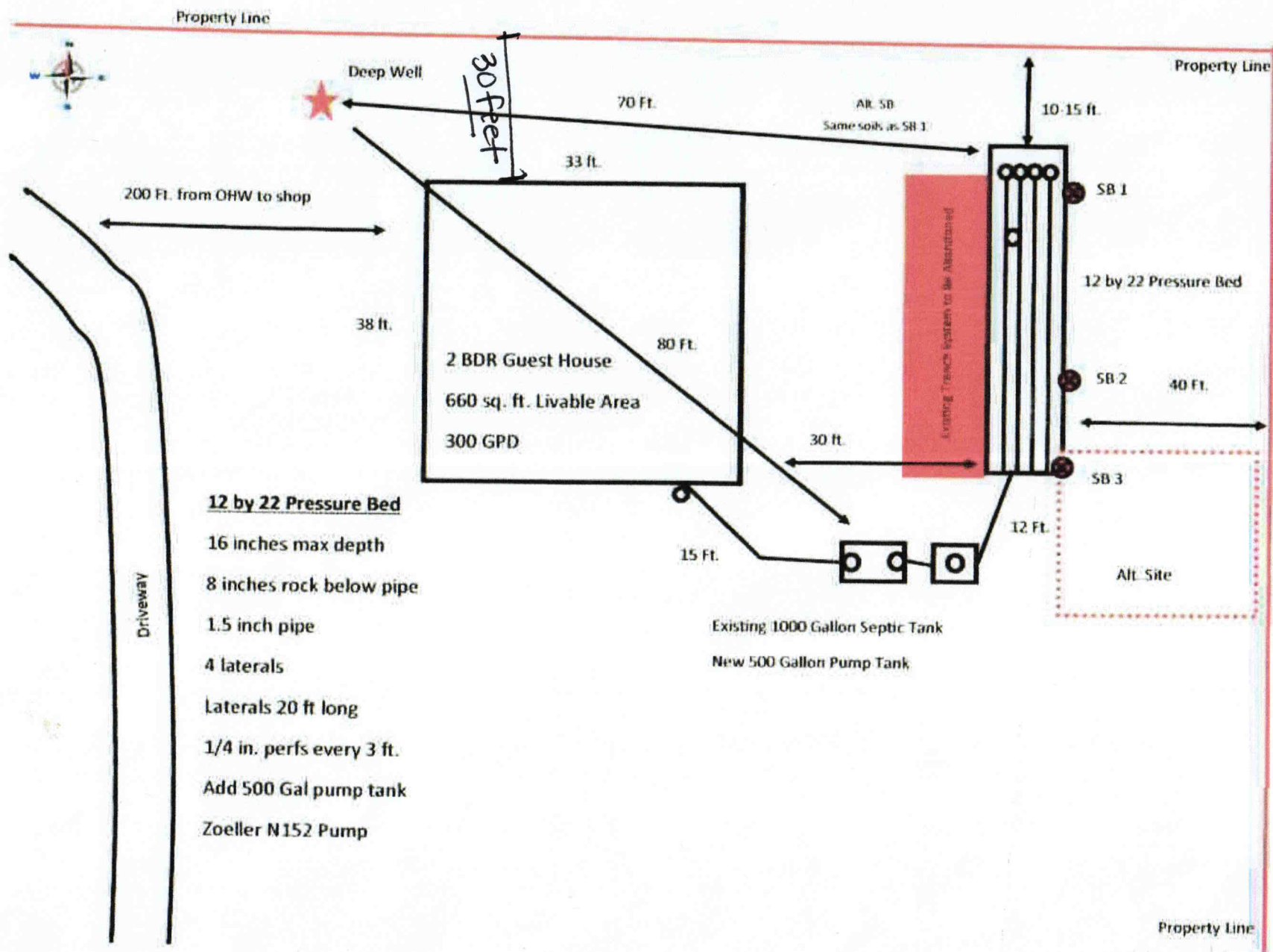


Wolf Lake





Wolf Lake



# Side profile

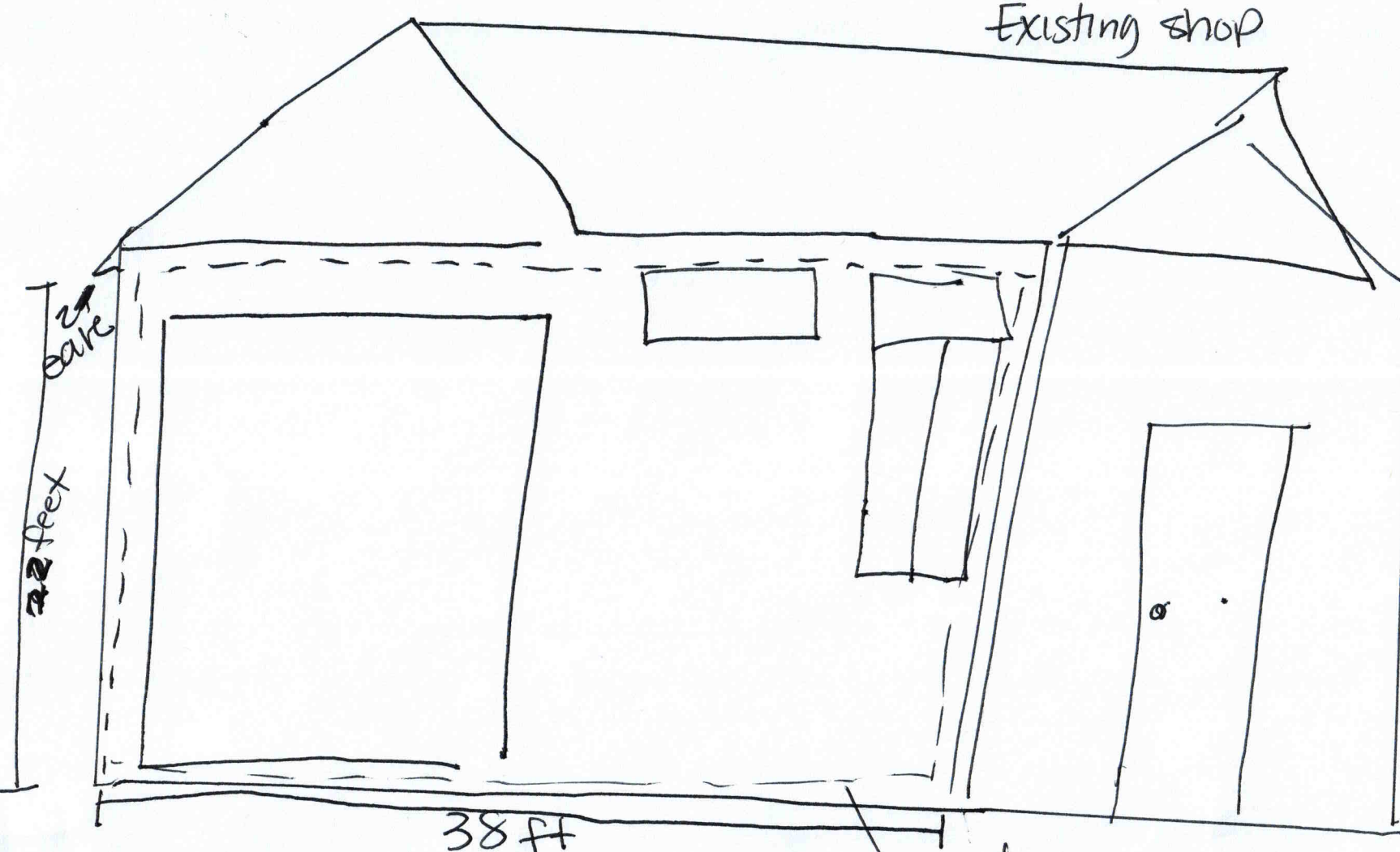
Existing shop

29' eave

22' ex

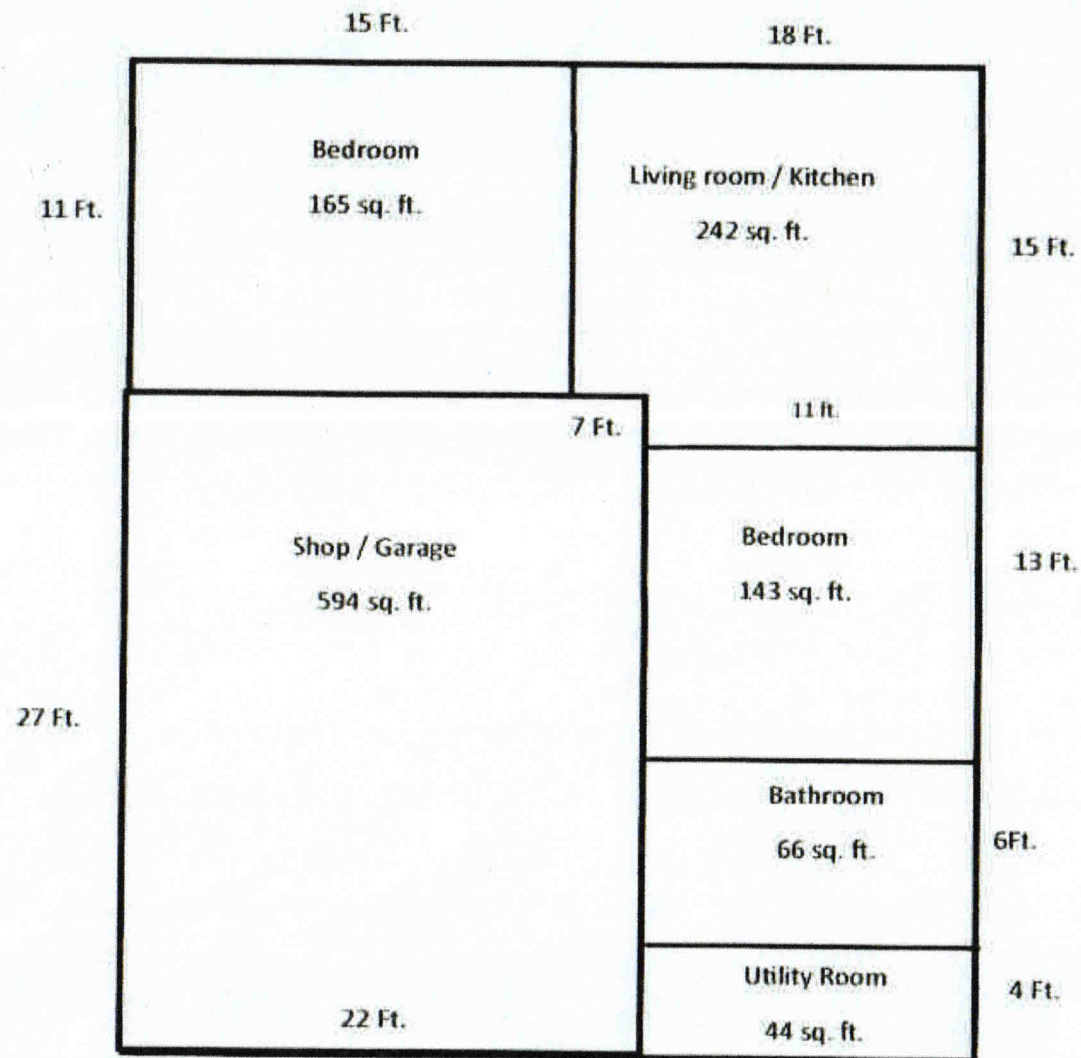
38 ft

proposed  
guest cottage  
inside of existing  
shop



# Guest House Floor Plan

660 Sq. Ft.



\*\* Not to scale



















**HUBBARD COUNTY ENVIRONMENTAL SERVICES  
UNIFORM RECORD OF INDIVIDUAL SEWAGE TREATMENT SYSTEM**

DATE	7/27/23	PERMIT NO. 116-SS-23
OWNER	Cathy Gee	
LAKE NAME	Wolf Lake	PARCEL NO. 07.01.01200
LEGAL DESCRIPTION	P/O Lot 4 Sec 1 T145 R32	
INSTALLER	Atlas Env. # 4114	
# NEW TANKS INSTALLED	0	
<b>SEPTIC TANK</b>	Existing	
a. Permit required (size)		
b. Size/Type/Manufacturer	1000 gal. precast	
c. Distance from well	50ft	
d. Distance from house	10ft	
e. Distance from property line	10ft	
<b>ABSORPTION AREA</b>	Sized for 2br @ 300 gpd	
a. Permit required (size)	265 sqft	
b. Elevation of trench bottom	40in.	
to water table		
c. Distance from lake	150ft+	
d. Distance from house	39ft (garage)	
e. Distance from well	50ft+	
f. Distance from property line	10ft	
g. Distance from wetland	N/A	
<b>PUMPING STATION</b>		
a. Permit required (size)	500 gal. poly - Infiltrator	
b. Distance from well	50ft+	
c. Distance from house	26ft (garage)	
d. Distance from property line	10ft	
<b>TRENCH</b>	GRAVELLESS <input type="checkbox"/> ROCK <input type="checkbox"/> Q-4 <input type="checkbox"/> H-10 <input type="checkbox"/> OTHER <input type="checkbox"/>	
a. Type of loading	DROP BOX <input type="checkbox"/> TOP LOAD <input type="checkbox"/> OTHER <input type="checkbox"/>	
b. Length		
c. Width		
d. Inches of rock under pipe		
e. Depth of backfill		
f. Amount of rock		
<b>PRESSURE BED/AT GRADE</b>	Pressure bed	
a. Length	22ft	
b. Width	12ft	
c. Depth of backfill	0in. (will mound over for cover)	
d. Amount of rock	12in. (12in. total depth)	
<b>PUMPING STATION</b>		
a. Pump model & size	BN 152 w/event counter	
b. Distance to absorption	11ft	
c. Size of line	2in.	
d. Total dynamic head	12ft	
<b>DISTRIBUTION PIPES</b>		
a. Size of line	1.5in. - 4ea. w/cleanouts	
b. Perforations & spacing	1/4in. # 3ft	
c. Distance between laterals	3ft	
d. Distance from rock bed edge	12in.	
<b>TYPE OF SOIL/SLR</b>	1.2 sand	

**SEE REVERSE SIDE FOR SYSTEM LAYOUT**

## □ NEIGHBOR'S WELL DRAWN

TANK INSULATED ☐ YES ☒ NO

07.01.01200 Garage system

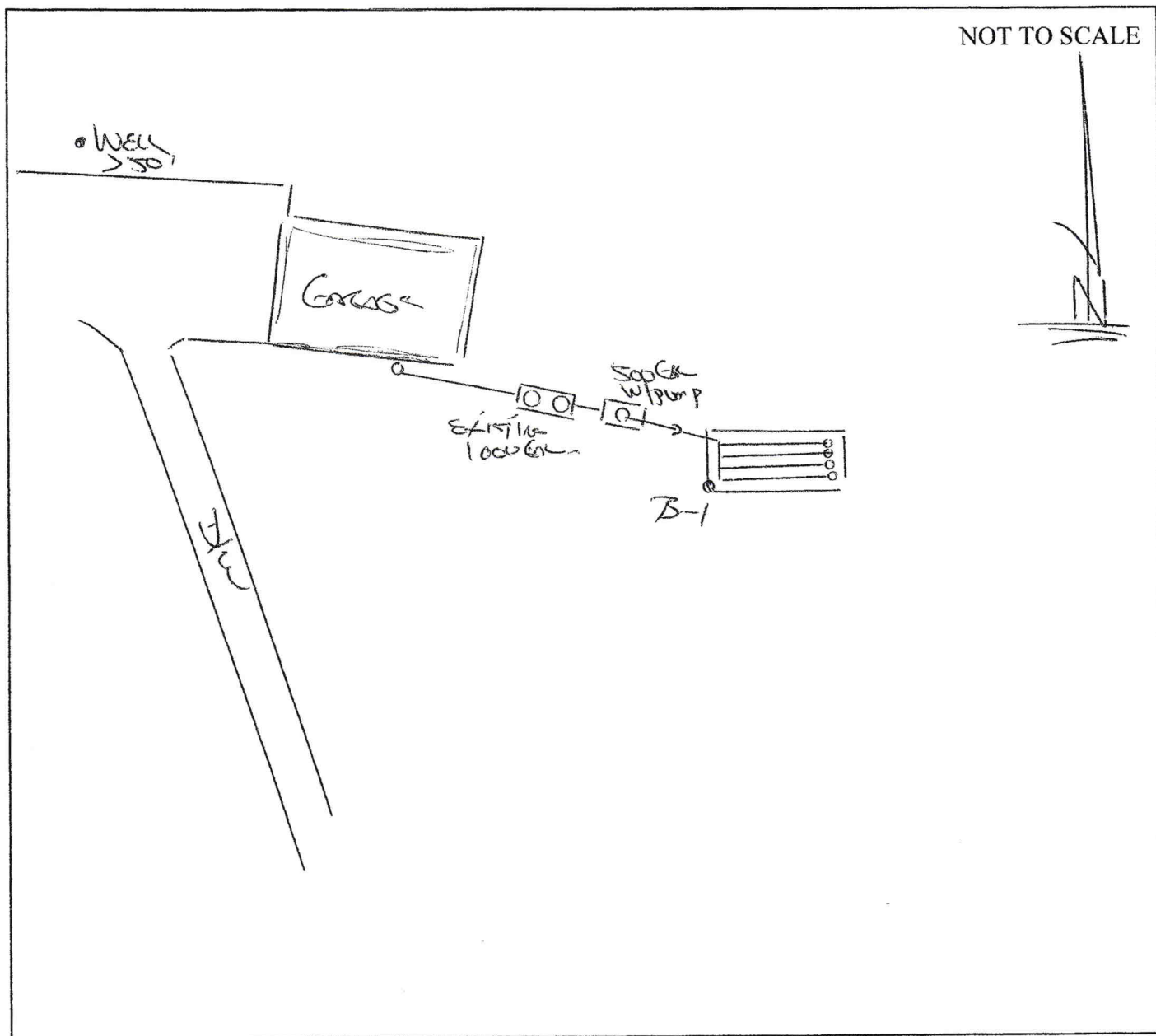
- ☒ PUMP CURVE  
☐ PRESSURE TEST BLDG SEWER  
☐ PRESSURE TEST PUMP LINE

## DRAINFIELD

☒ 4" INSP. PIPES ON LATERALS

- COMBO TANK**  
☐ MANHOLE IN EACH COMPARTMENT

Old drainfield - abandoned in place.



OTHER INSP. # \_\_\_\_\_

SYSTEM: ☒ APPROVED  
☐ NOT APPROVED

# SOIL VERIFICATION

Hubbard County

Date: 7/27/23

Property Owner: Cathy Gee

Permit # 116-SS-23

Parcel # 07.01.01200

Installer Atlas Env. # 4114

## SOIL VERIFIED

### SOIL LOG - 1

Depth, (inches)	Texture	Rock Frag. %	Matrix Color	Mottle Color, Redox kind	-----Structure----- Shape, Grade, Consistence
0-6	fine sandy loam	0	10yr 3/1		granular / friable
6-32	med sand	0	10yr 5/4		single grain / loose
32-52	sand	0	10yr 6/4		single grain / loose
52-70	sand	0	10yr 6/2	10r 4/2	single grain / loose

Depth of system bottom 12in.

Auger ☒

Soil Pit ☐

### SOIL LOG - 2

Depth, (inches)	Texture	Rock Frag. %	Matrix Color	Mottle Color, Redox kind	-----Structure----- Shape, Grade, Consistence

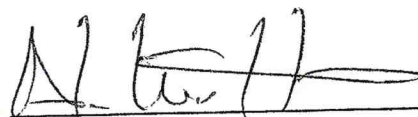
Depth of system bottom Auger ☐

Soil Pit ☐

INSPECTOR: Al Winterberger

MPCA # 1565

SIGNATURE:



This soil report satisfies the requirements as outlined in Minnesota Rules, Chapter 7082.0700  
Inspection Program, subpart 4, item B, sub item 2.

## CERTIFIED STATEMENT

I, the undersigned Designated Registered Professional Installer party to Minnesota State Licence # 4114, do hereby certify that the installation of this onsite system is in accordance with all provisions of ISTS Minnesota Rules Chapter 7080 and all applicable Hubbard County Ordinances. I also certify that the inspectors as-built schematic will serve as the construction as-built schematic.

7/27/23 [Signature] #4114  
DATE DESIGNATED REGISTERED PROFESSIONAL

SANITARY PERMIT #

116-55-23 / 71-55-23

PROPERTY OWNER

C. Lee

LAKE / RIVER NAME

Wolf Lake

LEGAL DESCRIPTION

07.01.01200

RECEIVED BY

[Signature]



HUBBARD COUNTY

CERTIFICATE OF COMPLIANCE OR NOTICE OF NONCOMPLIANCE  
FOR INDIVIDUAL SEWAGE TREATMENT SYSTEMS (ISTS)

PROPERTY OWNER: Cathy Gee

ADDRESS: 32620 Wolf Lake RD Cass Lake MN 56633

LEGAL DESCRIPTION: P/O Lot 4 Sec 1 T145 R32

PARCEL NUMBER: 07.01.01200

LAKE NAME: Wolf Lake

STATUS OF SYSTEM: For garage

Based on the compliance inspection conducted on 7/27/23 the SSTS is, IN COMPLIANCE,  
therefore, this document is a CERTIFICATE OF COMPLIANCE.

**CERTIFICATION:**

*I hereby certify as a State of Minnesota Licensed Inspector, Designer 1, or qualified employee that my observations recorded on this form are accurate as the inspection date of the individual sewage treatment system for the site stated above. This certificate is valid for 5 years from the date of issuance unless the L.U.G. finds evidence of imminent threat to public health or safety. No determination of future hydraulic performance can be made due to unknown conditions during system construction, future water usage over the life of the system, abuse of the system, and/or inadequate maintenance all of which will adversely affect the life of the system.*

*Electrical components and systems must be compliant with applicable rules and regulations of the State of Minnesota, as detailed in Minnesota Rule Section 7080.0700. It is the owner's responsibility to insure that any electrical work is compliant with the law and inspected as required under state law. This certificate of compliance does not extend to any electrical components and work and the County has undertaken no inspection of any electrical system or components thereof.*

INSPECTOR'S NAME: AL WINTERBERGER PHONE: 218-255-1722

LICENSE AND/OR REGISTRATIONS NUMBER: 1565

INSPECTOR'S SIGNATURE:  DATE: 7/27/23

# Septic Inspection Request

**Date Received** 7/26/2023 **Time Received** 2:00:00 PM

**Date Needed** 7/27/2023 **Time Needed** 11:00:00 AM

**Date Rescheduled** **Time Rescheduled**

**Installer Name** Atlas Environmental and Excavation Services LLC

**Installer Lic** 4114

**Contact**

**Phone**

**Property Owner**

**Phone**

**Lake Name** Cathy Gee

**Pressure Test** **Permit Number** 116-SS-23 **PIN #** 07.01.01200

**Comments**

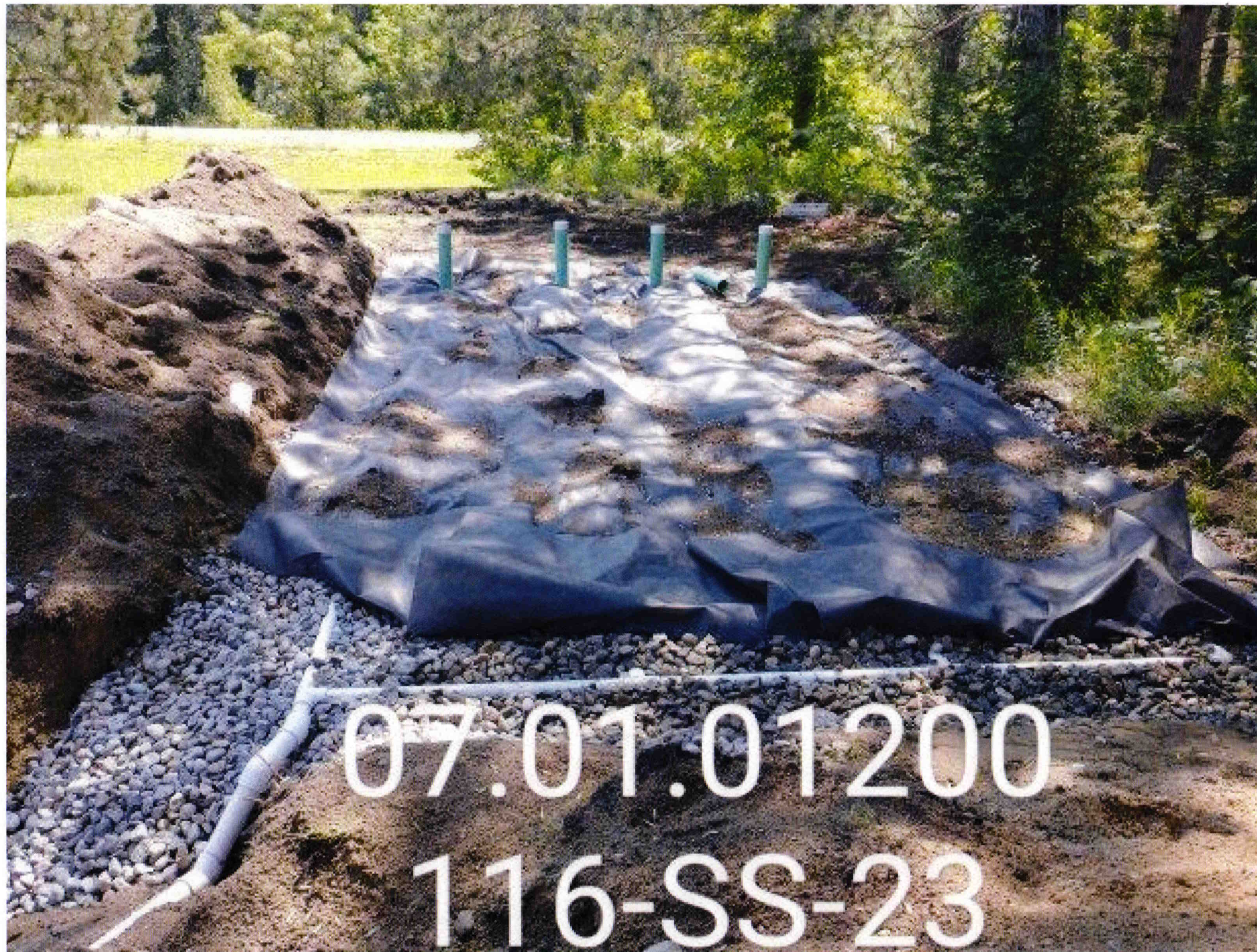
**Initials** DD

Wednesday, July 26, 2023









07.01.01200

116-SS-23



**HUBBARD COUNTY ENVIRONMENTAL SERVICES  
UNIFORM RECORD OF INDIVIDUAL SEWAGE TREATMENT SYSTEM**

DATE	7/27/23	PERMIT NO.	71-SS-23
OWNER	Cathy Gee	PARCEL NO.	07.01.01200
LAKE NAME	Wolf Lake		
LEGAL DESCRIPTION	P/O Lot 4 Sec 1 T145 R32		
INSTALLER	Atlas Env. # 4114		
# NEW TANKS INSTALLED	0		
<b>SEPTIC TANK</b>	Existing		
a. Permit required (size)			
b. Size/Type/Manufacturer	1000 gal. precast		
c. Distance from well	50ft		
d. Distance from house	10ft		
e. Distance from property line	10ft		
<b>ABSORPTION AREA</b>	Sized for 3br @ 450 gpd		
a. Permit required (size)	500 sqft		
b. Elevation of trench bottom	40in.		
to water table			
c. Distance from lake	150ft+		
d. Distance from house	100ft+		
e. Distance from well	100ft+		
f. Distance from property line	10ft		
g. Distance from wetland	N/A		
<b>PUMPING STATION</b>			
a. Permit required (size)	500 gal. precast - existing tank		
b. Distance from well	50ft+		
c. Distance from house	10ft+		
d. Distance from property line	10ft		
<b>TRENCH</b>	GRAVELLESS <input type="checkbox"/> ROCK <input type="checkbox"/> Q-4 <input type="checkbox"/> H-10 <input type="checkbox"/> OTHER <input type="checkbox"/>		
a. Type of loading	DROP BOX <input type="checkbox"/> TOP LOAD <input type="checkbox"/> OTHER <input type="checkbox"/>		
b. Length			
c. Width			
d. Inches of rock under pipe			
e. Depth of backfill			
f. Amount of rock			
<b>PRESSURE BED/AT GRADE</b>	Pressure bed		
a. Length	25ft		
b. Width	20ft		
c. Depth of backfill	0in. (will mound over for cover)		
d. Amount of rock	9in. (10in. total depth)		
<b>PUMPING STATION</b>			
a. Pump model & size	Existing w/event counter to be installed)		
b. Distance to absorption			
c. Size of line			
d. Total dynamic head			
<b>DISTRIBUTION PIPES</b>			
a. Size of line	1.5in. - 7ea. w/cleanouts		
b. Perforations & spacing	1/4in. # 3ft		
c. Distance between laterals	3ft		
d. Distance from rock bed edge	12in.		
<b>TYPE OF SOIL/SLR</b>	1.2 sand		

**SEE REVERSE SIDE FOR SYSTEM LAYOUT**

DISTANCE TO NEIGHBORS' WELL N/A

☐ NEIGHBOR'S WELL DRAWN

**SEPTIC TANK**

- ☐ OUTLET SCH. 40 (SEALED)  
☐ INLET SCH. 40 (SEALED)  
☐ 6" INSP. PIPES (SEALED)  
☒ RISERS ON MANHOLE (IF  
NEEDED)

**PUMP TANK**

- ☒ MANHOLE AT GRADE (REQUIRED)  
☒ ALARM SYSTEM

**STATUS OF OLD TANKS/SYSTEM**

**TANK INSULATED** ☐ YES ☒ NO

- ☒ **PUMP CURVE**  
☐ PRESSURE TEST BLDG SEWER  
☐ PRESSURE TEST PUMP LINE

**DRAINFIELD**

- ☒ 4" INSP. PIPES ON LATERALS

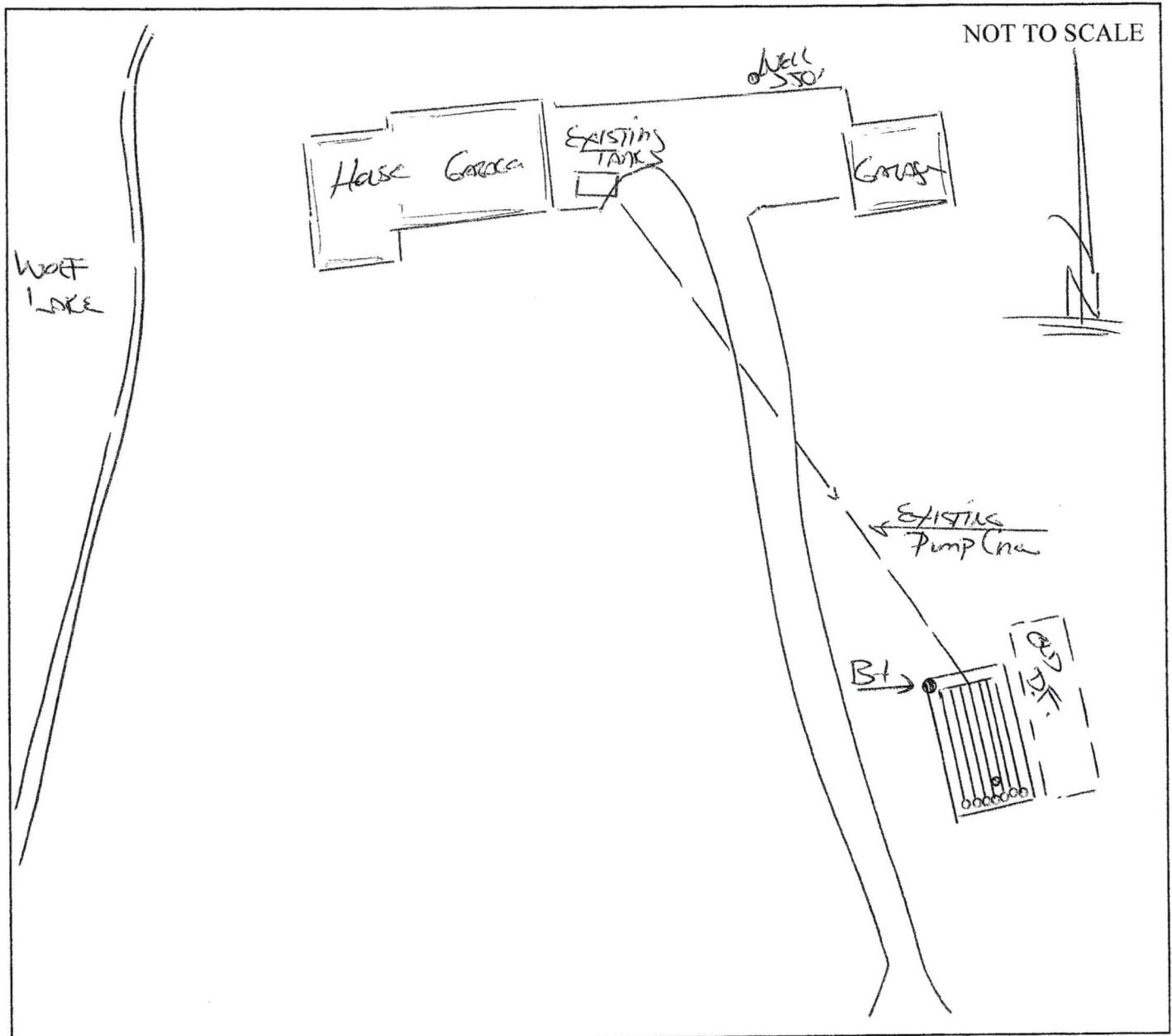
**COMBO TANK**

- ☐ MANHOLE IN EACH COMPARTMENT

Old drainfield - abandoned in place.

**Note:**

07.01.01200 House system. Note: The soil treatment area was oversized at home owner's request.



INSPECTOR: Al Winterberger MPCA # 1565

OTHER INSP. # \_\_\_\_\_

SIGNATURE: [Signature]

SYSTEM: ☒ APPROVED  
☐ NOT APPROVED

# SOIL VERIFICATION

Hubbard County

Date: 7/27/23

Property Owner: Cathy Gee

Permit # 71-SS-23

Parcel # 07.01.01200

Installer Atlas Env. # 4114

## SOIL VERIFIED

### SOIL LOG - 1

Depth, (inches)	Texture	Rock Frag. %	Matrix Color	Mottle Color, Redox kind	-----Structure----- Shape, Grade, Consistence
0-5	fine sandy loam	0	10yr 3/1		granular / friable
5-43	sand	0	10yr 5/6		single grain / loose
43-50	sand	0	10yr 6/4		single grain / loose
50+	sand - wet				

Depth of system bottom 10in.

Auger ☒

Soil Pit ☐

### SOIL LOG - 2

Depth, (inches)	Texture	Rock Frag. %	Matrix Color	Mottle Color, Redox kind	-----Structure----- Shape, Grade, Consistence

Depth of system bottom Auger ☐

Soil Pit ☐

INSPECTOR: Al Winterberger

MPCA # 1565

SIGNATURE: 

This soil report satisfies the requirements as outlined in Minnesota Rules, Chapter 7082.0700  
Inspection Program, subpart 4, item B, sub item 2.

## CERTIFIED STATEMENT

I, the undersigned Designated Registered Professional Installer party to Minnesota State Licence # 4114, do hereby certify that the installation of this onsite system is in accordance with all provisions of ISTS Minnesota Rules Chapter 7080 and all applicable Hubbard County Ordinances. I also certify that the inspectors as-built schematic will serve as the construction as-built schematic.

7/27/23  
DATE

[Signature] #4114  
DESIGNATED REGISTERED PROFESSIONAL

SANITARY PERMIT #

116-55-23 / 71-55-23

PROPERTY OWNER

C. Lee

LAKE / RIVER NAME

Wolf Lake

LEGAL DESCRIPTION

07.01.01200

RECEIVED BY

[Signature]



HUBBARD COUNTY

CERTIFICATE OF COMPLIANCE OR NOTICE OF NONCOMPLIANCE  
FOR INDIVIDUAL SEWAGE TREATMENT SYSTEMS (ISTS)

PROPERTY OWNER: Cathy Gee

ADDRESS: 32620 Wolf Lake RD Cass Lake MN 56633

LEGAL DESCRIPTION: P/O Lot 4 Sec 1 T145 R32

PARCEL NUMBER: 07.01.01200

LAKE NAME: Wolf Lake

STATUS OF SYSTEM: For main house

Based on the compliance inspection conducted on 7/27/23 the SSTS is, IN COMPLIANCE,  
therefore, this document is a CERTIFICATE OF COMPLIANCE.

**CERTIFICATION:**

*I hereby certify as a State of Minnesota Licensed Inspector, Designer 1, or qualified employee that my observations recorded on this form are accurate as the inspection date of the individual sewage treatment system for the site stated above. This certificate is valid for 5 years from the date of issuance unless the L.U.G. finds evidence of imminent threat to public health or safety. No determination of future hydraulic performance can be made due to unknown conditions during system construction, future water usage over the life of the system, abuse of the system, and/or inadequate maintenance all of which will adversely affect the life of the system.*

*Electrical components and systems must be compliant with applicable rules and regulations of the State of Minnesota, as detailed in Minnesota Rule Section 7080.0700. It is the owner's responsibility to insure that any electrical work is compliant with the law and inspected as required under state law. This certificate of compliance does not extend to any electrical components and work and the County has undertaken no inspection of any electrical system or components thereof.*

INSPECTOR'S NAME: AL WINTERBERGER PHONE: 218-255-1722

LICENSE AND/OR REGISTRATIONS NUMBER: 1565

INSPECTOR'S SIGNATURE:  DATE: 7/27/23

# Septic Inspection Request

---

**Date Received** 7/26/2023 **Time Received** 2:00:00 PM

**Date Needed** 7/27/2023 **Time Needed** 11:00:00 AM

**Date Rescheduled** **Time Rescheduled**

**Installer Name** Atlas Environmental and Excavation Services LLC

**Installer Lic** 4114

**Contact**

**Phone**

**Property Owner** Cathy Gee

**Phone**

**Lake Name** Wolf lake

**Pressure Test** **Permit Number** 71-SS-23 **PIN #** 07.01.01200

**Comments**

**Initials** DD



07.01.01200

71-SS-23





Transfer Entered On 12/13/2021

( ) eCRV (x) N/A

(x) No Delinquent Taxes ( ) N/A

( ) Current Taxes Paid In Full (x) N/A

Lauren Anderson, Hubbard County Recorder

By DLH, Deputy

Parcel No. 07.01.01200

**A000421223**

**HUBBARD COUNTY, MINNESOTA**

**CERTIFIED, FILED, AND/OR  
RECORDED ON**

**12/13/2021 9:19:39 AM**

**LAUREN ANDERSON  
HUBBARD COUNTY RECORDER**

**BY TK Dep PAGES: 4**

**WELL DISCL RECD**

**MTG REG TAX PD \$ 0.00**

**DEED TAX PD \$ 1.65**

**TAX EXEMPT**

**DOCUMENT RECORDED ELECTRONICALLY**

**QUIT CLAIM DEED**

**Individual(s) to Individual(s)**

**Minnesota Uniform Conveyancing Blanks  
Form 10.3.1 (2018)**

eCRV number: \_\_\_\_\_

DEED TAX DUE: \$ 1.65

DATE: Dec. 3, 2021  
(month/day/year)

FOR VALUABLE CONSIDERATION, of \$3000.00 or less Cathy Lynn Gee and Thomas Gee, wife and husband

(insert name and marital status of each Grantor)

\_\_\_\_\_ ("Grantor"),

hereby conveys and quitclaims to Cathy Lynn Gee and Thomas Gee, spouses married to each other

(insert name of each Grantee)

\_\_\_\_\_ ("Grantee"), as

(Check only one box.)

☐ tenants in common,

☒ joint tenants,

(If more than one Grantee is named above and either no box is checked or both boxes are checked,  
this conveyance is made to the named Grantees as tenants in common.)

real property in Hubbard County, Minnesota, legally described as follows:  
see attached Exhibit A

Check here if all or part of the described real property is Registered (Torrens) ☐

together with all hereditaments and appurtenances belonging thereto.

## Check applicable box:

- ☐ The Seller certifies that the Seller does not know of any wells on the described real property.
- ☐ A well disclosure certificate accompanies this document or has been electronically filed. (If electronically filed, insert WDC number: \_\_\_\_\_.)
- ☒ I am familiar with the property described in this instrument and I certify that the status and number of wells on the described real property have not changed since the last previously filed well disclosure certificate.

Grantor

Cathy Lynn Gee  
(signature) Cathy Lynn Gee

Thomas Gee  
(signature) Thomas Gee

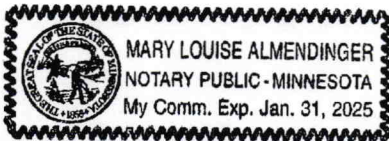
\_\_\_\_\_  
(signature)

\_\_\_\_\_  
(signature)

State of Minnesota, County of MA Hubbard Bethrami

This instrument was acknowledged before me on December 3, 2021 by Cathy Lynn Gee and  
Thomas Gee, wife and husband  
(month/day/year)  
(insert name and marital status of each Grantor)

(Stamp)



Mary Almendinger  
(signature of notarial officer)

Title (and Rank): Notary Public

My commission expires: 1-31-2025  
(month/day/year)

THIS INSTRUMENT WAS DRAFTED BY:  
(insert name and address)

Lendserv Title  
E114 Akers St  
Spring Valley WI 54767

L. Mooney

TAX STATEMENTS FOR THE REAL PROPERTY DESCRIBED IN THIS INSTRUMENT SHOULD BE SENT TO:

(insert legal name and residential or business address of Grantee)

Cathy Gee  
32620 Wolf Lake Road  
Cass Lake MN





**North American Title Insurance Company**  
760 N.W. 107th Avenue, Suite 401, Miami, FL 33172 (800) 374-8475 or (800) 869-3434

## COMMITMENT – Exhibit A

File No.: 2021-101498

Commitment No.: 2021-101498

### EXHIBIT A

#### Property Description

The real property in Hubbard County, Minnesota, described as follows:

That part of Government Lot 4, Section 1, Township 145 N, Range 32 W, Hubbard County, Minnesota, described as follows: Commencing at the northeast corner of said Section 1; thence S 00°15'30" W, bearing based on the Hubbard County Coordinate System, along the east line of said Section 1, a distance of 1,332.28 feet to a two-inch iron pipe monument; thence N 89°23'57" W a distance of 1,326.38 feet to the northeast corner of said Government Lot 4; thence N 89°33'03" W, along the north line of said Government Lot 4, a distance of 250.42 feet to a point designated by an iron rebar, 1/2 inch in diameter, stamped Lindow 47924, said point in hereinafter referred to as "Point A"; thence continue N 89°33'03" W, along said north line of Government Lot 4 a distance of 57.89 feet to a 1/2 inch iron rebar with plastic cap marked Miller 23046; thence continue N 89°33'03" W, along said north line of Government Lot 4 a distance of 324.58 feet to the point of beginning of the land to be described, said point is designated by an iron pipe, 1-1/4 inches in diameter; thence return S 89°33'03" E, along said north line of Government Lot 4 to said "Point A"; thence S 06°07'20" W a distance of 307.34 feet to an iron pipe, 1/2 inch in diameter, stamped LS 15483; thence S 71°14'26" W a distance of 307.00 feet to the intersection with the southeasterly prolongation of a line 12 feet north of, as measured at a right angle to, the north line of Lot 1, Crescent Beach, according to the recorded plat thereof on file in the office of the Hubbard County Recorder; thence N 21°29'06" E a distance of 243.72 feet to an iron pipe, 1/2 inch in diameter, stamped LS 15483; thence N 54°40'08" W a distance of 163.36 feet to an iron pipe, 1/2 inch in diameter, stamped LS 15483; thence continue N 54°40'08" W to the intersection with the shoreline of Big Wolf Lake; thence northerly, along said shoreline, to the intersection with the north line of said Government Lot 4 bearing N 89°33'03" W from the point of beginning; thence S 89°33'03" E, along said north line, a distance of 6 feet, more or less, to the point of beginning;

AND

That part of Government Lot 2, Section 1, Township 145 N, Range 32 W, of the Fifth Principal Meridian, Hubbard County, Minnesota, described as follows: Commencing at the southeast corner of said Government Lot 2; thence on a bearing of N 89°33'03" W, bearing based on the Hubbard County Coordinate System, NAD83, 1996 adjustment, along the south line of said Government Lot 2, a distance of 308.26 feet, more or less, to a found 1/2 inch diameter iron rebar with plastic cap marked Miller 23046, which designates the southeast corner of the Gordon and Karen Mackenhausen property as described in Book 196 of Deeds, page 760, as recorded as Document No. 281838, on file in the Office of the Recorder, Hubbard County, Minnesota; thence continuing N 89°33'03" W, along said south line, a distance of 50.00 feet to the point of beginning of the parcel of land to be described; thence N 86°02'27" W 99.44 feet; thence N 89°27'01" W 77.54 feet; thence S 86°48'26" W 97.98 feet to a found 1-1/4 inch (outside diameter) iron pipe which designates the meander corner of the south line of said Government Lot 2; thence S 89°33'03" E, along the south line of said Government Lot 2, a distance 274.58 feet to the point of beginning;

LESS AND EXCEPT

That part of said Government Lot 4, Section 1, Township 145 N, Range 32 W of the Fifth Principal Meridian, described as follows: Commencing at the northeast corner of said Government Lot 4; thence on a bearing of N 89°33'03" W, bearing based on the Hubbard County Coordinate System, NAD83, 1996 adjustment, along the north line of said Government Lot 4, a distance of 308.26 feet, more or less, to a found 1/2 inch diameter iron rebar with plastic cap marked Miller 23046, which designates the southeast corner of the Gordon and Karen Mackenhausen property as described in Book 196 of Deeds, page 760, as recorded as Document No. 281838, on file in the Office of the Recorder, Hubbard County,

This page is only a part of a 2016 ALTA® Commitment for Title Insurance. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I – Requirements; and Schedule B, Part II – Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.

Exhibit A – ALTA® Commitment for Title Insurance (8/1/16)  
Form: C.GU.1006

Copyright 2006-2016 American Land Title Association. All rights reserved.  
The use of this Form (or any derivative thereof) is restricted to ALTA licensees and ALTA members in good standing as of the date of use. All other uses are prohibited.  
Reprinted under license from the American Land Title Association.





**North American Title Insurance Company**  
760 N.W. 107th Avenue, Suite 401, Miami, FL 33172 (800) 374-8475 or (800) 869-3434

## COMMITMENT – Chain of Title

Minnesota; thence continuing N 89°33'03" W, along said north line, a distance of 50.00 feet to the point of beginning of the parcel of land to be described; thence S 38°56'17" E 25.26 feet; thence S 89°33'03" E, parallel with the north line of said Government Lot 4, a distance of 89.91 feet; thence N 06°01'19" E 19.61 feet to the north line of said Government Lot 4; thence N 89°33'03" W, along said north line, to the point of beginning.

Abstract Property

Chain of Title – ALTA® Commitment for Title Insurance (8/1/16)

Copyright 2006-2016 American Land Title Association. All rights reserved.  
The use of this Form (or any derivative thereof) is restricted to ALTA licensees and ALTA members in good standing as of the date of use. All other uses are prohibited.  
Reprinted under license from the American Land Title Association.





Transfer Entered On <u>5/18/2021</u>	
( ) eCRV	(X) N/A
(X) No Delinquent Taxes	( ) N/A
( ) Current Taxes Paid in Full	(X) N/A
Nicole K. Lueth, Hubbard County Recorder	
By <u>JRH</u>	Deputy
Parcel No. <u>07.01.01200</u>	

**A000416864**  
**HUBBARD COUNTY, MINNESOTA**  
**CERTIFIED, FILED, AND/OR**  
**RECORDED ON**  
**5/18/2021 4:14:02 PM**  
**NICOLE K. LUETH**  
**HUBBARD COUNTY RECORDER**  
 BY RLB Dep **PAGES: 2**  
**WELL DISCL RECD**  
**MTG REG TAX PD \$ 0.00**  
**DEED TAX PD \$ 1.65**  
**TAX EXEMPT**  
 DOCUMENT RECORDED ELECTRONICALLY

**QUIT CLAIM DEED**  
**Individual to Individual**

STATE DEED TAX DUE HEREON: \$1.65

THE CONSIDERATION FOR THIS DEED IS LESS THAN \$3,000.00

Date: 5/18/2021, 2021.

FOR VALUABLE CONSIDERATION, CAROL J. AXVIG, a widow and not remarried, Grantor, hereby conveys and quit claims to CATHY LYNN GEE, Grantee, real property in Hubbard County, Minnesota, described as follows:

That part of Government Lot 4, Section 1, Township 145 North, Range 32 West, Hubbard County, Minnesota, described as follows: Commencing at the northeast corner of said Section 1; thence South 00°15'30" West, bearing based on the Hubbard County Coordinate System, along the east line of said Section 1, a distance of 1332.28 feet to a two inch iron pipe monument; thence North 89°23'57" West a distance of 1326.38 feet to the northeast corner of said Government Lot 4; thence North 89°33'03" West, along the north line of said Government Lot 4, a distance of 250.42 feet to a point designated by an iron rebar, 1/2 inch in diameter, stamped Lindow 47924, said point is hereinafter referred to as "Point A"; thence continue North 89°33'03" West, along said north line of Government Lot 4 a distance of 57.89 feet to a 1/2 inch iron rebar with plastic cap marked Miller 23046; thence continue North 89°33'03" West, along said north line of Government Lot 4 a distance of 324.58 feet to the point of beginning of the land to be described, said point is designated by an iron pipe, 1 1/4 inches in diameter, thence return South 89°33'03" East, along said north line of Government Lot 4 to said "Point A"; thence South 06°07'20" West a distance of 307.34 feet to an iron pipe, 1/2 inch in diameter, stamped LS 15483; thence South 71°14'26" West a distance of 307.00 feet to the intersection with the southeasterly prolongation of a line 12 feet north of, as measured at a right angle to, the north line of Lot 1, Crescent Beach, according to the recorded plat thereof on file in the office of the Hubbard County Recorder; thence North 21°29'06" East a distance of 243.72 feet to an iron pipe, 1/2 inch in diameter, stamped LS 15483; thence North 54°40'08" West a distance of 163.36 feet to an iron pipe, 1/2 inch in diameter, stamped LS 15483; thence continue North 54°40'08" West to the intersection with the shoreline of Big Wolf Lake; thence northerly, along said shoreline, to the intersection with the north line of said Government Lot 4 bearing North 89°33'03" West from the point of beginning; thence South 89°33'03" East, along said north line, a distance of 6 feet, more or less, to the point of beginning;

AND

That part of Government Lot 2, Section 1, Township 145 North, Range 32 West, of the Fifth Principal Meridian, Hubbard County, Minnesota, described as follows: Commencing at the southeast corner of said Government Lot 2; thence on a bearing of North 89°33'03" West, bearing based on the Hubbard County Coordinate System, NAD83, 1996 adjustment, along the south line of said Government Lot 2, a distance of 308.26 feet, more or less, to a found one-half inch diameter iron rebar with plastic cap marked Miller 23046, which designates the southeast corner of the Gordon and Karen Mackenhausen property as described in Book 196 of Deeds, page 760, as recorded as Document No. 281838, on file in the Office of the Recorder, Hubbard



## Check applicable box:

- ☐ The Seller certifies that the Seller does not know of any wells on the described real property.
- ☐ A well disclosure certificate accompanies this document or has been electronically filed. (If electronically filed, insert WDC number: \_\_\_\_\_)
- ☒ I am familiar with the property described in this instrument and I certify that the status and number of wells on the described real property have not changed since the last previously filed well disclosure certificate.

Grantor

Cathy Lynn Gee  
(signature) Cathy Lynn Gee

Thomas Gee  
(signature) Thomas Gee

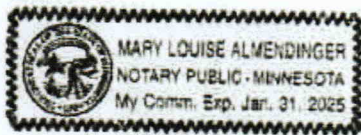
\_\_\_\_\_  
(signature)

\_\_\_\_\_  
(signature)

State of Minnesota, County of MA Hubbard Beltrami

This instrument was acknowledged before me on December 3, 2021 by Cathy Lynn Gee and  
Thomas Gee, wife and husband  
(month/day/year)  
(insert name and marital status of both Grantor)

(Stamp)



Mary Almendinger  
(signature of notarial officer)

Title (and Rank): Notary Public

My commission expires 1-31-2025  
(month/day/year)

THIS INSTRUMENT WAS DRAFTED BY:  
(insert name and address)

Lendserv Title  
E114 Akers St  
Spring Valley WI 54767

L. mooney

TAX STATEMENTS FOR THE REAL PROPERTY DESCRIBED IN THIS INSTRUMENT SHOULD BE SENT TO:

(insert legal name and residential or business address of Grantee)  
Cathy Gee  
32620 Wolf Lake Road  
Cass Lake MN





North American Title Insurance Company  
760 N.W. 107th Avenue, Suite 401, Miami, FL 33172 (800) 374-8475 or (800) 889-3434

## COMMITMENT – Exhibit A

File No.: 2021-101498

Commitment No.: 2021-101498

### EXHIBIT A Property Description

The real property in Hubbard County, Minnesota, described as follows:

That part of Government Lot 4, Section 1, Township 145 N, Range 32 W, Hubbard County, Minnesota, described as follows: Commencing at the northeast corner of said Section 1; thence S 00°15'30" W, bearing based on the Hubbard County Coordinate System, along the east line of said Section 1, a distance of 1,332.28 feet to a two-inch iron pipe monument; thence N 89°23'57" W a distance of 1,326.38 feet to the northeast corner of said Government Lot 4; thence N 89°33'03" W, along the north line of said Government Lot 4, a distance of 250.42 feet to a point designated by an iron rebar, 1/2 inch in diameter, stamped Lindow 47924, said point in hereinafter referred to as "Point A"; thence continue N 89°33'03" W, along said north line of Government Lot 4 a distance of 57.89 feet to a 1/2 inch iron rebar with plastic cap marked Miller 23046; thence continue N 89°33'03" W, along said north line of Government Lot 4 a distance of 324.58 feet to the point of beginning of the land to be described, said point is designated by an iron pipe, 1-1/4 inches in diameter; thence return S 89°33'03" E, along said north line of Government Lot 4 to said "Point A"; thence S 06°07'20" W a distance of 307.34 feet to an iron pipe, 1/2 inch in diameter, stamped LS 15483; thence S 71°14'26" W a distance of 307.00 feet to the intersection with the southeasterly prolongation of a line 12 feet north of, as measured at a right angle to, the north line of Lot 1, Crescent Beach, according to the recorded plat thereof on file in the office of the Hubbard County Recorder; thence N 21°29'06" E a distance of 243.72 feet to an iron pipe, 1/2 inch in diameter, stamped LS 15483; thence N 54°40'08" W a distance of 163.36 feet to an iron pipe, 1/2 inch in diameter, stamped LS 15483; thence continue N 54°40'08" W to the intersection with the shoreline of Big Wolf Lake; thence northerly, along said shoreline, to the intersection with the north line of said Government Lot 4 bearing N 89°33'03" W from the point of beginning, thence S 89°33'03" E, along said north line, a distance of 6 feet, more or less, to the point of beginning;

AND

That part of Government Lot 2, Section 1, Township 145 N, Range 32 W, of the Fifth Principal Meridian, Hubbard County, Minnesota, described as follows: Commencing at the southeast corner of said Government Lot 2; thence on a bearing of N 89°33'03" W, bearing based on the Hubbard County Coordinate System, NAD83, 1996 adjustment, along the south line of said Government Lot 2, a distance of 308.26 feet, more or less, to a found 1/2 inch diameter iron rebar with plastic cap marked Miller 23046, which designates the southeast corner of the Gordon and Karen Mackenhausen property as described in Book 196 of Deeds, page 760, as recorded as Document No. 281838, on file in the Office of the Recorder, Hubbard County, Minnesota; thence continuing N 89°33'03" W, along said south line, a distance of 50.00 feet to the point of beginning of the parcel of land to be described; thence N 86°02'27" W 99.44 feet; thence N 89°27'01" W 77.54 feet; thence S 86°48'26" W 97.98 feet to a found 1-1/4 inch (outside diameter) iron pipe which designates the meander corner of the south line of said Government Lot 2; thence S 89°33'03" E, along the south line of said Government Lot 2, a distance 274.58 feet to the point of beginning;

### LESS AND EXCEPT

That part of said Government Lot 4, Section 1, Township 145 N, Range 32 W of the Fifth Principal Meridian, described as follows: Commencing at the northeast corner of said Government Lot 4; thence on a bearing of N 89°33'03" W, bearing based on the Hubbard County Coordinate System, NAD83, 1996 adjustment, along the north line of said Government Lot 4, a distance of 308.26 feet, more or less, to a found 1/2 inch diameter iron rebar with plastic cap marked Miller 23046, which designates the southeast corner of the Gordon and Karen Mackenhausen property as described in Book 196 of Deeds, page 760, as recorded as Document No. 281838, on file in the Office of the Recorder, Hubbard County,

This page is only a part of a 2016 ALTA® Commitment for Title Insurance. This Commitment is not valid without the Notice, the Commitment to Issue Policy, the Commitment Conditions, Schedule A, Schedule B, Part I – Requirements; and Schedule B, Part II – Exceptions, and a counter-signature by the Company or its issuing agent that may be in electronic form.

Exhibit A – ALTA® Commitment for Title Insurance (6/1/18)  
Form: C.GU.1006

Copyright 2006-2016 American Land Title Association. All rights reserved.  
The use of this Form (or any derivative thereof) is restricted to ALTA licensees and ALTA members in good standing as of the date of use. All other uses are prohibited.  
Reprinted under license from the American Land Title Association.





SECT-01 TWP-145 RANGE-032 2.39 AC P/O GL04 & GL02 FR NE COR SEC 1 SW1332.28  
NW1326.38 TO NE COR GL04 NW250.42 SW19.61 NW89.91 NW25.26 NW99.44 NW77.54  
SW97.98 SW TO LK PB NE6 NE97.98 SE77.54 SE99.44 SE25.26 SE89.91 SW307.34 SW307  
NE243.72 NW163.36 NW21 TO LK NE'LY AL LK TO PB !PARCEL A!

Directions to the home:

From Park Rapids, go north on Highway 71 for 50 miles, turn East on Hwy 2 for 11.2 miles, turn north on Roosevelt for 1 mile, turn west on Wolf Lake Road for 1.6 miles, turn right into property driveway.





DISCLAIMER: Information available on or accessed from Hubbard County's GIS maps is provided for informational and reference purposes only and has not been prepared for and may not be suitable for legal, engineering, or surveying purposes. Hubbard County makes no guarantee as to the accuracy, currency, suitability, performance, merchantability, reliability, or fitness of this data and information for any particular purpose. Hubbard County shall not be liable for any incidental or consequential damages, losses, or third party claims that might arise from the use of maps or the information they contain, even if Hubbard County has been advised of the possibility of such potential loss or damage. This data may not be used in jurisdictions that do not allow the exclusion or limitation of incidental or consequential damages.

**5-V-24 Gee**

Hubbard County - 301 Court Ave, Park Rapids, MN 56470

Created 2/26/2024 at 01:19 PM



PARCEL ID	TAXPAYER NAME 1	TAXPAYER NAME 2	TAXPAYER ADDRESS 1	TAXPAYER CITY	TAXI ZIP
07.01.00600	ABR WOLF LAKE LLC		11909 SHAVENROCK PL	RALEIGH	NC 27613
07.39.00500	ANDERSON FAMILY TRUST		32540 WOLF LAKE RD	CASS LAKE	MN 56633
07.01.01200	CATHY LYNN GEE	THOMAS GEE	32620 WOLF LAKE RD	CASS LAKE	MN 56633
07.01.00800	DIANE K MAGNUSON ETAL LE'S	KARI LU BERNARDY	2739 LAKE COURT DRIVE	MOUNDS VIEW	MN 55112
07.01.02000	JOHN SANDERSON		PO BOX 368	ELGIN	ND 58533
07.01.00700	KRISTEN M ROSENWINKEL ETAL		522 S WISCONSIN	VILLA PARK	IL 60181
07.01.00100	SCOTT SIMMONS		9616 42ND AVE	PLEASANT PRAIRIE	WI 53158
07.01.00300	SHARON V KUETHER REV TRUST		2612 CRESCENT DR	GRAND FORKS	ND 58201
07.01.00400	STEVEN A AASERUDE ETAL	MELVIN V AASERUDE	32839 WOLF LAKE RD	CASS LAKE	MN 56633
07.01.00310	THOMAS M BRYAN	JENNIFER L BRYAN	1428 KINGS VIEW DR	GRAND FORKS	ND 58201
07.39.00400	TIMOTHY CAPOUCH		714 6TH AVE WEST	WEST FARGO	ND 58078
07.39.00300	VICKI M RONKOWSKI TR	VICKI M RONKOWSKI TTE	4614 BELMONT RD	GRAND FORKS	ND 58201

Variance Application 5-V-24 by Thomas and Cathy Gee: 2023 Aerial Imagery





## Variance Application 5-V-24 by Thomas and Cathy Gee: 2023 Aerial Imagery



**Staci Lee**

---

**From:** Cathy Gee <cathylynnggee@gmail.com>  
**Sent:** Friday, June 9, 2023 3:46 PM  
**To:** Bryan Haugen; Staci Lee  
**Subject:** Photos

The electricity is off and no one is staying there.  
My son did what we asked and helpfully this will suffice.



RECEIVED JUN 09 2023









**Staff Report**  
**Hubbard County Planning Commission/Board of Adjustment**  
**Monday, March 25, 2024 Hearing/Meeting**

**BOARD OF ADJUSTMENT:**

**NEW BUSINESS**

**Variance Application 5-V-24 by Thomas and Cathy Gee:** Part of Gov't Lot 4 and part of Gov't Lot 2, Section 1, Township 145, Range 32, Farden Township on Wolf Lake, a recreational development lake. Parcel 07.01.01200. Applicants are requesting a variance from Section 506 of the Shoreland Management Ordinance for a proposed guest cottage on a lot that doesn't meet the required 150' minimum lot width at the ordinary high water mark.

**Enclosed Document(s):**

- 5-V-24 application
- 2023 aerial imagery w/2' elevation contours overlain
- Interior photos of proposed guest cottage space rec'd 06/12/2023

The applicants request a variance to have a guest cottage co-located in an existing garage accessory structure on this lot that does not meet the 150' minimum lot width requirement at the OHW as it is approximately 84' wide at the OHW. The lot is 104,205 sq. ft. and approximately 156' wide at the 100' OHW structure setback. The proposed guest cottage would be 660 sq. ft.

The house on this lot was constructed by a 2000 variance that allowed it to be within the 10' setback from the septic tank servicing it and the 20' township road ROW setback to be waived. A condition said the lakeside deck could be no closer to the OHW than where it currently sat. There was an existing house on the lot at the time of this variance that had been damaged by a vehicle running off of the road and into the house. The township road used to run right behind (east) of the house. Sometime between 2001 and 2003, the road was moved to its current location. Historic aerial imagery on the County website shows the old road location if any on the Board are interested.

The edge of the septic tank for the house is either touching the edge of the attached garage or partially beneath the garage. In 2023, a new pressure bed was installed for the SSTS servicing the house. This system is sized for three bedrooms. Also in 2023, an upgrade was done to the SSTS that services the garage in which the applicants are requesting to place the proposed guest cottage. This upgrade consisted of installing a 500 gallon pump tank and a pressure bed with the system sized for two bedrooms.

In June of 2022, the department received a complaint that a short-term rental (STR) use was occurring on the property which led to the department sending the applicants a letter in July of 2022 informing them of the need to obtain a license if the property was being used this way. The applicants submitted a license application in July of 2022 that was incomplete. Another complaint was submitted in February of 2023 which led to the department sending the applicants another letter in March of 2023. The applicants obtained an STR license in August 2023.

Also in 2023, staff became aware that the space proposed to be used as a guest cottage in this variance application had already been developed into guest cottage space. This led to staff communicating to the applicants that such a use could not occur without a variance due to the lot not meeting the 150' minimum lot width at the OHW. This led to the applicants removing items specified by staff from the guest cottage space so that it wouldn't constitute a guest cottage (see enclosed email and photos provided by the applicants.)

The lot is uniquely shaped due to an unclassified creek that runs along the southwest side of the lot. The lot is 104,205 sq. ft. per the County's GIS. The lot meets the 150' minimum lot width requirement at the 100' OHW setback. The east (rear) half of the lot averages 360' in width. As the lot area is two and a half times the required

**Staff Report**  
**Hubbard County Planning Commission/Board of Adjustment**  
**Monday, March 25, 2024 Hearing/Meeting**

40,000 sq. ft. lot area required to have a guest cottage, the only deficiency is the lot width at the OHW which is roughly 84', and most of the lot width exceeds the 150' minimum requirement, staff is supportive of the request. If approved, because the property is in the Mississippi River corridor, certification of approval will be required from the Mississippi Headwaters Board.

Below are the findings of fact questions for your consideration:

1. Is the variance in harmony with the general purposes and intent of the official controls?  
Yes ( X ) No ( )  
Why or why not? The lot is 104,205 sq. ft. in size when 40,000 sq. ft. is required in order to have a guest cottage. The lot meets the 150' minimum lot width requirement at the 100' OHW structure setback and the east 60% of the lot averages 360' in width. The creek that runs alongside the southwest boundaries of the lot is the reason why the lot isn't able to meet the 150' minimum width requirement at the OHW. The extra width on the rest of the lot and the extra lot area more than offset the lack of width at the OHW. Thus, allowing a guest cottage to be located on this lot is in harmony with the ordinance's intent behind the guest cottage minimum lot size criteria.
2. Is the property owner proposing to use the property in a reasonable manner not permitted by an official control?  
Yes ( X ) No ( )  
Why or why not? The lot meets and exceeds the minimum lot area and width requirements for having a guest cottage aside from the sole deficiency of not having 150' of lot width at the OHW due to the unique presence of a creek that flows out of Wolf Lake along the property's southwest boundaries. The east 60% of the lot averages 360' in width and the lot is two and a half times the required 40,000 sq. ft. minimum needed to have a guest cottage.
3. Is the need for a variance due to circumstances unique to the property and not created by the current or prior property owners?  
Yes ( X ) No ( )  
Why or why not? The lot lacks 150' of shoreline due to a creek that runs along its southwest boundaries. The lot also abuts the north boundary of the government lot in which it is located which explains why when the lot was created, additional lot width was not available by extending the lot to the north into the adjacent government lot as the adjacent government lot was likely in separate ownership.
4. Will the issuance of the variance maintain the essential character of the locality?  
Yes ( X ) No ( )  
Why or why not? The locality consists of mostly seasonal residential homes on lots that are substandard in size. This lot is atypical for the area in terms of its size exceeding the 40,000 sq. ft. minimum lot size by 150%. The detached garage in which the guest cottage would be co-located already exists. Allowing a guest cottage use within the garage structure will not harm the locality's largely seasonal use residential character.
5. Does the stated practical difficulty involve more than just economic considerations?  
Yes ( X ) No ( )



**Staff Report**  
**Hubbard County Planning Commission/Board of Adjustment**  
**Monday, March 25, 2024 Hearing/Meeting**

Why or why not? Economics are not cited in the application as a practical difficulty. The practical difficulty of not having 150' of lot width at the OHW is caused by the unique shoreline width on the lot due to the creek that runs from the south edge of the lot's shoreline along the lot's southwest boundary.



# Environmental Services

301 Court Avenue, Park Rapids, MN 56470

Phone: 218.732.3890

[www.co.hubbard.mn.us/departments/environmental\\_services/index.php](http://www.co.hubbard.mn.us/departments/environmental_services/index.php)

March 26, 2024

Thomas and Cathy Gee  
32620 Wolf Lake Road  
Cass Lake, MN 56633

Re: Hubbard County Board of Adjustment decision for Variance Application 5-V-24

Dear Mr. and Mrs. Gee,

The Hubbard County Board of Adjustment (BOA) met on Monday, March 25, 2024 to review and consider the following variance application:

**Variance Application 5-V-24 by Thomas and Cathy Gee:** Part of Gov't Lot 4 and part of Gov't Lot 2, Section 1, Township 145, Range 32, Farden Township on Wolf Lake, a recreational development lake. Parcel 07.01.01200. Applicants are requesting an after-the-fact variance from Section 506 of the Shoreland Management Ordinance for a proposed guest cottage on a lot that doesn't meet the required 150' minimum lot width at the ordinary high water mark.

**The official decision of the Hubbard County Board of Adjustment is as follows:**

Kovacovich made a motion to approve the variance application as presented with the condition that the alternate SSTS drainfield sites be identified and preserved for both the primary dwelling unit and the guest cottage before the after-the-fact land use permit for the guest cottage can be issued.

Johnson seconded the motion that passed 4 – 0.

This is in accordance with Section 1103 of the Hubbard County Shoreland Management Ordinance and the findings of fact on file with the Environmental Services Department.

In order for this variance to be valid, it must next be certified by the Mississippi Headwaters Board (MHB) because your property is located in the MHB Comprehensive Plan's jurisdictional area. I plan to present the BOA's decision on the application to the MHB at its April 2024 meeting. The MHB Executive Director will send you written notification of the MHB's decision.

If the MHB certifies your variance, you may then apply for the necessary after-the-fact permit for the guest cottage once the variance condition is satisfied.

Please contact our department at (218) 732-3890 with any questions.

Most sincerely,

Eric Buitenwerf  
Environmental Services Director



# **March 25, 2024 Planning Commission/Board of Adjustment Hearing/Meeting Minutes**

## **HUBBARD COUNTY**

### **Planning Commission/Board of Adjustment Meeting Minutes**

6:00 p.m. on Monday, March 25, 2024

Chair Veronica Andres opened the meeting with the following additional members present: Tim Johnson, Mike Kovacovich, and Larry Bumgardner. Also present were Environmental Services Director Eric Buitenwerf and ex-officio Planning Commission member and County Board Vice-Chair Steve Keranen.

Andres started the meeting by reading the procedure by which the meeting of the Planning Commission/Board of Adjustment will be conducted to the audience.

#### **Board of Adjustment:**

##### **New Business:**

**Variance Application 5-V-24 by Thomas and Cathy Gee:** Part of Gov't Lot 4 and part of Gov't Lot 2, Section 1, Township 145, Range 32, Farden Township on Wolf Lake, a recreational development lake. Parcel 07.01.01200. Applicants are requesting a variance from Section 506 of the Shoreland Management Ordinance for a proposed guest cottage on a lot that doesn't meet the required 150' minimum lot width at the ordinary high water mark.

Andres stated we do not have any applicants available, so I will ask the members again if we want to proceed with the application as we are allowed, or if we want to table it for the applicant to provide information.

Johnson replied I would be in favor of proceeding.

The Board agreed.

Andres opened for public comment.

No public comment was given.

Andres closed public comment.

Johnson questioned after our discovery at the lot viewal that this is an after-the-fact application now, does staff maintain the same recommendation as the original staff report?

Buitenwerf replied yes, in spite of the landowner's behavior.

Andres stated just for the record I would like to state that the original variance application was requesting a 660 sq. ft. guest cottage in an area of the detached garage. During lot views, it was

## **March 25, 2024 Planning Commission/Board of Adjustment Hearing/Meeting Minutes**

discovered that the variance application is now an after-the-fact variance request as the guest cottage referenced in the application was currently occupied and in use.

Buitenwerf added the applicants did pay the additional after-the-fact fee that was required today.

Johnson asked by paying the after-the-fact fee, it was an admittance to the violation?

Buitenwerf replied that's how I take it.

Andres added it does appear that the applicants have obtained a short-term rental license in August of 2023. At this time, it's only for the house. If this gets approved, are they allowed to have the guest cottage as an STR also?

Buitenwerf explained if it meets duplex lot size criteria they can. This does not meet that.

Andres clarified so they can only have one. They cannot do both.

Buitenwerf agreed.

Andres questioned are the applicants aware of that?

Buitenwerf replied that I couldn't tell you. The property is supposedly up for sale. They've been saying that they were going to sell it since last year, so that could affect how you look at it. The other consideration would be future septic space. Because of different things that the owners have done, they've used up a lot of their available areas. They do have some space left, but it's going to be probably where all those trees are toward the east portion of the property.

Andres added because of the property being in the Mississippi Headwaters Corridor, when they obtained the short-term rental license, did you have to notify the Mississippi Headwaters Board as well?

Buitenwerf explained the license doesn't just because it is a staff action that doesn't involve a Board.

Andres continued the guest cottage still has to get a double stamp if we approve?

Buitenwerf stated it needs their certification, but their comprehensive plan doesn't speak to guest cottages. It's kind of a hoop you have to jump through.

Kovacovich added I'm leaning towards approving, but with a condition that plans be submitted for alternate septic system drainfields for both of the systems, and with the understanding that this particular guest cottage cannot be used as a rental.

Buitenwerf said with the current house and all the septic things that were going on last year, they ended up getting a short-term rental license for the occupancy that the house system can support, but they had wanted to work on putting in a larger system so they could bump up the occupancy in the house. That hasn't happened due to a variety of things with the applicant and their septic designer.



## **March 25, 2024 Planning Commission/Board of Adjustment Hearing/Meeting Minutes**

Andres asked is the septic system that's currently operating there a pressure bed or is it drainfield?

Johnson answered that's a pressure bed.

Andres continued when someone comes in with a pressure bed and wants to expand to increase occupancy, how do they expand on a pressure bed?

Johnson explained you can make it wider. It looks like it is 12' wide.

Buitenwerf clarified this one is 12' x 22'.

Johnson stated you can make them up to 25'. You just add on square footage.

Buitenwerf added that's the system for the guest house.

Johnson asked if this property had the correct width at the shoreline, would they be allowed to put that guest cottage inside that garage?

Buitenwerf agreed.

Kovacovich added they still couldn't utilize it as part of the rental unit. How many bedrooms are they allowed for the rental?

Buitenwerf replied three bedrooms, six occupants maximum. That one's also a pressure bed.

Andres asked when it comes to alternate drainfields then, it would most likely be a pressure bed according to the soils?

Johnson agreed, and right next to them generally.

Andres continued they already had an old drainfield there?

Buitenwerf explained part of the reason they couldn't expand the size of the system for the house is because the tanks for the house are partly under the garage and under their sidewalk.

Andres asked wouldn't it be sufficient if they wanted to increase, to fill those up and close them off?

Buitenwerf responded that was suggested by my staff.

Andres asked Kovacovich could you repeat the possible conditions that you had?

Kovacovich stated one was just making sure that alternate drainfield sites be identified and preserved on the property for both systems.

Andres asked did you have something about the STR?

## March 25, 2024 Planning Commission/Board of Adjustment Hearing/Meeting Minutes

Kovacovich added that's just for clarification that only one rental unit is allowed per this property. They could choose to make the guest cottage the rental if they wanted, but then the house couldn't be.

Andres clarified if they chose to do that, would they have to come in and seek a different license?

Buitenwerf replied the license is currently for the main house.

Andres said they would have to switch it.

Andres continued it sounds as though we're all in agreeance that it's a possibility to retain that, even though it was a little misleading, with a couple conditions. The lot is uniquely shaped due to the unclassified creek that runs along the southwest side of the lot. It is also 104,000 sq. ft. per the County's GIS. The lot does meet the 150' minimum lot width requirement at the 100' ordinary high water mark setback. It does meet a lot of criteria. If it is approved, then we still need to get Mississippi Headwaters Board certification.

Kovacovich made a motion to approve the variance application as presented with the condition that the alternate SSTS drainfield sites be identified and preserved for both the primary dwelling unit and the guest cottage before the after-the-fact land use permit for the guest cottage can be issued.

Johnson seconded the motion that passed 4 – 0.

The Board adopted the staff report Findings of Fact.

### Findings of Fact

1. Is the variance in harmony with the general purposes and intent of the official controls?

Yes ( X ) No ( )

Why or why not? The lot is 104,205 sq. ft. in size when 40,000 sq. ft. is required in order to have a guest cottage. The lot meets the 150' minimum lot width requirement at the 100' OHW structure setback and the east 60% of the lot averages 360' in width. The creek that runs alongside the southwest boundaries of the lot is the reason why the lot isn't able to meet the 150' minimum width requirement at the OHW. The extra width on the rest of the lot and the extra lot area more than offset the lack of width at the OHW. Thus, allowing a guest cottage to be located on this lot is in harmony with the ordinance's intent behind the guest cottage minimum lot size criteria.

2. Is the property owner proposing to use the property in a reasonable manner not permitted by an official control?

Yes ( X ) No ( )

Why or why not? The lot meets and exceeds the minimum lot area and width requirements for having a guest cottage aside from the sole deficiency of not having 150' of lot width at the OHW due to the unique presence of a creek that flows out of Wolf Lake along the property's southwest



## March 25, 2024 Planning Commission/Board of Adjustment Hearing/Meeting Minutes

boundaries. The east 60% of the lot averages 360' in width and the lot is two and a half times the required 40,000 sq. ft. minimum needed to have a guest cottage.

3. Is the need for a variance due to circumstances unique to the property and not created by the current or prior property owners?

Yes ( X ) No ( )

Why or why not? The lot lacks 150' of shoreline due to a creek that runs along its southwest boundaries. The lot also abuts the north boundary of the government lot in which it is located which explains why when the lot was created, additional lot width was not available by extending the lot to the north into the adjacent government lot as the adjacent government lot was likely in separate ownership.

4. Will the issuance of the variance maintain the essential character of the locality?

Yes ( X ) No ( )

Why or why not? The locality consists of mostly seasonal residential homes on lots that are substandard in size. This lot is atypical for the area in terms of its size exceeding the 40,000 sq. ft. minimum lot size by 150%. The detached garage in which the guest cottage would be co-located already exists. Allowing a guest cottage use within the garage structure will not harm the locality's largely seasonal use residential character.

5. Does the stated practical difficulty involve more than just economic considerations?

Yes ( X ) No ( )

Why or why not? Economics are not cited in the application as a practical difficulty. The practical difficulty of not having 150' of lot width at the OHW is caused by the unique shoreline width on the lot due to the creek that runs from the south edge of the lot's shoreline along the lot's southwest boundary.



**PLANNING COMMISSION/BOARD OF ADJUSTMENT**  
**March 21, 2024**  
**5:00 PM**

Historic Court House, 3<sup>rd</sup> Floor, County Board Room  
 326 Laurel Street, Brainerd MN 56401  
 (218) 824-1125, Fax (218) 824-1126, Web: [www.crowwing.us](http://www.crowwing.us)

**PUBLIC HEARING NOTICE**

**Applicant:** Reiner, Leigh G Trust & Reiner, Anita K - Variances

**Site Address:** 12389 Executive Acres Road, Brainerd, MN 56401

**Site Location:** Located on South 1020 feet of Gov Lot 1 together with an easement; Unorganized/1<sup>st</sup> Assessment, Crow Wing County, Minnesota

**Request:**

**Variance for:**

1. An OHW setback of 130 feet to proposed garage addition, where 150 feet is required.
2. An OHW setback of 122 feet to proposed addition to an existing dwelling, where 150 feet is required.

**To Construct:**

- A 1,080 square foot garage addition, and a 900 square foot addition to an existing dwelling, per Certificate of Survey received 01/17/2024.

**Notification:** Pursuant to Minnesota Statutes Chapter 394, and the Crow Wing County Land Use Ordinance, you are hereby notified of a public hearing before the Crow Wing County Board of Adjustment. Property owners have been notified according to MN State Statute 394.26 & published in the local newspaper. Please share this notice with any of your neighbors who may not have been notified by mail.

**Information:** Information is available at [www.crowwingcountymn.igm2.com](http://www.crowwingcountymn.igm2.com)  
 Please submit your comments in writing including your name and mailing address to ([landservices@crowwing.us](mailto:landservices@crowwing.us)). Please contact Environmental Services with any questions.





## NOTICE OF DECISION

March 21, 2024

Reiner, Leigh G Trust & Reiner, Anita K  
12389 Executive Acres Road  
Brainerd, MN 56401

**Parcel Number:** 99120536

**Physical Address:** 12389 Executive Acres Road, Brainerd, MN 56401

**Site Location:** Located on South 1020 feet of Gov Lot 1 together with an easement; Unorganized/1<sup>st</sup> Assessment, Crow Wing County, Minnesota

☒ Your Variance application was approved on March 21, 2024, by the Board of Adjustment. You are required to obtain all permits prior to construction activities. Any modifications to this Variance in the future will require an amendment to the Variance.

☐ Your Variance application was amended and approved on March 21, 2024, by the Board of Adjustment. You are required to obtain all permits prior to construction activities. Any modifications to this Variance in the future will require an amendment to the Variance.

☐ Your Variance application was denied on March 21, 2024, by the Board of Adjustment.

☐ Your Variance application was tabled on March 21, 2024, by the Board of Adjustment.

**\*\*Precise language for any amended variance applications and/or conditions will be in the Stated Minutes and Findings of Fact, available at least seven (7) days from the date of this Public Hearing.**

### CONDITIONS (marked items apply):

- ☐ Implement an erosion and sediment control plan utilizing best management practices (BMP's) prior to construction and dirt moving activities. Plan must be approved by the County. The BMP's must remain in place until all disturbed soils are stabilized.

☐ \_\_\_\_\_

☐ \_\_\_\_\_

### Land Use Ordinance Requirements:

1. Land use permit(s) approved by County staff

03-21-2024

Date

  
\_\_\_\_\_  
Planning Commission, Chair

**\*\*You may apply online for any required Land Use permits; please contact Crow Wing County Land Services (218)-824-1010 with any questions you might have.**

**Our Vision:** Being Minnesota's favorite place.

**Our Mission:** Serve well. Deliver value. Drive results.

**Our Values:** Be responsible. Treat people right. Build a better future.



**Crow Wing County – Planning Commission  
Summary of Record  
March 21, 2024**

**Property Owner:** Reiner, Leigh G Trust & Reiner, Anita K

**Parcel Number:** 99120536

**Physical Address:** 12389 Executive Acres Road, Brainerd, MN 56401

**Location:** Located on South 1020 feet of Gov Lot 1 together with an easement; Unorganized/1<sup>st</sup> Assessment, Crow Wing County, Minnesota

**Request:**

**Variance for:**

1. An OHW setback of 130 feet to proposed garage addition, where 150 feet is required.
2. An OHW setback of 122 feet to proposed addition to an existing dwelling, where 150 feet is required.

**To Construct:**

- A 1,080 square foot garage addition, and a 900 square foot addition to an existing dwelling, per Certificate of Survey received 01/17/2024.

**Current Zoning:** Shoreland District – Mississippi River

**Adjacent Land Use/Zoning:**

**North:** Shoreland District with RR-10

**South:** Mississippi River & Waterfront Commercial District

**East:** Mississippi River

**West:** Shoreland District

**Existing Impervious Coverage:** 2.8%

**Proposed Impervious Coverage:** 3.3%

**Chronology of events:**

- January 08, 2024 – Development Review Team Meeting
- February 14, 2024 – Application submitted
- February 28, 2024 – On-site notice published in local newspapers
- March 06, 2024 - PC/BOA Meeting published in local newspapers
- March 07, 2024 – Planning Commission/Board of Adjustment On-site visit
- March 08, 2024 – Notices mailed
- March 21, 2024 – Board of Adjustment Meeting – Decision to approve the Variance request with no conditions

**Packet Information:**

- Public Hearing Notice
- Staff Report
- Certificate of Survey
- Aerial, LUMA, FEMA & MHB setback Views
- On-Site Photos
- Variance Application
- Variance Findings of Fact Questions with County staff recommendations

**Agencies Notified and Responses Received:**

**MHB:** Comment received 03/08/2024

**MNDNR:** No comment received as of 03/21/2024

**SWCD:** No comment received as of 03/21/2024

**Citizen Correspondence:** No comment received as of 03/21/2024

March 21, 2024



FINDINGS OF FACT  
SUPPORTING / DENYING A VARIANCE REQUEST

*A Variance may be granted by the Board of Adjustment when it is found that strict enforcement of the Land Use Ordinance will result in a "practical difficulty" according to Minnesota Statute 394.27 Subdivision 7. The Board of Adjustment should weigh each of the following questions to determine if the applicant has established that there are "practical difficulties" in complying with regulations and standards set forth in the Land Use Ordinance.*

1. Is the Variance request in harmony with the purposes and intent of the Ordinance?

Yes ☒

Why?

- **The Ordinance allows for the expansion of non-conforming structures through the variance process outlined in Article 8 of the County Land Use Ordinance.**
- **The Mississippi River curves around this property for which any additions to the structures would require a variance.**
- **The requested 122-foot setback to the proposed addition to the existing dwelling and the 130-foot setback to the addition to the garage are minimal reductions from the required 150-foot setback to the Mississippi River.**
- **The structure was built in 1974 before MHB requirements were more restrictive. Back in 1974, this structure met the ordinance requirements at that time.**

2. Is the Variance consistent with the Comprehensive Plan?

Yes ☒

Why?

- **Encourage residential development that provides housing options for different socioeconomic groups – particularly the aging population – while protecting the characteristics that people value, a sense of community, as well as a plan to provide all citizens reasonable access to a diversity of recreational and open space opportunities (pg. 42).**

3. Is the property owner proposing to use the property in a reasonable manner not permitted by the Land Use Ordinance?

Yes ☒

Why?

- **The 900 square foot dwelling addition is a minimal addition the side of an existing legal non-conforming structure does not meet the required setbacks.**
- **The 1,080 square foot garage addition is a minimal addition the side of an existing legal non-conforming structure does not meet the required setbacks.**

4. Is the need for a Variance due to circumstances unique to the property and not created by the property owner?

Yes ☒

Why?

- **The topography of the land restricts the suitable area for the proposed additions.**
- **The Mississippi River curves around this property for which any additions to the structures would require a variance.**

5. Will the issuance of a Variance maintain the essential character of the locality?

Yes ☒

Why?

- **The 900 square foot addition is a minimal addition the side of an existing legal non-conforming structure does not meet the required setbacks.**
- **The 1,080 square foot garage addition is a minimal addition the side of an existing legal non-conforming structure does not meet the required setbacks.**
- **There are no close neighbors in the vicinity of this request.**

6. Does the need for a Variance involve more than economic considerations?

Yes ☒

Why?

- **The proposed additions are to the side of an existing legal non-conforming structure.**
- **There is a minimal increase in impervious coverage from 2.8% to 3.3%.**

- The Mississippi River curves around this property for which any additions to the structures would require a variance.

7. What is the Township recommendation? **N/A**

8. Other Pertinent Findings: **None**

**March 21, 2024, Action:**

**Decision:** Motion by Yliniemi; supported by Maske to **APPROVE** the Variance requests for:

1. An OHW setback of 130 feet to proposed garage addition, where 150 feet is required.
2. An OHW setback of 122 feet to proposed addition to an existing dwelling, where 150 feet is required.

**To Construct:**

- A 1,080 square foot garage addition, and a 900 square foot addition to an existing dwelling, per Certificate of Survey received 01/17/2024.

**Approved Conditions:** None

**Roll call vote:** Auge, Best, Maske, Yliniemi, Hales - all voting "Aye"; Unanimous, Motion carried.

**Parcel Number:** 99120536

**Per findings of fact discussed 03/21/2024, on-site conducted 03/07/2024, and as shown on the Certificate of Survey received 01/17/2024 at the Land Services Department; Located on South 1020 feet of Gov Lot 1 together with an easement; Unorganized/1<sup>st</sup> Assessment, Crow Wing County, Minnesota**

**Findings:** As listed above

**Date:** 04-18-2024

**Signature:** \_\_\_\_\_  
**Chairman**



Leigh Reiner, property owner was present in-person. Pence read the variance requests as well as the property information into the record citing Land Use Ordinance and staff comments. Reviewed the proposals, building envelope and the setbacks on the survey. Reviewed how the Mississippi Headwaters Board will be making final decision on this request by either certifying or not certifying the proposals. Reviewed the on-site visit photos. Comment received from MHB. No additional comments received on this request.

Hales asked the applicant if he had any additional comments. Reiner reviewed why the proposals are in the location they are and what these proposals will be. Structure was built in 1974 and by the previous owners. No close neighbors except family members.

Let the record show there is no one from the public in the courtroom and no public attending virtually. No public testimony held.

Maske then read the onsite report into the record. Hales asked if there were any additional comments or discussion. None presented.

Hales asked Board Members if they have reviewed the preliminary Findings of Fact answers for a variance. All acknowledge they have. Hales asked if there were any changes or additions to the preliminary Findings of Fact answers. Maske added finding on question number one. Pence added a finding to question number one for "yes" preliminary findings as well. All agreed with the Findings of Fact as modified.

**March 21, 2024, Action:**

**Decision: Motion by Yliniemi; supported by Maske to APPROVE the Variance requests for:**

- 1. An OHW setback of 130 feet to proposed garage addition, where 150 feet is required.**
- 2. An OHW setback of 122 feet to proposed addition to an existing dwelling, where 150 feet is required.**

**To Construct:**

- A 1,080 square foot garage addition, and a 900 square foot addition to an existing dwelling, per Certificate of Survey received 01/17/2024.**

**Approved Conditions: None**

**Roll call vote: Auge, Best, Maske, Yliniemi, Hales - all voting "Aye"; Unanimous, Motion carried.**

**Parcel Number: 99120536**

**Per findings of fact discussed 03/21/2024, on-site conducted 03/07/2024, and as shown on the Certificate of Survey received 01/17/2024 at the Land Services Department; Located on South 1020 feet of Gov Lot 1 together with an easement; Unorganized/1<sup>st</sup> Assessment, Crow Wing County, Minnesota**

LEGAL DESCRIPTION PER DOCUMENT NUMBER 396287

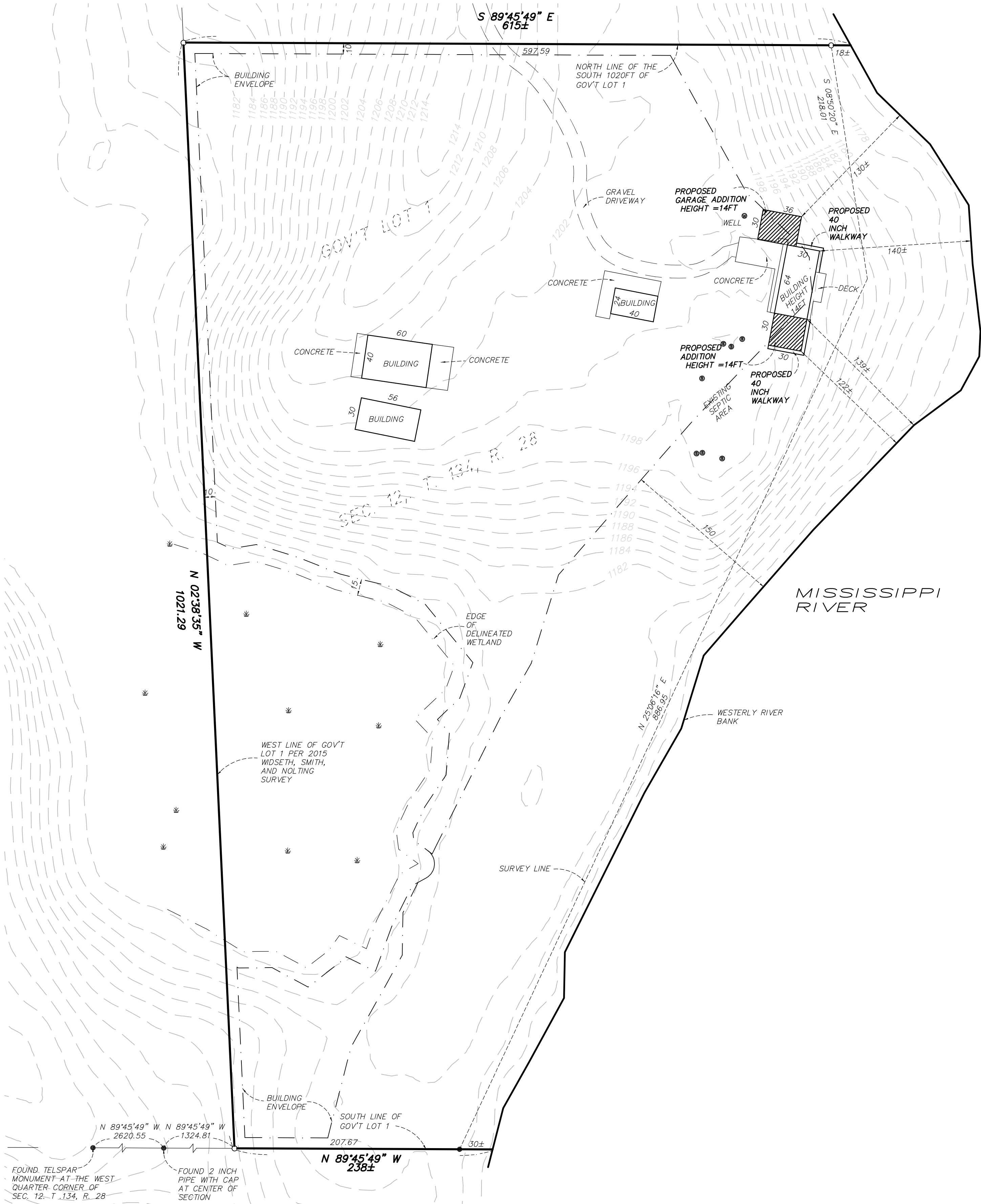
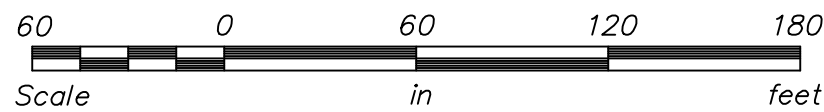
The South 1020 feet of Government Lot 1, Section 12, Township 134, Range 28

GENERAL NOTES

- No search for easements or restrictions, recorded or unrecorded, was made by the Surveyor.
- Bearings shown are based upon the Crow Wing County Coordinate System. Elevations based on Crow Wing County Lidar Information.
- The underground utilities shown have been located from field survey information. The surveyor makes no guarantees that the utilities shown comprise all such utilities in the area, either in service or abandoned.
- Wetlands shown hereon are based on a delineation by certified delineator #1007 Mitch Brinks on September 26, 2023.
- Total area of subject property: 518,211± Sq. Ft. / 11.8 Acres.
- All setbacks to be verified by Crow Wing County prior to construction. Current building envelope size is 253054± sq. ft.
- No Bluffs exist on the subject property.
- Existing Impervious = 14,954 sq. ft.(2.8% of the overall property)  
Proposed Impervious = 17,287 sq. ft. (3.3% of the overall property)
- Zoning of subject parcel is Shoreland District.  
Pid is 99120536.  
Owner: Leigh Reiner,  
Address: 12389 Executive Acres, Road, Brainerd, MN 56401.

LEGEND

- WET LAND DELINEATED
- DENOTES FOUND MONUMENT
- DENOTES SET 1/2"x14" IRON PIPE WITH CAP # 45875
- DENOTES SEPTIC INSPECTION PIPE



Revisions:

Crew: EAN  
Checked: TTS  
Drawn: PDH  
Record Drawing by/date:

Prepared for:

Leigh Reiner  
12389 Executive Acres Road  
Brainerd MN, 56401

MISSISSIPPI RIVER

Crow Wing County, Minnesota

Certificate of Survey





**PLANNING COMMISSION/BOARD OF ADJUSTMENT**

**March 21, 2024, 5:00 P.M.**

Historic Court House, 3rd Floor, County Board Room

326 Laurel Street, Brainerd MN 56401

(218) 824-1010, Fax (218) 824-1126, Web: [www.crowwing.gov](http://www.crowwing.gov)

**PUBLIC HEARING INFORMATION**

**Property Owner/Applicant:** Reiner, Leigh G Trust & Reiner, Anita K

**Parcel Number:** 99120536

**Physical Address:** 12389 Executive Acres Road, Brainerd, MN 56401

**Location:** Located on South 1020 feet of Gov Lot 1 together with an easement; Unorganized/1<sup>st</sup> Assessment, Crow Wing County, Minnesota

**Request:**

**Variance for an OHW setback to proposed garage addition.**

**Variance for an OHW setback to proposed addition to an existing dwelling.**

**Notification:** Pursuant to Minnesota Statutes Chapter 394, and the Crow Wing County Land Use Ordinance, you are hereby notified of a public hearing before the Crow Wing County Planning Commission / Board of Adjustment. Property owners have been notified according to MN State Statute 394.26 & published in the Brainerd Dispatch. Please share this notice with any of your neighbors who may not have been notified by mail.

**Information:** The final information packet will be available for review after March 14, 2024, at

[HTTP://CROWWINGCOUNTYMN.IQM2.COM](http://CROWWINGCOUNTYMN.IQM2.COM) .

**Please submit comments in writing, including your name and mailing address, to ([landservices@crowwing.gov](mailto:landservices@crowwing.gov)).**

**Any and all comments received will be presented to Board Members prior to the start of the Meeting.**

Comments received between 5:00PM March 13, 2024, and 3:00PM March 21, 2024, will be emailed to the Board members and also printed for them for review prior to the March 21, 2024, 5:00PM meeting. Comments that are received prior to 5:00PM March 13, 2024, will be included in the Public online information packet that will be posted on the Crow Wing County Website.

Written comments regarding the following application will be accepted via mail or email any time prior to the March 21, 2024, Hearing. Any persons wishing to provide in-person Public Testimony will be allowed to do so at this Hearing. This Hearing will be conducted virtually via Microsoft Teams, to allow any virtual Public Testimony in addition to in-person Testimony. Comments may be submitted to Land Services, 322 Laurel St, Suite 15, Brainerd, MN 56401 or [landservices@crowwing.gov](mailto:landservices@crowwing.gov)

Persons wishing to attend virtually and/or provide public testimony via phone or virtually at the meeting may join via Microsoft

Teams with the following link: <https://bit.ly/PCBOA>

**or call +1 218-302-1725 and enter the Conference ID: 797 394 749#**

Please contact Land Services with any questions: 218-824-1010



## NOTICE OF DECISION

**\*\*This letter is NOTICE to inform you of the results from the Public Hearing held on March 21, 2024, regarding the following application:**

**Property Owner:** Reiner, Leigh G Trust & Reiner, Anita K

**Parcel Number:** 99120536

**Physical Address:** 12389 Executive Acres Road, Brainerd, MN 56401

**Location:** Located on South 1020 feet of Gov Lot 1 together with an easement; Unorganized/1<sup>st</sup> Assessment, Crow Wing County, Minnesota

**The following request(s) were approved by the Board of Adjustment at the meeting held March 21, 2024:**

**Variance for:**

1. An OHW setback of 130 feet to proposed garage addition, where 150 feet is required.
2. An OHW setback of 122 feet to proposed addition to an existing dwelling, where 150 feet is required.

**To Construct:**

- A 1,080 square foot garage addition, and a 900 square foot addition to an existing dwelling, per Certificate of Survey received 01/17/2024.

**Approved Conditions: None**

**This request will now be placed on the Agenda for the Mississippi Headwaters Board, where they will certify this request or deny.**

**Please call Crow Wing County Land Services (218)-824-1010 with any questions you may have.**

**Our Vision:** Being Minnesota's favorite place.

**Our Mission:** Serve well. Deliver value. Drive results.

**Our Values:** Be responsible. Treat people right. Build a better future. NLH/03.22.2024



## Nicole Hausmann

---

**From:** Nicole Hausmann  
**Sent:** Thursday, March 7, 2024 4:09 PM  
**To:** Adam Maleski; Tim Terrill; Frie, Jacob (DNR); Doug Houge; Jon Lubke; Steve Barrows; Paul Koering; Rosemary Franzen  
**Cc:** Alex Gorman; Chris Pence  
**Subject:** NOTICE - PCBOA PUBLIC HEARING 03-21-2024 Variance - Reiner  
**Attachments:** COS received 01.17.2024.pdf; VAR App - Reiner.pdf; NOTICE-PCBOA- VAR - Reiner - 03.21.2024.pdf

**Property Owner:** Reiner, Leigh G Trust & Reiner, Anita K

**Parcel Number:** 99120536

**Physical Address:** 12389 Executive Acres Road, Brainerd, MN 56401

**Location:** Located on South 1020 feet of Gov Lot 1 together with an easement; Unorganized/1<sup>st</sup> Assessment, Crow Wing County, Minnesota

### Requests:

#### **Variance for:**

1. **An OHW setback of 130 feet to proposed garage addition, where 150 feet is required.**
2. **An OHW setback of 122 feet to proposed addition to an existing dwelling, where 150 feet is required.**

**This is a NOTICE informing you that an application has been made before the Planning Commission/Board of Adjustment at a date in the near future.** This Notice is being sent in order to give adequate time to review the application and make recommendations in a timely manner prior to the County's Public Hearing Process.

Attached to this NOTICE OF PUBLIC HEARING is a copy of the NOTICE, the survey, and the application. These files can also be viewed in person at the Land Services Office.

The Planning Commission/Board of Adjustment members conducted the **On-Site Visits on March 07, 2024 for this property.**

Please review the attached material and submit your written comments and/or concerns, whether pro or con, to the Land Services Department at least one (1) week prior to the Hearing.

The Planning Commission/Board of Adjustment values the input and takes the concerns into consideration when making their decisions.

Sincerely,  
Nicole

**Nicole Hausmann**  
**Planning Coordinator**

Office: (218) 824-1010  
Direct: (218) 454-7481

[www.crowwing.gov](http://www.crowwing.gov)



## Staff Report

**Property Owner:** Reiner, Leigh G Trust & Reiner, Anita K

**Parcel Number:** 99120536

**Physical Address:** 12389 Executive Acres Road, Brainerd, MN 56401

**Location:** Located on South 1020 feet of Gov Lot 1 together with an easement; Unorganized/1<sup>st</sup> Assessment, Crow Wing County, Minnesota

**Application Submitted:** 02/14/2024

**Action Deadline:** 04/14/2024

**60 Day Waiver:** N/A

**Wetland Delineation:** 09/26/2023

**Septic Design:** 04/25/2023 - approved

**Current Zoning:** Shoreland District – Mississippi River

**Adjacent Land Use/Zoning:**

**North:** Shoreland District with RR-10

**South:** Mississippi River & Waterfront Commercial District

**East:** Mississippi River

**West:** Shoreland District

**Request:**

**Variance for:**

1. An OHW setback of 130 feet to proposed garage addition, where 150 feet is required.
2. An OHW setback of 122 feet to proposed addition to an existing dwelling, where 150 feet is required.

**To Construct:**

- A 1,080 square foot garage addition, and a 900 square foot addition to an existing dwelling, per Certificate of Survey received 01/17/2024.

**Existing Impervious Coverage:** 2.8%

**Proposed Impervious Coverage:** 3.3%

**03-07-2024 On-Site Comments: Maske, Auge, Hausmann, Gorman**

- The proposed additions are not getting closer to the Mississippi River.
- The Mississippi River curves around the property.
- There are no close neighbors so cannot determine if there are similar structures with similar setbacks in the area.
- There is a natural ice ridge along the shoreline.
- The property slopes down towards the Mississippi River.

**01/08/2024 Development Review Team Meeting Notes:**

- Reviewed the proposal
  - Wants to add on to existing dwelling to the south
  - Wants to add a garage to the north
  - Wants to add a porch
  - Three bedrooms
  - Updating the bedrooms in the dwelling
  - Basement review
  - None would meet setbacks from the Mississippi River
- Discussed the parcels that are in the neighborhood which are all owned by him and his family

NLH 02/15/2024



- FEMA review
- Easement to property
- Septic discussion
  - Needs to be replaced
  - Need a septic design for the application or a winter window
- Reviewed the permit history
- Certificate of survey is on file but needs to be updated
- Reviewed the process of Mississippi Headwaters Board (MHB)
- Discussed permits that are required
- Wetland and septic design on file
  - Need to be on the survey
- Reviewed when meetings are held and deadlines
- Nicole discussed next steps

**Parcel #99120536**

**12.4 Acres**

**Zoning: Shoreland & RR-10; Mississippi River**

**This parcel is not platted.**

**This Parcel is ☐ Abstract ☐ Torrens – Recording fees will be: \$46.00**

**Permit History:**

- **10/22/1981 – Permit request to level two ice ridge humps which consists of the removal of tree stumps, brush, weeds and thistles along with dirt (along the lakeshore)**
- **11/12/1981 – Public Hearing to level two ice ridge humps which consists of the removal of tree stumps, brush, weeds and thistles along with dirt (along the lakeshore)**
- **08/13/1984 – Building permit for the construction of a 24x48 pole barn**
- **06/09/1992 – Building permit to construct a 10x26 deck, and 3x17 walkway with steps**
- **08/30/2005 – Building permit for the construction of a 39x54 pole barn (no living quarters)**
- **07/27/2006 – Building permit to construct a 16x24 addition to the east side of existing 24x42 garage (no living quarters)**
- **02/03/2023 – ATF permit for the construction of a 2400 square foot accessory structure with no living quarters**

**Agencies Notified and Responses Received:**

**MHB:** Comment received 03/08/2024

**MNDNR:** No comment received as of 03/20/2024

**SWCD:** No comment received as of 03/20/2024

**Citizen Correspondence:** No comment received as of 03/20/2024

**Potential Conditions:**

- 1. Implement an erosion and sediment control plan utilizing best management practices (BMP's) prior to construction and dirt moving activities. Plan must be approved by the County. The BMP's must remain in place until all disturbed soils are stabilized.**

**Request:**

**Variance for:**

- 1. An OHW setback of 130 feet to proposed garage addition, where 150 feet is required.**
- 2. An OHW setback of 122 feet to proposed addition to an existing dwelling, where 150 feet is required.**

**To Construct:**

- **A 1,080 square foot garage addition, and a 900 square foot addition to an existing dwelling, per Certificate of Survey received 01/17/2024.**

**Per findings of fact discussed 03/21/2024, on-site conducted 03/07/2024, and as shown on the Certificate of Survey received 01/17/2024 at the Land Services Department; Located on South 1020 feet of Gov Lot 1 together with an easement; Unorganized/1<sup>st</sup> Assessment, Crow Wing County, Minnesota**













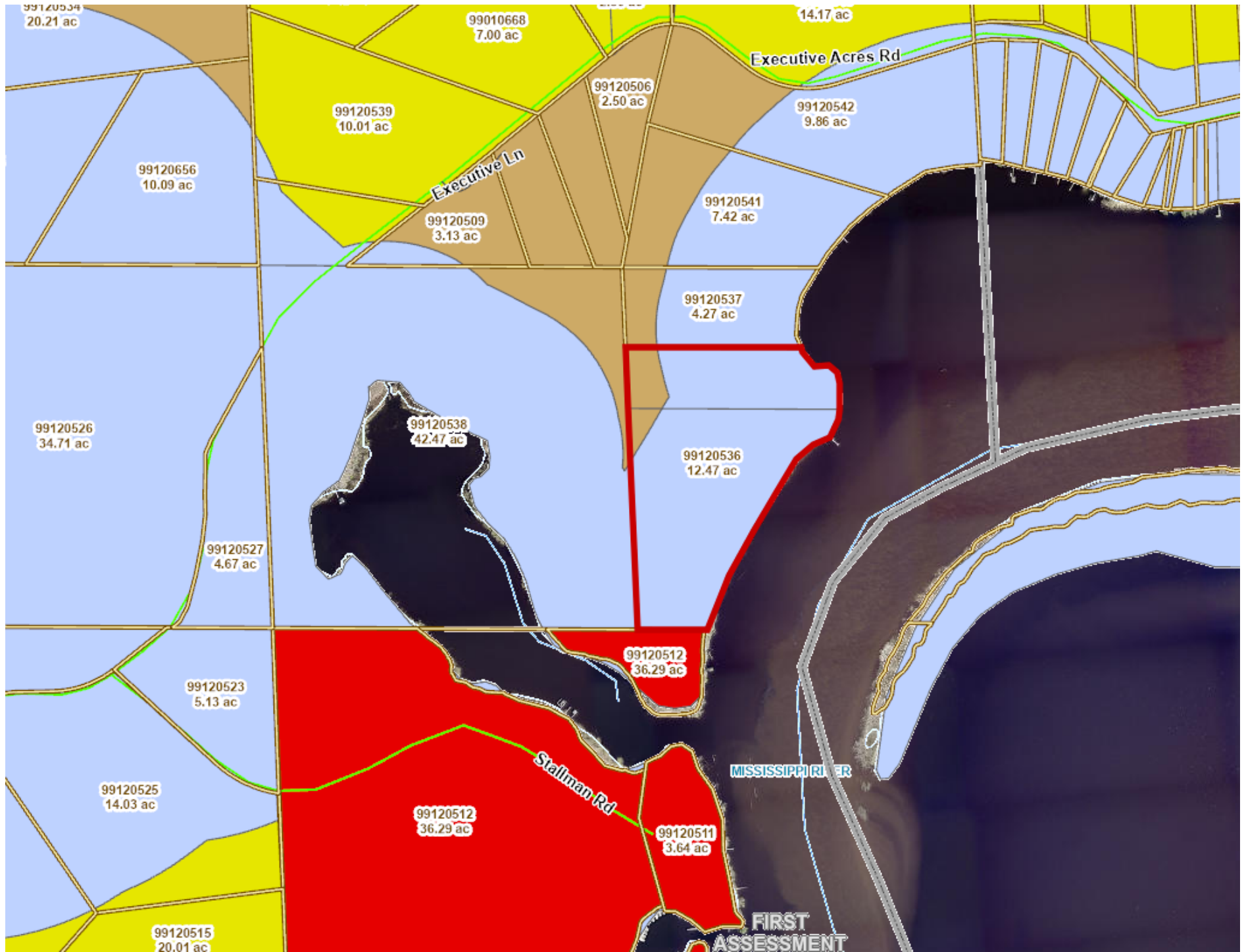












Reiner


DK INVESTMENTS LLC 1107 6TH ST S BRAINERD, MN 56401	REINER, LEIGH G TRUST & 12389 EXECUTIVE ACRES RD BRAINERD MN 56401,	SCHUETY, KAREN K 12046 EXECUTIVE ACRES RD BRAINERD MN 56401
PREGROCKI, JOSEPH & JAYNE FA 12383 EXECUTIVE ACRES RD BRAINERD MN 56401,	RUGGED RIVER REAL ESTATE LLC 12241 STALLMAN RD BRAINERD, MN 56401	SWCD 322 Laurel St. Suite 22 Brainerd, MN 56401
Mississippi Headwaters Board Tim Terrill 322 Laurel St. Brainerd, MN 56401	MN DNR - Jake Frie 1601 Minnesota Dr. Brainerd, MN 56401	All 5 commissioners - email



Property Information

:	<table><tr><th>Legacy PIN</th><th>PIN</th><th>Township</th><th>Lake</th><th>Physical Address</th><th>Owner</th><th>Owner Address</th><th>Section Township Range</th><th>Zoning District(s)</th><th>Acres</th></tr><tr><td>970121401B00009</td><td>99120536</td><td>UNORGANIZED-1ST ASSMT</td><td>MISSISSIPPI RIVER</td><td>12389 EXECUTIVE ACRES RD BRAINERD, MN 56401</td><td>REINER, LEIGH G TRUST &amp;</td><td>12389 EXECUTIVE ACRES RD</td><td>S:12.00000000 T:134.00000000 R:28.00000000</td><td></td><td>12.47</td></tr></table>	Legacy PIN	PIN	Township	Lake	Physical Address	Owner	Owner Address	Section Township Range	Zoning District(s)	Acres	970121401B00009	99120536	UNORGANIZED-1ST ASSMT	MISSISSIPPI RIVER	12389 EXECUTIVE ACRES RD BRAINERD, MN 56401	REINER, LEIGH G TRUST &	12389 EXECUTIVE ACRES RD	S:12.00000000 T:134.00000000 R:28.00000000		12.47
Legacy PIN	PIN	Township	Lake	Physical Address	Owner	Owner Address	Section Township Range	Zoning District(s)	Acres												
970121401B00009	99120536	UNORGANIZED-1ST ASSMT	MISSISSIPPI RIVER	12389 EXECUTIVE ACRES RD BRAINERD, MN 56401	REINER, LEIGH G TRUST &	12389 EXECUTIVE ACRES RD	S:12.00000000 T:134.00000000 R:28.00000000		12.47												
Are you the property owner?	<u>Yes</u>																				
Landowner Contact information:	<div>Name: Leigh Reiner Phone: (218) 851 - 2509 Email Address: lreiner@grinningbearrolloff.net Mailing Address:  12389 Executive Acres Road Brainerd MN 56401</div>																				

Required Information

Please provide info about your existing septic system:	<u>Not Applicable</u>
If septic is proposed or being upgraded, is septic design on file with CWC?	<u>On file with Crow Wing County</u>
Did you attend a Development Review Team (DRT) meeting?	<u>Yes</u>
To submit septic information, please choose file(s) and click the black button:	<div>File 1:  <a href="#">Septic_Design_-_approved.pdf</a></div>

Project Specifics

Please indicate type of variance(s) requested:	<u>Lake / River Setback</u>
Please explain your request:	Variance for an OHW setback to proposed addition to an existing dwelling.
Is survey already on file with Crow Wing County?	<u>Yes</u>

## Findings of Fact

1. Is the variance in harmony with the purpose and intent of the Ordinance?	Yes
2. Is the variance consistent with the Comprehensive Plan?	Yes
3. Is the property owner proposing to use the property in a reasonable manner not permitted by the Land Use Ordinance? Why?	Yes
4. Is the need for a Variance due to circumstances unique to the property and not created by the property owner? Why?	Yes
5. Will the issuance of a Variance maintain the essential character of the locality? Why?	Yes
6. Does the need for a Variance involve more than economic considerations? Why?	Yes
Is this an after-the-fact application?	<u>No</u>

## Terms

### Terms & Conditions

1. Approval or denial of applications is determined by the Planning Commission/Board of Adjustment or the County Board of Commissioners at a Public Hearing meeting per Minnesota Statute 394 and the Crow Wing County Land Use Ordinance.
2. Land Use Permits and Individual Sewage Treatment System Permits are valid for two (2) years unless Septic Permit is to upgrade your systems, which is then valid for ten (10) months.
3. All corners of the proposed structure(s) need to be staked with visible flags, ribbon, or lathes prior to onsite inspection by Crow Wing County.
4. It shall be a violation of the Crow Wing County Land Use Ordinance to commence construction before the application is approved by the Planning Commission/Board of Adjustment.
5. The property owner or authorized agent may make application for a variance, conditional use permit, land use map amendment or plat agreeing to do such work in accordance with all Crow Wing County Ordinances. The property owner or authorized agent agrees that the application, certificate of survey and other attachments submitted herewith and which are approved by Crow Wing County are true and accurate. The property owner or authorized agent agrees that, in making the application for a variance, conditional use permit, land use map amendment or plat, the property owner grants permission to Crow Wing County, at reasonable times, to enter the property to determine compliance of the application with applicable ordinances and/or statutes. It is the property owners sole responsibility to contact other localities to ensure compliance with all relevant local, county or State law.
6. After a complete application is submitted, an on-site inspection may be conducted, and the application is reviewed. Changes to a project may require the application to be tabled at the Public Hearing.
7. The septic installer shall notify the Crow Wing County contracted inspector, Greg Kossan 218-839-2206, a minimum of twenty-four (24) hours before covering of any portion of the septic installation, Changes from the approved septic design will require approval by the County prior to construction.
8. Septic systems deemed to be failing by a qualified inspector need to be upgraded within ten (10) months. Septic systems that are deemed a risk to public health shall be upgraded and/or replaced as soon as possible.
9. Permits for a new septic system or for upgrades associate with an addition are valid for only two (2) years.
10. Applicants are responsible for getting all applicable entrance permits from the appropriate road authority.
11. Applicants acknowledge that they are in compliance with MN Contractor Licensing laws per MN Statute 326B.85.
12. Applicants acknowledge that they are in compliance with MN Statute 326.121 subd. 1 which states: The State Building Code is the standard that applies statewide for the construction, reconstruction, alteration, repair, use of buildings and other structures of the type governed by the code.
13. If you are doing excavation work, we are required to notify you of Minnesota Statute sections 216D.03 to 216.07.



Charge	Cost	Quantity	Total
Recording Fee added 02/13/2024 9:01 AM	\$46.00	x 1	\$46.00
Variance Application Fee added 02/13/2024 9:01 AM	\$600.00	x 1	\$600.00
Grand Total			
			Total
			\$646.00
			Payment 02/13/2024
			\$646.00
			Due
			\$0.00

Results [\(Go to top\)](#)

Signature accepted

Approvals

Approval	Signature
Applicant	Leigh Reiner - 02/13/2024 9:02 AM - witnessed by Nicole Hausmann c755d302fc8da43b6e65112e6192a137 6536a915460b250611b4239a55f12054
#1 Environmental Services Staff (Reviewed)	Nicole Hausmann - 02/14/2024 1:11 PM 2400d39b0c6039ed712f7329a4a87248 36b46ad8fd5e60f4a8c0b706ae1e5474
#2 Board Approval	

Public Notes

Text:

File(s):

Internal Notes

Text:

02/14/2024 - Application complete. COS, septic design, wetland delineation and fee received. NLH

File(s):



# -MORRISON COUNTY- BOARD OF ADJUSTMENT

APRIL 2, 2024





## AGENDA

- KELLY BURNS — *PIKE CREEK TWP*



# BURNS

VARIANCE TO ENCROACH ON SETBACK  
FROM THE RIVER AND DWELLING WITH A  
SEPTIC SYSTEM; LOCATED IN SECTION 36,  
PIKE CREEK TOWNSHIP



# ORDINANCE REFERENCE

## 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

\* Unsewered / single dwelling (see Minn. Rules 6120-3300).

\*\* General Development (GD) Lakes, Minn. Rules 6120-3300 reduced lot area for only non-riparian lots serviced by Public Service Districts.

The MHB recognizes that other local government, state, or federal regulations may be more restrictive than the above standards in certain areas or situations. The more restrictive regulations take precedence.



# ORDINANCE REFERENCE

Zoom Out (Ctrl+Minus)

Setback Standards	GD General Devel. Lakes	RD Rec. Devel. Lakes	NE Natural Enviro. Lakes & Rivers	Forested & Transition Rivers	Ag, Urban & Tributary Rivers	Protected Wetlands	Wetlands 1, 2, 6, 7 & 8	Wetlands 3, 4 & 5	All Other Zoning
Sewage Tank to the Ordinary High Water Mark of the lake (OHWM)	50 ft	75 ft	150 ft	100 ft.	75 ft.	75 ft.	25 ft.	50 ft.	Na
Soil Treatment Area to OHWM	100 ft*	100 ft	150 ft	100 ft.	75 ft.	75 ft.	25 ft.	50 ft.	Na
Side property line to septic tank or drain field	10 ft	10 ft	10 ft	10 ft	10 ft				10ft
Rear property line (without road frontage) to septic tank or drain field	10 ft	10 ft	10 ft	10 ft	10 ft				10 ft.
County or Twp road right-of-way to septic tank or drain field	10 ft	10 ft	10 ft	10 ft	10 ft				10 ft.
Sewer tanks to structure	10 ft	10 ft	10 ft	10 ft	10 ft				10 ft
Drainfield to structure	20 ft	20 ft	20 ft	20 ft	20 ft				20 ft





Township 129N - Ranges 29W &amp; 30W

Copyright © 2024 Mapping Solutions

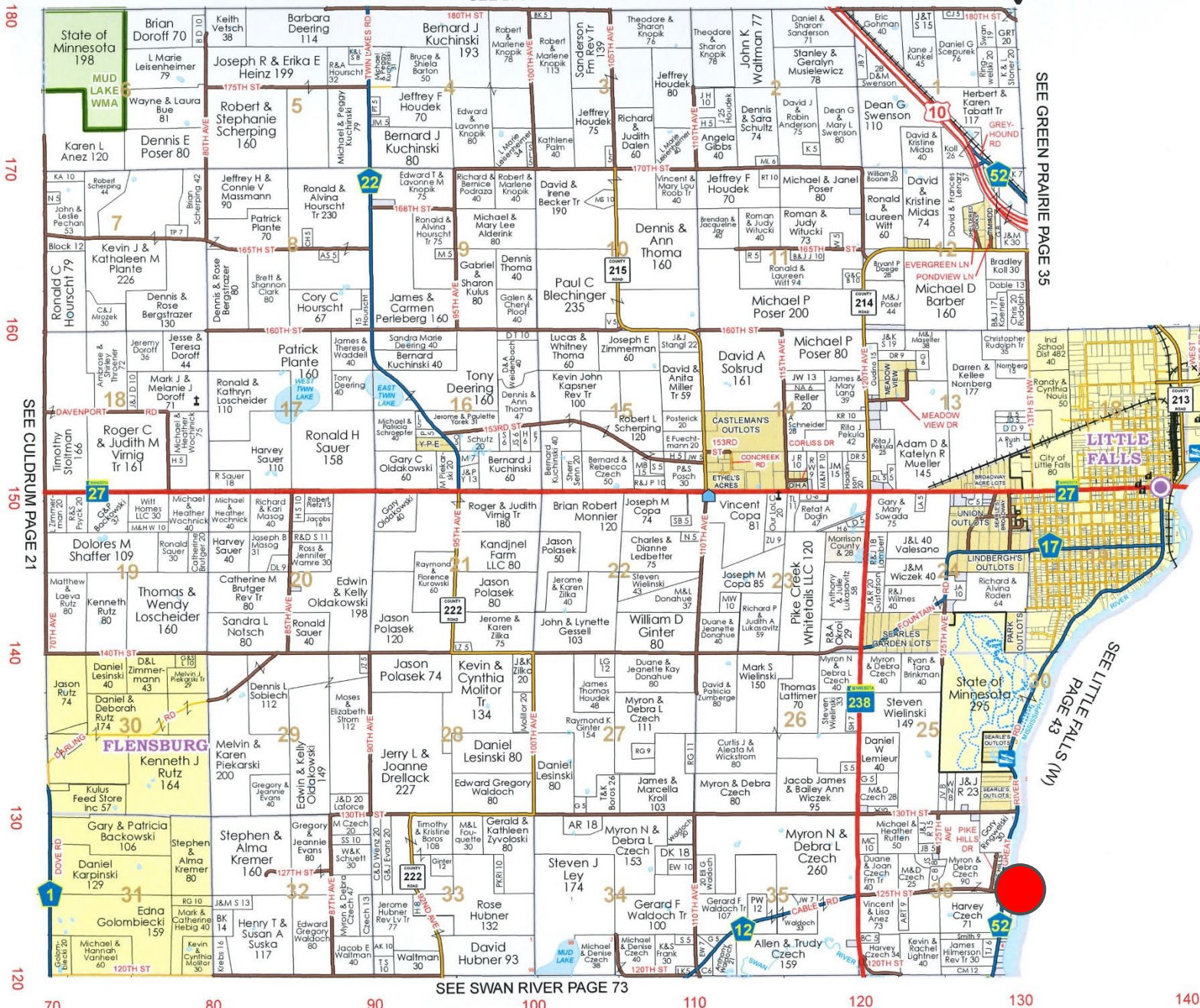


SEE GREEN PRAIRIE PAGE 35

SEE SWAN RIVER PAGE 73

SEE CULDRUM PAGE 21

130







**MORRISON COUNTY**  
Morrison County will provide cost effective services to county residents in a friendly and respectful manner.

RECEIVED

MAR 06 2024

MORRISON COUNTY  
LAND SERVICES

## Land Services Department

213 1<sup>st</sup> 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: Kelly Burns

Address: 12632 Great River Road

City: Little Falls State: MN Zip: 56345

Property Address: 12632 Great River Road Little Falls MN

City: Little Falls State: MN Zip: 56345

E-Mail Address: kellylotus@live.com

Parcel Number: 22.0501000 Phone: 320-360-3183

Sec: 36 Twp: 129 Range: 30 Twp. Name: Pike Creek

Lake/River Name: Mississippi

Legal Description: \_\_\_\_\_

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

## TWO SEPARATE CHECKS ARE REQUIRED

Public Hearing Fee: (Non-returnable) \$ 650.00 <sup>PD #3000</sup> to MORRISON COUNTY TREASURER.

Recording Fee: (Non-returnable) \$ 46.00 <sup>PD #3001</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.

Kelly R Burns  
SIGNATURE

3-6-2024  
DATE

## Please explain your request in detail:

Variance needed to install a new ~~compliant~~ compliant septic system on my property.

## Please explain your practical difficulty:

Several items will need a variance in order to have a compliant septic on my property. The tanks and drainfield will need to be closer to the river by the septic code. The drainfield will have to be 8ft. closer to the house in order to meet the 50ft. setback from the neighbors well. The homeowners well will meet the setback from property owners new tanks and drainfield.

This is a small lot with not many options.

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. Variance needed to install new septic system.

2. Is the variance request proposing to use the property in a reasonable manner not permitted by the Land Use Ordinance?

Yes. Because it is a small lot, a variance is needed to install a new compliant septic system.

3. Will the requested variance maintain the character of the neighborhood?

Yes. lot will look pretty much the SAME when done.

4. Is the practical difficulty due to circumstances unique to the property?

Yes. It is a small lot.

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?

Inspection of old septic was identified as noncompliant. Installation of a new septic system on a small lot will need a variance to move forward on installation of the new septic system.

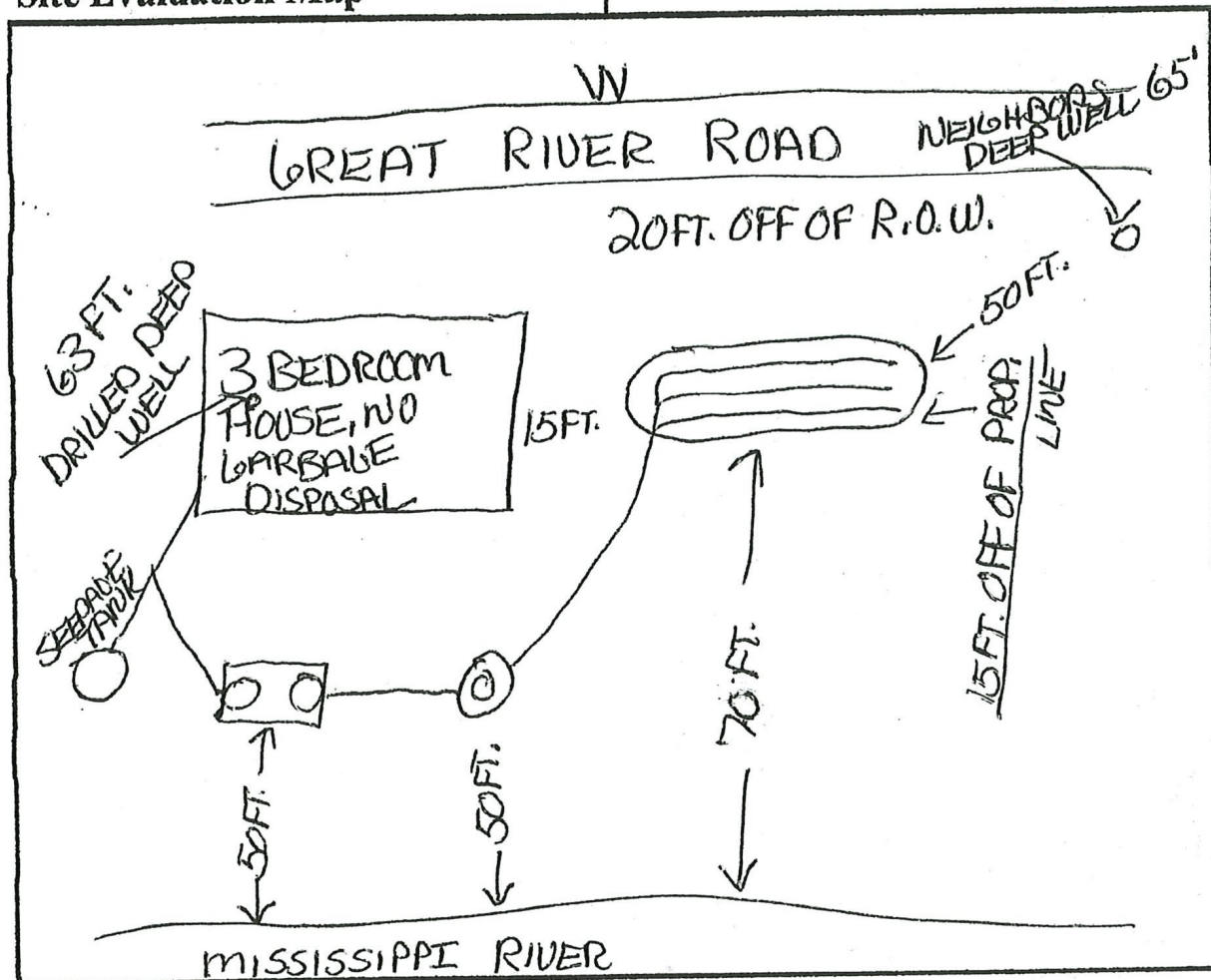
6. Does the practical difficulty involve more than just economic considerations?

Variance needed to move forward with installation of new septic system.

A sketch form is considered part of your application for a Variance. Please show all buildings on your property, all impervious surfaces, and the road from which you have access, all wells (including abandoned wells), and sanitary systems including their setbacks from structures, the work or structure you are proposing, including eaves. (Structure

# Site Evaluation Map

Figure 2



List any construction issues: \_\_\_\_\_





000

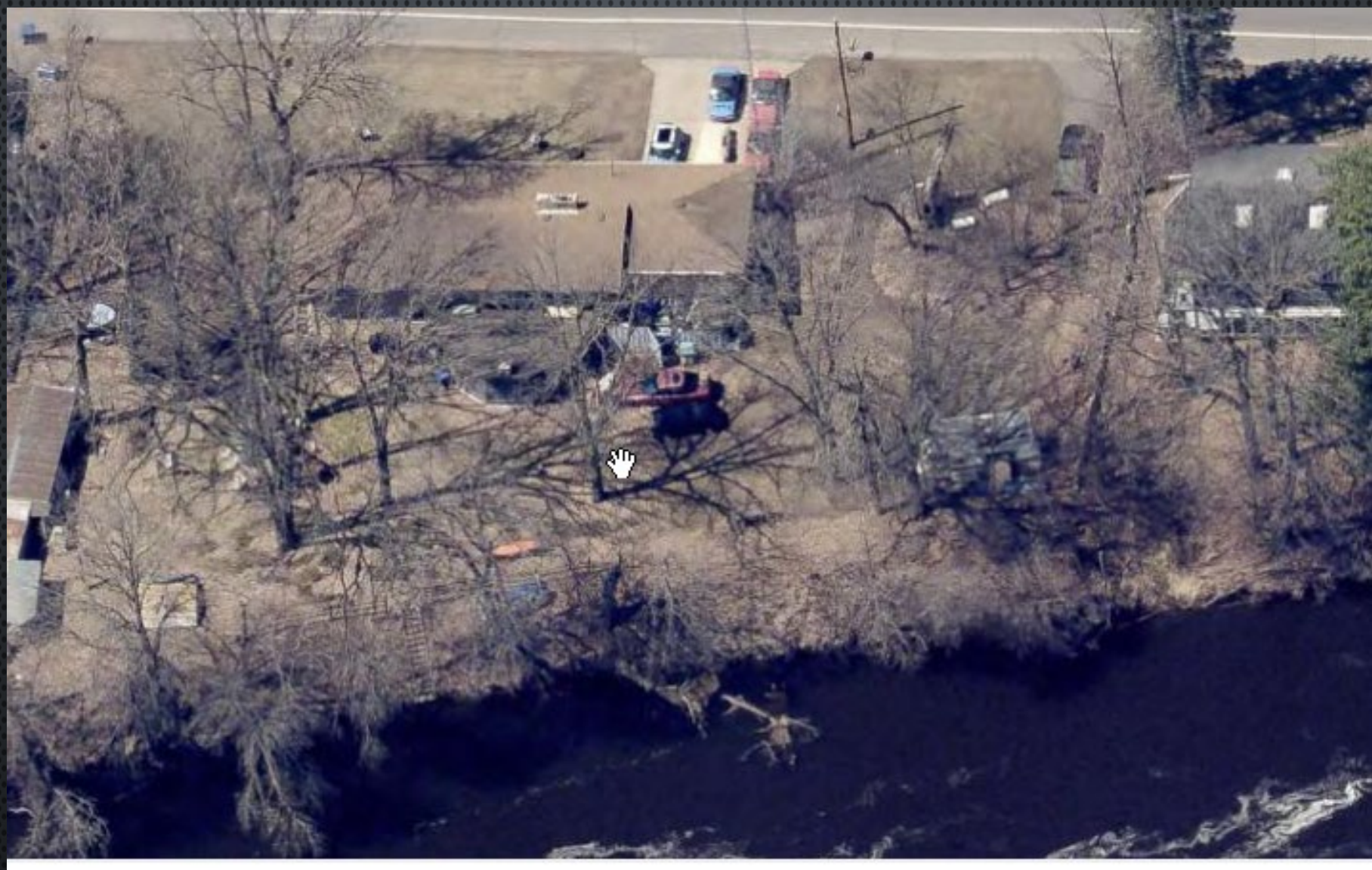
Pike Creek

52

GREAT RIVER RD

220501000













03/29/2024





03/29/2024





03/29/2024





03/29/2024



# STAFF REPORT

- THE PROPERTY IS IN SECTION 36 OF PIKE CREEK TOWNSHIP, ON THE MISSISSIPPI RIVER. THE PROPERTY IS A NON-CONFORMING SINGLE LOT (LESS THAN FIVE ACRES AND 330 FEET WIDE). THE PROPERTY IS APPROXIMATELY 213 FEET WIDE AND 22,569 SQUARE FEET.
- A HOME, BUILT IN 1961, CURRENTLY EXISTS ON THE PROPERTY. THE SEPTIC SYSTEM SERVING THE HOME FAILED INSPECTION AND NEEDS TO BE REPLACED. THE SEPTIC DESIGNER CAN DESIGN A FULL TREATING SYSTEM (TANK WITH A DRAINFIELD), HOWEVER BOTH THE TANK AND DRAINFIELD WILL NOT MEET SETBACK FROM THE RIVER AND THE DRAINFIELD AND WOULD ALSO ENCROACH ON THE SETBACK FROM THE DWELLING.



# STAFF REPORT

- THE REQUIRED SETBACK FROM THE RIVER FOR SEPTIC SYSTEMS IS 125 FEET. THE PROPOSED TANKS WOULD BE 50 FEET FROM THE RIVER, AND THE DRAINFIELD WOULD BE 70 FEET. ALL OF WHICH IS WITHIN THE SHORE IMPACT ZONE. THE REQUIRED SETBACK FROM DWELLINGS WITH A DRAINFIELD IS 20 FEET; THE DRAINFIELD IS PROPOSED TO BE 15 FEET FROM THE DWELLING.
- THE MISSISSIPPI HEADWATERS BOARD (MHB) WAS ESTABLISHED IN 1980 AND IMPLEMENTED A PLAN THAT HAS ZONING JURISDICTION WITHIN THE MISSISSIPPI RIVER CORRIDOR IN 1981. THE RESPECTIVE COUNTIES ARE RESPONSIBLE FOR ADMINISTERING THE REQUIREMENTS OF THE PLAN. IF THIS VARIANCE IS APPROVED, THE MHB MUST CERTIFY THE VARIANCE DECISION.



# 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

- 94 NOTICES WERE SENT; NO COMMENT WAS RECEIVED PRIOR TO THE 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?

**Board of Adjustment Findings  
(PID 22.0501.000)**

**Applicant:** Kelly Burns

**Variance Request:** Encroach on setback from the river and dwelling with a septic system

**Date of Hearing:** April 2, 2024

The property is in Section 36 of Pike Creek Township, on the Mississippi River. The property is a non-conforming single lot (less than five acres and 330 feet wide). The property is approximately 213 feet wide and 22,569 square feet.

A home, built in 1961, currently exists on the property. The septic system serving the home failed inspection and needs to be replaced. The septic designer can design a full treating system (tank with a drainfield), however both the tank and drainfield will not meet setback from the river and the drainfield and would also encroach on the setback from the dwelling.

The required setback from the river for septic systems is 125 feet. The proposed tanks would be 50 feet from the river, and the drainfield would be 70 feet. All of which is within the shore impact zone. The required setback from dwellings with a drainfield is 20 feet; the drainfield is proposed to be 15 feet from the dwelling.

The Mississippi Headwaters Board (MHB) was established in 1980 and implemented a plan that has zoning jurisdiction within the Mississippi River corridor in 1981. The respective counties are responsible for administering the requirements of the plan. If this variance is approved, the MHB must certify the variance decision.

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

Three members of the Board of Adjustment viewed the property prior to the hearing.

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

94 notices were mailed; one comment in favor of the request was received at the hearing.

Three members of the Board of Adjustment were present at the hearing.

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

- The replacement mound drainfield was designed to blend into the hillside so it would not be so noticeable
- There is a non-treating system in place now
- Review of mound drainfield design and function
- Lots along this stretch of the river do not have a building envelope
- Great River Road was widened and that reduced the lot size further

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

## Conclusion

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 legal building envelope is available on this property. The current system is failing and this upgrade is needed for protection of the river and drinking water. (3) 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. Installation of a compliant septic system is reasonable. (3) yes (0) no
3. The Board of Adjustment found the issuance of the variance will maintain the essential character of the locality. The placement of the system blends in the landscape and will not be noticed by river users. (3) yes (0) no
4. The Board of Adjustment found the alleged practical difficulty is due to circumstances unique to the property. This property offers no compliant building envelope. This is an established, enduring home with a failing septic system that must be upgraded. The lot was developed before any land use controls and the road has been widened over the years. (3) 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. The house was built prior to land use controls and the road has been widened which further reduced the lot size. (3) yes (0) no
6. The Board of Adjustment found the alleged practical difficulty does involve more than just economic considerations. The applicant is proposing to install a full-treating system that will serve the dwelling for many years to come. This is not a cost-saving measure. (3) yes (0) no

Based on the findings and the criteria as stated in Minnesota Statutes 394.27, a motion was made by Marvin Trettel and seconded by Clint Kathrein to approve the variance request to install a septic system with tanks 50 feet from the river, and the drainfield 70 feet from the river and 15 feet from the dwelling.

---

Chair  
Morrison County Board of Adjustment

---

Date



## **Action/Discussion**

Resolution 2024-02- Approve

RSDP grant- discussion

Review of Bylaws- discussion

Program Review- discussion

Executive Directors report-discussion



## RESOLUTION MISSISSIPPI HEADWATERS BOARD

---

**Whereas**, the Mississippi Headwaters Board (MHB) does not have formal resolution in place for the policy and procedures of the MHB office,

**Whereas**, the MHB in the past has followed the policies and procedures of the county that the MHB office resides in.

**Now, therefore, Be it resolved**, that the MHB will formally adopt the policies and procedures in the county that they office in.

This resolution was adopted by a unanimous vote, Ayes:   Nays:   of the Mississippi Headwaters Board on April 26<sup>th</sup>, 2024 and will be made of record in accordance with the Minutes of same

---

---

I, **Ted VanKempen**, Chair of the Mississippi Headwaters Board (MHB), do hereby certify that I have compared the foregoing with the original resolution filed in the MHB office on the **26<sup>th</sup> of April A.D. 2024**, and the same is a true and correct copy of the whole thereof.

WITNESS MY HAND AND SEAL

At Walker, Minnesota, **this 26th day of April, A.D. 2024**

---

Ted Van Kempen- Chair

---





We thank you for your time spent taking this survey.  
Your response has been recorded.

Below is a summary of your responses

[Download PDF](#)

## RSDP Project Proposal

Regional Sustainable  
Development Partnerships

UNIVERSITY OF MINNESOTA  
EXTENSION

### Proposal development check list

Before you complete this proposal, make sure you have:

- Met with the Regional Executive Director to discuss your proposal development and next steps
- Reviewed [Project Partnering Criteria](#)
- Reviewed [Regional Focus Area Priorities](#)
- Reviewed [Full Proposal Form.pdf](#)
- Completed a budget

### Applicant information

First Name

Tim

Last Name	Terrill
Organization (if applicable):	Mississippi Headwaters Board
Address (street, city, state, zip):	322 Laurel St
Email:	timt@mississippiheadwaters.org
Phone:	2188388563
Community/ies where project would take place:	Aitkin, Grand Rapids,

Region (select all that apply)

- ☐ **Central** The Central RSDP serves Becker, Benton, Cass, Crow Wing, Hubbard, Kanabec, Mille Lacs, Morrison, Otter Tail, Stearns, Todd and Wadena counties and the White Earth Nation, Leech Lake Band of Ojibwe and Mille Lacs Band of Ojibwe sovereign Native nations.
- ☒ **Northeast** The Northeast RSDP serves Aitkin, Carlton, Cook, Itasca, Koochiching, Lake, Pine and St. Louis counties and the Bois Forte Band of Chippewa, Fond du Lac Bands of Lake Superior Chippewa and Grand Portage Bands of Lake Superior Chippewa sovereign Native nations.
- ☐ **Northwest** The Northwest RSDP serves Beltrami, Clay, Clearwater, Kittson, Lake of the Woods, Mahnomen, Marshall, Norman, Pennington, Polk, Red Lake, Roseau and Wilkin counties and the Red Lake Nation and White Earth Nation.
- ☐ **Southeast** The Southeast RSDP serves Blue Earth, Faribault, Dodge, Freeborn, Goodhue, Houston, LeSueur, Mower, Nicollet, Olmsted, Fillmore, Rice, Steele, Wabasha, Waseca and Winona counties and the sovereign Native nation of Prairie Island Indian Community.
- ☐ **Southwest** The Southwest RSDP serves Big Stone, Brown, Chippewa, Cottonwood, Douglas, Grant, Jackson, Kandiyohi, Lac qui Parle, Lincoln, Lyon, Martin, McLeod, Meeker, Murray, Nobles, Pipestone, Pope, Redwood, Sibley, Renville, Rock, Stevens, Swift, Traverse, Watonwan and Yellow Medicine counties and the Upper Sioux and Lower Sioux sovereign Native nations.

Which of RSDP's focus area(s) best match your idea? Please click and drag to indicate your project's primary focus area as well as any other focus areas your project addresses. Only one focus area is needed.

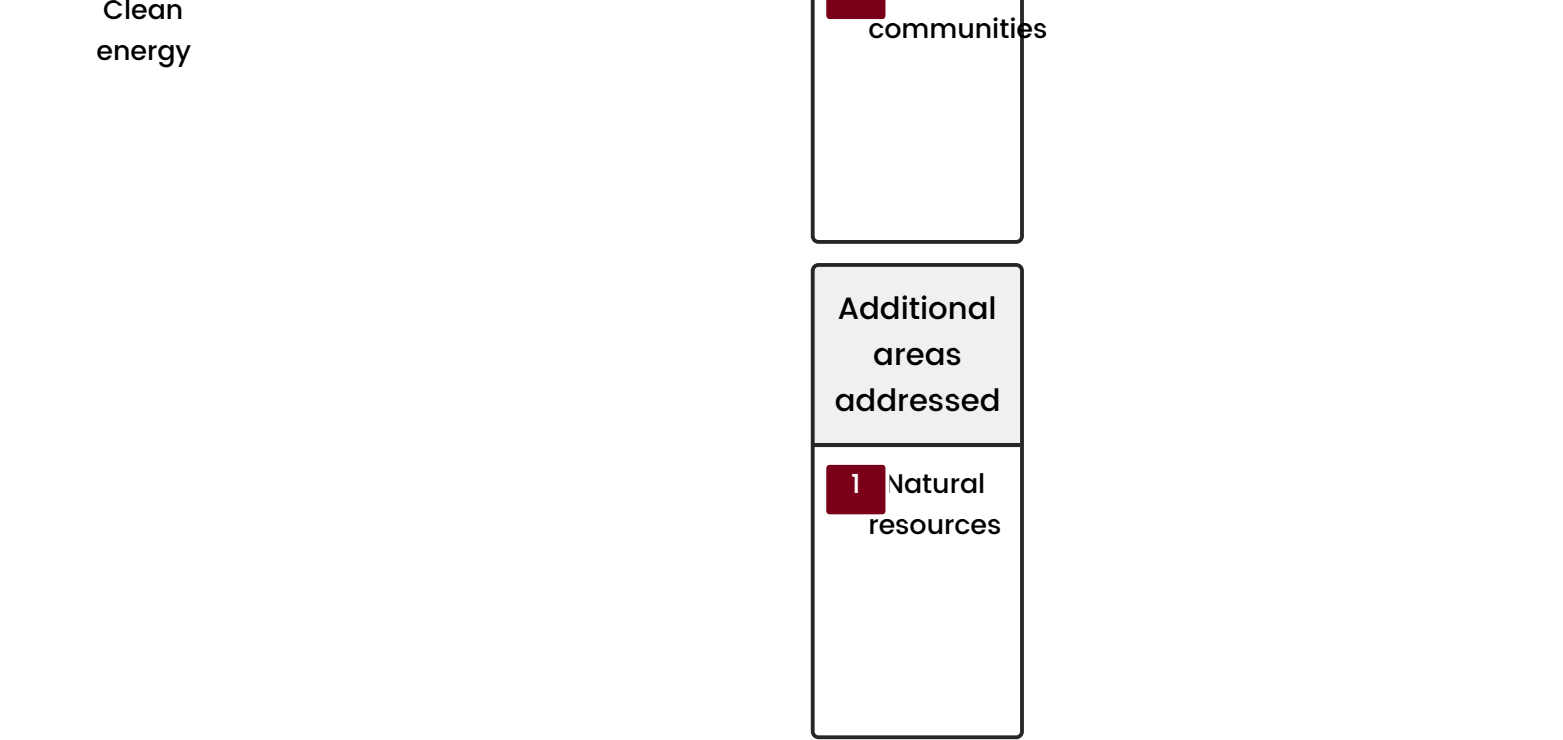
Items

Agriculture & food systems

Primary focus area

1 Resilient





Project Title:

Resourcecetaintment Economic Development project

**Project Summary.** In two or three sentences, briefly summarize your project and what you hope to achieve. This is how your project will be shared and described to others.

In two or three sentences, describe how your project will impact the environmental, social and economic sustainability of the region. If this project is part of a larger effort, please describe.

The project will hold resourcecetaintment events where people will paddle down the Mississippi river and enjoy a social hour afterwards. Surveys will be developed by UMN extension staff and completed by participants to help develop a report that will inform the reader how natural resource amenities can bring about economic development in an area.

The project will inform the reader in a report on how natural resources can revitalize small, rural communities through natural resource events and use. This project is part of a larger effort to develop a visitor profile and economic impact of what type of people come and what benefit they receive in coming to a recreational event, and using what economic impact the Mississippi river has to produce direct and indirect economic impact.

**Project activities and goals.** Describe the specific **goals** of your project and the **activities** you will do to accomplish them. For each activity, include the

month(s) it is expected to take place. [[Project Proposal Goal 1 Example.pdf.](#)]

Goal 1:

Develop survey to inquire participants about direct and indirect economic impact as well as a visitor profile.

Characters remaining: 139

Activities	Month(s)
Develop survey	July 2024
Pass out surveys at events	June 2025
Determine from surveys a visitor profile to determine what demographic attends these events and indirect and direct economic impact to the rural community.	July 2025
analyze and produce report based off information gathered from surveys	September 2025

Goal 2:

Present this Project at the MHB biennial conference and potential Water Resources Conference

Activities	Month(s)
Present at MHB biennial conference before 70 elected officials and staff	October 2025
If accepted, present at Water Resources Conference	October 2025

Do you have more goals to add?





Yes



No

Who will benefit from the project, and how will they benefit?

The report will be useful to elected officials and their staff to demonstrate how the rural community can economically benefit from recreational natural resource events. The report will also show how people attending the event will benefit by determining why they attended and their willingness to move to other places where natural resource amenities exist. This report will encourage elected officials to hold events and invest more capital into natural resource infrastructure in their community.

Projects from, led by or that include meaningful participation of historically underrepresented communities, which includes but is not limited to Native communities, people of color, immigrants, people with low incomes, LGBTQ+, people with disabilities, women and geographically isolated communities, are welcomed and encouraged. If applicable, please describe how this relates to your project.

This project reaches out to people women and geographically isolated communities. A large number of people attending these events are women. There have been very little people of color attending these events, but we have had Native Americans attend our events in the past.

What known community partners are or might be involved in this project? This includes nonprofit organizations, governmental entities, businesses, individuals and other community groups. Also indicate whether each partner is a committed partner (i.e., partner is on board and could be asked to provide a letter of support if requested) or a likely partner (i.e., partner is aware of the project but does not yet have a formal role.)

Add another partner				
	First and last name (if known)	Organization	Describe project contributions/role.	Partner status
Partner 1	Wendie Bright	Aitkin County	volunteer	Committec

Partner 2	First and last name (if known) Tim Ferrell	Organization Miss. Headwaters Board	Describe project contributions/role Project coordination	Partner status Committec
Partner 3	5 members	Chamber of Commerce	Event Planning	Committec
Partner 4	Kathleen Ryan	Aitkin County	VOLUNTEER	Committec
Partner 5	Mark Jeffers	Aitkin County economic development	Volunteer	Committec

**What specific University of Minnesota partners are or might be involved in this project, if known?** Please include any role you are asking your RSDP regional executive director to play. Also indicate whether each partner is a committed partner (i.e., partner is on board and could be asked to provide a letter of support if requested) or a likely partner (i.e., partner is aware of the project but does not yet have a formal role.)

Add another partner				
	Name	UMN Department	Describe project contribution/role.	Partner Status
UMN partner 1	John Bennett	UMN	develop survey and create economic development criteria for report	Committed
UMN partner 2	Brigid Tuck	UMN	Analyze economic impact from survey	Committed
UMN partner 3	Xinyi Qian	UMN	Analyze visitor profile and demographics from survey	Committed
UMN partner 4				
UMN partner 5				

**Budget: Please provide as much information as you can about the anticipated budget for this project.** Please include personnel, supplies and any other expenses in your estimate. Use this link to access our Google sheets [Budget Spreadsheet Template](#). You will need to click the blue button "Make a copy". If Google is not accessible to you, use this link to access our Excel [Budget Spreadsheet Template](#). A [pdf version](#) is available if Google or Excel are not accessible.



**Budget:** Please attach your final budget spreadsheet here.

RSDP proposal budget.xlsx

11 KB

application/vnd.openxmlformats-officedocument.spreadsheetml.sheet

**Based on the budget you prepared using our spreadsheet template, what is the dollar amount of support you are requesting from RSDP?**

	Dollar Amount
Year 1 (July 1, 2024 – June 30, 2025): REQUIRED	<div>\$7,050.00</div>
Year 2 (July 1, 2025 – June 30, 2026): if needed	<div></div>
Year 3 (July 1, 2026 – June 30, 2027): if needed	<div></div>

**Does your project involve a University of Minnesota student?**

Yes

No

You are about to submit your proposal. Please review your responses to confirm your proposal is complete.

Powered by Qualtrics [↗](#)

Protected by reCAPTCHA: [Privacy](#) [↗](#) & [Terms](#) [↗](#)



**BUDGET: Please provide as much information as you can about the anticipated budget for this project.** Please include personnel, supplies, and any other expenses in your estimate. It may be helpful to list any funds requested from RSDP in rows next to each other because you will be asked to tally those separately.

Please use this as a budget worksheet while you are preparing your RSDP project proposal. **Please share this spreadsheet with your regional RSDP executive director using the green share button above in the right corner.** At the time you submit your project proposal, regional RSDP staff will download a copy of this budget spreadsheet and include it with your proposal materials. Please type your name in column F when your budget is complete.

**Completed (enter name): Tim Terrill**

Description of expense (Start with personnel costs, then travel and supplies, and any other costs.)	Funding source (Indicate RSDP or the name of the other entity funding that budget item.)	Is this funding source confirmed or pending? (Select one)	Is this item in-kind services or cash? (Select one)	\$ Amount
Shuttle Drivers- Transport from parking to launch site - 3 drivers for 5 hours	Aitkin County River Trails Committee	Confirmed	In-kind	\$375.00
registration, planning, launch site support, river exit support. 20 workers for 5 hours	Aitkin County River Trails Committee	Confirmed	In-kind	\$2,500.00
Entertainment at Tasting Site - provide atmosphere - 3 Performers split into shifts	RSDP	Pending	Cash	\$800.00
City Required Licensing	RSDP	Pending	Cash	\$100.00
Porta Potty Rental	RSDP	Pending	Cash	\$300.00
Advertising to Support the event	RSDP	Pending	Cash	\$250.00
Kayak Rental Support for those that do not have their own kayaks	RSDP	Pending	Cash	\$600.00
T-shirts for participants with logo to support the event - 125 tshirts at \$20	RSDP	Pending	Cash	\$2,500.00
Shuttle Vehicle and Gas - 3 vehicles with Trailers used	Aitkin County River Trails Committee	Confirmed	In-kind	\$1,500.00
Brigid Tuck, Xinyi Qian, and John Tim Terrill	RSDP	Confirmed	Cash	\$1,500.00





**BY-LAWS**  
**Mississippi Headwaters Board**  
**Land Services Bldg. – Crow Wing County**  
**Brainerd, MN 56401**

**Article I - PURPOSE**

1. The purpose of the Mississippi Headwaters Board is to formulate plans for the area under its jurisdiction; to protect the Upper Mississippi River from uncontrolled and unplanned development through the preparation, adoption and implementation of a comprehensive management plan for the river and adjacent lands. This management plan will provide for the adoption of strong local zoning ordinances, monitoring of water quality of the river, recreational use of the river and adjacent public lands, donation or purchase of critical lands in the public interest, and management of public lands along the River.
2. The form of organization is a joint powers board, pursuant to Minnesota Statutes 471.59. Members are counties of Clearwater, Beltrami, Hubbard, Cass, Itasca, Aitkin, Crow Wing and Morrison.

Commented [TT1]: Add Mississippi

**Article II - MEMBERSHIP**

1. The membership of the Mississippi Headwaters Board shall be composed of one county commissioner, designated by the county board, from each member county.
2. The chair shall serve a term of office of one year.
3. Members will be appointed for two-year terms. Members may be reappointed by the governing board of the county.
4. If at any time the designated member is unable to attend the regularly scheduled meeting of the Mississippi Headwaters Board, he or she may designate an alternate from among the other members of his or her county board of commissioners. The designated alternate will have the same privileges and responsibilities as any commissioner appointed to represent that county on the Mississippi Headwaters Board.

### Article III - OFFICERS

Commented [TT2]: Maybe spell out duties

1. The officers of the board shall consist of a chair, vice chair, and a secretary-treasurer.
2. The Board will select a Chair once a year and will serve a one year term. An existing board member will be selected the following year to serve as Chair provided that they have served at least one year on the Board. A board member can serve as Chair for multiple terms.
3. The office of Vice Chair shall be selected by the MHB Board and will serve a one year term. An existing board member will be selected the following year to serve as Vice Chair provided that they have served at least one year on the Board. A board member can serve as Vice Chair for multiple terms.
4. The office of Secretary-Treasurer shall be selected by the MHB Board and serve a one year term. An existing board member will be selected the following year to serve as Secretary-Treasurer provided that they have served at least one year on the Board. A board member can serve as Secretary-Treasurer for multiple terms.
6. The Mississippi Headwaters Board shall request the county to replace any member who misses two consecutive meetings without notice.
7. The majority of the Board is five members.

### Article IV - COMMITTEES OF THE BOARD

1. The Mississippi Headwaters Board shall assign members to a budget, personnel and legislative committees at the January meeting.
2. The budget committee shall report on the budget for the next year at the May meeting.
3. The personnel committee shall review staff performance and recommend salary levels at the December meeting.
4. The legislative committee shall make proposals to the Minnesota Legislature and other policy bodies.
5. The Mississippi Headwaters Board shall assign members to other committees that are appropriate to fulfilling its goals and objectives.

Commented [TT3]: Maybe delete number 3 and modify #4 to say .



#### Article V - ADVISORY COMMITTEE

1. The Mississippi Headwaters Board shall appoint an Advisory Committee to routinely advise on issues of policy and administration as related to the Board's purpose and Mission Statement including, but not limited to, land use and management, water quality, and stewardship/education.
2. The Advisory Committee will make a regular report to the Mississippi Headwaters Board.
3. Membership of the Advisory Committee shall consist of the following representatives: one individual from each of the eight member counties, to be appointed by the county board. That representative may come from one of the following areas: tourism, conservation, recreation, historic, utilities, timber and wood products, and agricultural interests in the headwaters area. The chair of the Technical Committee or designee shall also serve on the Advisory Committee.
4. Townships and municipalities which have officially adopted the MHB minimum standards may appoint one representative to the Advisory Committee.
5. Terms of membership for the Advisory Committee shall be one year. Members may be reappointed to consecutive terms, not to exceed four terms.
6. The members of the Advisory Committee shall choose a chair and a vice chair, or co-chairs, to serve a one year term.
7. A member of the Mississippi Headwaters Board will be assigned by the board to meet with the Advisory Committee as an ex-officio member.
8. The Advisory Committee operates both as a committee and through subcommittees focusing on three topics: Land Use, Water Quality, and Stewardship/Education. To increase effectiveness, subcommittees will be formed to address specific topics or project areas including: Land Use Regulation, Land Management (forest practices, agriculture, private lands), Recreational Systems Planning, River Watch, Heritage Awards, and Land Conservation.
9. Subcommittees and ad hoc committees may utilize people who are not members of the Advisory Committee. A listing of resource people will be maintained from which the Advisory Committee may seek out individuals to assist with efforts, provide information or insights, or provide advice on committee activities.

Commented [TT4]: Make sure this is accurate

Commented [TT5]: Make it more transparent on website.

## **Article VI – TECHNICAL COMMITTEE**

1. Purpose:  
The Mississippi Headwaters Board Technical Committee shall be established to advise the Board on issues related to planning and zoning activities within the Mississippi River Headwaters Corridor and Comprehensive Plan; and to review subdivisions, plats, conditional uses, and variances within the Corridor as necessary.
2. Membership:
  - a. Membership of the Technical Committee shall consist of the Planning and Zoning Administrators from the eight member counties and one representative appointed by each of those township and municipalities that have adopted the Mississippi Headwaters Comprehensive Plan standards.
  - b. The Technical Committee shall develop a technical review process for variances, plat review and conditional use permits.
  - c. The Technical Committee operates as both a committee and through subcommittees. When a planning or zoning proposal (subdivision, conditional use, variance, etc.) is submitted within the Headwaters corridor, a subcommittee comprised of Technical Committee members appointed by the Technical Committee chair will meet on site to view and prepare a staff field report for the MHB meetings and public hearings regarding the topic.
3. Meetings:
  - a. The Technical Committee shall meet quarterly each year or as deemed necessary by the Board.
  - b. Meeting topics should consist of pertinent information in the areas of: Land Use Regulation, Land Management (forest practices, agriculture, private lands), Recreational Systems Planning, River Watch, Heritage Awards, and Land Conservation and other subjects as requested by the Board. At least one meeting per year may be a joint meeting with the Advisory Committee and Mississippi Headwaters Board.

Commented [TT6]: Delete this point

## **Article VII - COMPENSATION**

1. Mississippi Headwaters Board



a. Members of the Mississippi Headwaters Board will receive a \$50 per diem for attending meetings of the Board. Members may receive a \$100 per diem for attending all day meetings such as legislative meetings in St. Paul, or other all day meetings at the discretion of the Board. The per diem may also be paid if Board members represent the MHB at other meetings, including legislative hearings. This per diem shall be subject to Social Security and other taxes and shall be reported to the Internal Revenue Service.

b. Members of the Mississippi Headwaters Board will be compensated for expenses incurred in attending meetings, such as mileage and meals, subject to IRS regulations.

2. Mississippi Headwaters Advisory Committee

a. Members of the Advisory Committee, appointed by the counties, will receive a \$35 per diem for attending quarterly meetings of the committee and any meetings as directed by the Board. This per diem will not be paid to members attending as part of their professional duties. Per diem or other expenses for members appointed by Townships or Municipalities shall be the responsibility of the appointing entity or the member.

b. Members will be compensated for expenses incurred in attending meetings as directed by the Board, such as mileage and meals, subject to IRS regulations. This compensation will not be paid to members attending as part of their professional duties.

**Article VIII - BUDGET**

1. The fiscal year of the Mississippi Headwaters Board runs from July 1 to June 30, consistent with the fiscal year of the state of Minnesota.
2. All expenses incurred by the Mississippi Headwaters Board must be listed, itemized and distributed to commissioners in advance of the monthly meeting.
3. The operations of the Mississippi Headwaters Board are managed by the Cass County Auditor's Office and are subject to audit by the State of Minnesota.

**Commented [TT7]:** The fiscal responsibility is hosted by Crowwig county

**Article IX - MEETINGS**

1. The Mississippi Headwaters Board shall meet on the third Friday of each month.

**Commented [TT8]:** Change to be more general????

2. The Advisory Committee of the Mississippi Headwaters Board shall meet quarterly or as required by the board. Meeting topics should consist of pertinent information in the areas of: Land Use Regulation, Land Management (forest practices, agriculture, private lands), Recreational Systems Planning, River Watch, Heritage Awards, and Land Conservation and other subjects as requested by the board. At least one meeting per year may be a joint meeting with the Advisory Committee and the Mississippi Headwaters Board.
3. A quorum of the board shall consist of a majority of the members.
4. A vote of the board must be approved by a majority of the members present. A vote of the Advisory Committee must be approved by a majority of the members present.
5. Notice of meetings shall be mailed before the meeting date, as required by the board.
6. An annual schedule of meetings shall be published in January.

**Commented [TT9]:** Committees don't vote.

#### **Article X - MEMBERSHIP COMPLIANCE**

1. The Mississippi Headwaters Board shall consist of eight members representing each of the member counties. In the event any of the counties shall fail to approve and comply with the provisions of the joint powers agreement and Minnesota Statutes 103F.361-.377, that portion of the Mississippi River and related shore land areas within areas subject to the plan lying within such county shall be designated under Minnesota Statutes, Section 104.35, Subdivision 4, and shall be managed in accordance with the Mississippi Headwaters Ordinance and management plan as incorporated into Minnesota Statutes. The membership of the board shall then consist of the remaining counties.

#### **Article XI - CERTIFICATION**

1. These By-Laws may be amended by majority vote of the Mississippi Headwaters Board.
2. These By-laws were adopted by the Mississippi Headwaters Board on March 18th, 2005

**Commented [TT10]:** Updated in 2019 for board rotation



MHB  
Project Lead

MHB  
Project Lead

TASK	ASSIGNED TO	PROGRESS	START	END
Phase 1 Title				
Technical Committee Meeting	Name	100%	1/22/24	1/22/24
Write and submit LSHOC proposal		0%	5/24/24	5/24/24
MHHCP update to MHB Board		0%	6/22/24	6/22/24
Council Proposals Heard by LSOHC		0%	8/30/24	8/30/24
LSOHC Council meeting allocation approved.		0%	10/5/24	10/5/24
Task 2		0%	10/7/24	10/12/24
Task 3			10/12/24	10/15/24
Task 4			10/12/24	10/14/24
Task 5			10/12/24	10/15/24
Phase 3 Title				
Task 1				
Task 2				
Task 3				
Task 4				
Task 5				
Phase 4 Title				
Task 1			date	date
Task 2			date	date
Task 3			date	date
Task 4			date	date
Task 5			date	date

MHB  
Project Lead

Project Start:

Thu, 4/18/2024

Display Week:

4

*Insert new rows ABOVE this one*



MHB  
Project Lead

Project Start:

Thu, 4/18/2024

Display Week:

1

*Insert new rows ABOVE this one*

MHB  
Project Lead

Project Start:

Display Week:

[illegible]





## **SIMPLE GANTT CHART by Vertex42.com**

<https://www.vertex42.com/ExcelTemplates/simple-gantt-chart.html>

### **About This Template**

This template provides a simple way to create a Gantt chart to help visualize and track your project. Simply enter your tasks and start and end dates - no formulas required. The bars in the Gantt chart represent the duration of the task and are displayed using conditional formatting. Insert new tasks by inserting new rows.

### **Guide for Screen Readers**

There are 2 worksheets in this workbook.

TimeSheet

About

The instructions for each worksheet are in the A column starting in cell A1 of each worksheet. They are written with hidden text. Each step guides you through the information in that row. Each subsequent step continues in cell A2, A3, and so on, unless otherwise explicitly directed. For example, instruction text might say "continue to cell A6" for the next step.

This hidden text will not print.

To remove these instructions from the worksheet, simply delete column A.

### **Additional Help**

Click on the link below to visit [vertex42.com](http://vertex42.com) and learn more about how to use this template, such as how to calculate days and work days, create task dependencies, change the colors of the bars, add a scroll bar to make it easier to change the display week, extend the date range displayed in the chart, etc.

[How to Use the Simple Gantt Chart](#)

### **More Project Management Templates**

Visit [Vertex42.com](http://Vertex42.com) to download other project management templates, including different types of project schedules, Gantt charts, tasks lists, etc.

[Project Management Templates](#)

### **About Vertex42**

Vertex42.com provides over 300 professionally designed spreadsheet templates for business, home, and education - most of which are free to download. Their collection includes a variety of calendars, planners, and schedules as well as personal finance spreadsheets for budgeting, debt reduction, and loan amortization.

Businesses will find invoices, time sheets, inventory trackers, financial statements, and project planning templates. Teachers and students will find resources such as class schedules, grade books, and attendance sheets. Organize your family life with meal planners, checklists, and exercise logs. Each template is thoroughly researched, refined, and improved over time through feedback from thousands of users.



# Executive Director Report

March - April 2024

## 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. Reviewed monthly variances as they are brought forward by counties.
6. Sent out AIS invoices to counties and SWCD's for MN Traditions AIS campaign.
7. Developed contract with Fishing the Wildside for social media campaign.

## Meetings & Networking

3/18- Met with NW DNR Regional Management Team in Bemidji and gave a brief powerpoint about what was covered at the MHB biennial conference.

3/19- Was invited by Maren Butenhoff to be a presenter at Sustainability fest under the natural resources section. This is an event developed by U of MN Extension and Regional Sustainable Development Partnership with a focus on agriculture and food systems, clean energy, natural resources and resilient communities.

3/19- Attended phone meeting with Tom Glass (Western Alliance Group), Bill & Jens Heig (Bowen Lodge) to discuss strategy to connect with Smith and Klobuchar to get them involved with HR 1657 and write a companion bill.

3/20- Sent request letter to Amy Klobuchar's and Tina Smith's staff requesting a process in the US Senate for passage of Bill similar or identical to HR 1657 which authorizes a land exchange between the Chippewa National Forest and Bowen Lodge.

3/21- Attended and presented at the DNR AIS Public Engagement meeting on Microsoft Teams. Sixty-seven people attended and I provided the same ppt. that I gave at the biennial conference last year. Lots of good questions and our program received praise from the DNR information officer.

3/27- Provided comments on the Mill Park Improvement Plan.

4/1- Met with NE DNR Regional Management Team in Grand Rapids and gave a brief powerpoint about what was covered at the MHB biennial conference.

4/5- Met with Lewis Kellin and Cohasset city administrator Max Peters to discuss and plan a Paddle & Pint resourcetainment event.

4/8- Met via Zoom with John Bennet and Brigid Tuck to discuss RSDP event and how they can help with the survey and analysis. We discussed developing a survey that takes into account the direct and indirect economic impact as well as a visitor profile.

4/11- Attended Camp Ripley Sentinel landscape meeting.

4/11- Attended Pequot Lakes High School and talked with two Minnesota Wildlife classes.

4/11- HR Green got accepted to present the Whiskey Creek project at the Water Resources Conference in October 2024. I was asked to present as well.

4/12- Held Zoom meeting with city of Cohasset and Lewis Kellin to plan Paddle & Pint resource retention event.

4/15- Held meeting with MHHCP Partners to discuss ML25 proposal. We discussed funding for each agency. The proposal will come in around \$10 million to LSOHC.

4/18- Attended meeting with Camp Ripley staff to answer survey about PFAS and the study on the Camp Ripley base. I want to receive quarterly emails about this study so I can see if the results on the area of interest will affect the Miss. river.