

**ORDER DENYING PETITION TO TERMINATE THE LAKE SHAMINEAU LAKE  
IMPROVEMENT DISTRICT**

Upon Petition of a majority of the property owners within the Lake Shamineau Lake Improvement District (LSLID), the Board of County Commissioners of Morrison County (Board) noticed and held a hearing to consider whether the existence of the district is no longer in the public welfare or public interest and it is not needed to accomplish the purpose of the Lake Improvement District Law. After a duly noticed hearing on the petition, and based upon testimony received at a public hearing held at the Morrison County Government Center in Little Falls, Minnesota, on August 9, 2019, the recommendations of staff, and upon all files, records, and proceedings herein, the Morrison County Board of Commissioners makes the following:

**FINDINGS**

WHEREAS, the Morrison County Board first established LSLID in July, 2015. The Board amended the original establishment order in August, 2016, upon request of the LSLID Board of Directors; and

WHEREAS, the Board's original findings that: (1) the LSLID is necessary and the public welfare will be promoted by its establishment; (2) property within the LSLID will be benefitted by its establishment; and (3) formation of the LSLID will not cause or contribute to long-range environmental pollution, remain true and are re-adopted here as they related to the petition to terminate the LSLID; and

WHEREAS, the Board acknowledges that the purposes of the Lake Improvement District Law are to preserve and protect the lakes of the state and to increase and enhance the use and enjoyment of the lakes; to preserve the natural character of lakes and their shoreland environment; to improve the quality of water in lakes; to provide for reasonable assurance of water quantity in lakes; and to assure protection of the lakes from the detrimental effects of human activities and certain natural processes; and

WHEREAS, Lake Shamineau faces threats from Aquatic Invasive Species (AIS) including Eurasian Water Milfoil, Curly Leaf Pondweed, Zebra Mussels, and other invasive and nuisance plants and animals; pollution; shoreline erosion; high water levels; ice jacking; and other threats to the lake and properties within the LSLID; and

WHEREAS, the LSLID is a necessary component in helping to preserve Lake Shamineau as a viable natural resource in the County and allows for local funding toward local efforts to resolve issues facing Lake Shamineau and adjacent lands; and

WHEREAS, landowners within the LSLID, including several petitioning for termination of the LSLID, provided comments at the public hearing indicating the continued necessity and viability

of the LSLID in promoting public welfare and interest and in accomplishing the purpose of the Lake Improvement District Law; and

WHEREAS, comments of landowners supporting termination of the LSLID focused on the administrative function of the LSLID Board of Directors, frustration of the development of a project to address high water conditions on Lake Shamineau and the lack of an adequate outlet for high water, and the cost of high water studies and project analyses undertaken by the LSLID Board of Directors; and

WHEREAS, the Board of Commissioners finds that the LSLID Board of Directors has functioned with consent of voters by pursuing programs, studies and activities according to a budget approved by voters at its annual meetings; and

WHEREAS, the Board of Commissioners further finds that the LSLID is beneficial to Lake Shamineau by providing a focus on issues facing Lake Shamineau and also by providing a discrete funding mechanism within the area primarily benefitted by Lake Shamineau to address those issues.

**Therefore, the Morrison County Board of Commissioners makes the following order relating to the petition to terminate the Lake Shamineau Lake Improvement District:**

1. The petition is denied.
2. A copy of this order shall be delivered to LSLID Board of Directors and to the Commissioners of Natural Resources and Pollution Control or their designated representatives.

This order was approved by the Morrison County Board of Commissioners at its meeting on August 20, 2019.

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Randy Winscher  
Chair, Morrison County Board of Commissioners

Dated this 20<sup>th</sup> day of August, 2019.

Attested to by:

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Title