



Le Sueur County, MN

Tuesday, March 28, 2017

Board Meeting

Item 3

9:10 a.m. Mike Schultz, SWCD District Manager (15 min)

RE: Introduce New SWCD Ditch Inspector Nik Kadel and delegate the Ditch Inspector title to his position.

RE: Buffer Law Delegation to the County

Staff Contact:

A RESOLUTION

Affirming Le Sueur County's jurisdiction to carry out compliance provisions of Minnesota Statutes 103B.101, subdivision 12a and 103F.48 is contingent on the passage and appropriation of riparian protection aid

WHEREAS, during the 2015 First Special Session, the 89th Legislature adopted Chapter 4, creating the water quality buffer initiative; and

WHEREAS, Chapter 4 permits a county to opt in as the enforcement authority of the water quality buffer initiative for its jurisdiction; and

WHEREAS, improved water quality is a statewide goal, but is best administered by local policymakers, whose familiarity with their home communities will ensure a cooperative and efficient implementation of the initiative; and

WHEREAS, during the 2016 Regular Session, the state legislature passed House File 848 appropriating and distributing riparian protection aid to counties having affirmed jurisdiction to carry out the provisions of Minnesota Statutes 103F.48; and

WHEREAS, House File 848 was vetoed by the Governor, resulting in no financial assistance to counties, thus making the water quality buffer initiative an unfunded state mandate; and

WHEREAS, Minnesota counties are already overwhelmed by unfunded mandates dictated by the state, which collectively cost counties millions, burdening property tax payers through inflated county budgets and levies; now, therefore,

BE IT RESOLVED, Le Sueur County, affirms its jurisdiction to carry out the compliance provisions of Minnesota Statutes 103B.101, subdivision 12a and 103F.48 contingent on the passage and appropriation of riparian protection aid; and

BE IT FURTHER RESOLVED, until riparian protection aid legislation is passed and appropriated, the County waives its authority to carry out the compliance provisions of Minnesota Statutes 103B.101, subdivision 12a and 103F.48; and

BE IT FURTHER RESOLVED, upon the appropriation of riparian protection aid, Le Sueur County will identify the rule, ordinance, or official controls to carry out the compliance provisions of Minnesota Statutes 103B.101, subdivision 12a and 103F.48.

A RESOLUTION

Waiving Le Sueur County's jurisdiction to carry out compliance provisions of Minnesota Statutes 103B.101, subdivision 12a and 103F.48

WHEREAS, during the 2015 First Special Session, the 89th Legislature adopted Chapter 4, creating the water quality buffer initiative; and

WHEREAS, Chapter 4 permits a county to opt in as the enforcement authority of the water quality buffer initiative for its jurisdiction; and

WHEREAS, during the 2016 Regular Session, the state legislature passed House File 848 appropriating and distributing riparian protection aid to counties having affirmed jurisdiction to carry out the provisions of Minnesota Statutes 103F.48; and

WHEREAS, House File 848 was vetoed by the Governor, resulting in no financial assistance to counties, thus making the water quality buffer initiative an unfunded state mandate; and

WHEREAS, Minnesota counties are already overwhelmed by unfunded mandates dictated by the state, which collectively cost counties millions, burdening property tax payers through inflated county budgets and levies; now, therefore,

BE IT RESOLVED, Le Sueur County, waives its jurisdiction to carry out the compliance provisions of Minnesota Statutes 103B.101, subdivision 12a and 103F.48.

A RESOLUTION

Affirming Le Sueur County's jurisdiction to carry out the compliance provisions of Minnesota Statutes 103B.101, subdivision 12a and 103F.48

WHEREAS, during the 2015 First Special Session, the 89th Legislature adopted Chapter 4, creating the water quality buffer initiative; and

WHEREAS, Chapter 4 permits a county to opt in as the enforcement authority of the water quality buffer initiative for its jurisdiction; and

WHEREAS, improved water quality is a statewide goal, but is best administered by local policymakers, whose familiarity with their home communities will ensure a cooperative and efficient implementation of the initiative; now, therefore,

BE IT RESOLVED, Le Sueur County affirms its jurisdiction to carry out the compliance provisions of Minnesota Statutes 103B.101, subdivision 12a and 103F.48; and

BE IT FURTHER RESOLVED, county staff will draft a rule, ordinance, or official controls, to be approved by the Le Sueur Board of County Commissioners, to carry out the compliance provisions of Minnesota Statutes 103B.101, subdivision 12a and 103F.48.