

COMMUNICATION STRATEGY

Strategy to re-establish the Chisago
Lakes Lake Improvement District
consistent with the Chisago Lakes Chain
of Lakes Watershed

May through
September
2015

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Communication Strategy

Creation of Adjusted Chisago Lakes Lake Improvement District

103B.575 Expansion of Boundaries of Lake Improvement District.

The boundary of a district may be enlarged by complying with the procedures to establish a district under sections 103B.511 to 103B.541.

Introduction

The Chisago Lakes Lake Improvement District (LID) was legally designated as a Lake Improvement District pursuant to Minnesota Statutes on April 21, 1976 by a resolution of the Chisago County Board of Commissioners. The LID was reactivated by resolution of the County Board on August 21, 1984. The current LID boundary was approved in 1984 based on recommendations of the Minnesota Department of Natural Resources.

The current taxation boundary of the LID was established 30 years ago. At the time it was the best approximation of the Chisago Lakes Chain of Lakes Watershed. With new technology available today it has been determined that the area included within the LID taxation area is inconsistent with the actual Chisago Lakes Chain of Lakes Watershed area as established by the Minnesota Department of Natural Resources. The Chisago Lakes Chain of Lakes Watershed is the geographic area of land that contributes stormwater runoff carrying surface water, sediments and pollutants to 20 lakes and multiple streams within this defined geographic area. The water ultimately flows to the Sunrise River.

On February 25, 2009 the Chisago County Board of Commissioners delegated to the LID and its board of directors the powers available to the LID as set forth in Minnesota Statutes 103B.551, Subdivision 3, (1) through (14).

On April 6, 2009, the LID Board of Directors passed a motion adopting an official watershed map of the LID consistent with the Chisago Lakes Chain of Lakes Watershed boundary, as established by the Minnesota Department of Natural Resources, resulting in operating on a watershed approach to projects rather than a taxation boundary approach.

On December 1, 2014, the LID Board of Directors passed a motion recommending to the Chisago County Board of Commissioners to adjust the current LID taxation boundary to include the entire Chisago Lakes Chain of Lakes watershed.

March 18, 2015 – County Board initiates process

Chisago County Board of Commissioners passed the following motion:

“Move to prepare a Resolution of Intent initiating the process to evaluate and potentially adjust the LID taxation boundary to be consistent with the Chisago Lakes Watershed boundary”.

May 20, 2015 – Resolution of Intent – County Board Meeting

103B.515 Initiation and Establishment by County Board.

Subdivision 1. Resolution of Intent.

The County Board may initiate the establishment of a lake improvement district in a portion of the county under this section. The board must adopt a resolution declaring the intent of the board to establish a lake improvement district. The resolution must:

1. Specify the boundaries of the district, which shall be encouraged to be as consistent as practical with natural hydrologic boundaries;
2. Prescribe the water and related land resource management programs to be undertaken in the district;
3. State how the programs will be financed;
4. Designate the county officer or agency that will be responsible for supervising the programs; and
5. Set a date for a hearing on the resolution.

June 3, 2015 Frequently Asked Questions added to LID website

Public engagement opportunity.

June 24, 2015 Notification of Public Hearing and Open House Mailing developed

July 2, 2015 Notification of Public Hearing and Open House mailing proof delivered to printer & ready for Karl Oskar Days

July 8-12, 2015 Karl Oskar Days

Public engagement opportunity

July 10, 2015 – Preliminary review by MPCA and DNR *Statutory Deadline

6115.0970 Creation of Lake Improvement District

Subpart 2. B.

At least 40 days prior to the public hearing, the county board shall provide a certified copy of the document containing the information required by this part to the commissioner and the agency. This is necessary to facilitate preliminary review of the proposed district boundaries prior to notification of the public hearing.

6115.0970 Subpart 5. Review by commissioner and agency.

Upon receipt of a copy of the petition or document, the commissioner shall:

- A. Review the petition or document and any evidence presented by the agency or concerned citizens pertaining to the establishment of the proposed district. This review shall include an evaluation of the statement of district purposes and its relation to existing laws, rules, and regulations, units of government, water and related land management programs and policies. The proposed district boundaries shall be examined to assess their consistency with these parts. When one or more of the stated purposes of the proposed district relate to pollution control, this review shall be conducted with the assistance of the agency.
- B. Prepare an advisory report stating findings as to whether the proposed lake improvement district should be established. The commissioner shall set forth in the report any matters pertaining to the district which should be further investigated and evaluated. On determining that the establishment of the proposed district is not in the public interest, the commissioner shall so report the specific reasons and inadequacies. The commissioner may request additional time for review of the proposed district in such cases where additional time can be shown to be necessary for proper evaluation. The commissioner's report may contain reports by the agency.

6115.0970 Subpart 6. Request for continuance or postponement of hearing.

The county board may grant requests by citizens, the commissioner, or the agency for postponement or continuance of the public hearing to a time more than 30 days after receipt of the petition and verification of the signatures thereon. Such requests may be granted if the county board determines that the additional time requested is appropriate and reasonable in order for the requesting organization or citizens to adequately prepare for the public hearing, and consistent with the goals of promptness and fairness in the proceedings.

6115.0970 Subpart 7. Advisory report.

The commissioner's advisory report shall be publicly read into the record at the public hearing.

6115.0970 Subpart 8. Modification of findings.

The commissioner may modify findings based on evidence presented during and subsequent to the public hearing.

July 13, 2015 Post Office presort “bulk” mailing deadline

July 20, 2015 – Notice to Town Boards *Statutory Deadline

103B.515 Subdivision 2. Notice to town board.

The county board shall, at least 30 days before making an order establishing a lake improvement district, send the town board of a town wholly or partially within the boundaries of the proposed district a copy of the resolution and encourage the town board to respond to the proposed creation of the district.

July 22, 2015 Second Annual Community Water Festival Public engagement opportunity

July 22, 2015 Notification of Public Hearing and Open Houses delivered to homeowners

July 29, 2015 – Notification of Public Hearing & Open Houses deadline * Statutory Deadline

6115.0970, Subp. 3. Notification of public hearing.

At least 21 days prior to the public hearing, the county board shall give notice of the public hearing to the commissioner and the agency, and make a reasonable attempt to notify every resident and every resident owner within the proposed district of the pending resolution or petition and the public hearing. A reasonable attempt to notify shall consist of mailing notice to the last known address of each landowner within the proposed district, publication of notice in two successive issues of a newspaper widely circulated in the proposed district, and posting notice in public buildings and several leading commercial establishments in or near the proposed district, as appropriate and reasonable. All local and regional units of government, special purpose districts, and development commissions within and adjacent to the boundaries of the proposed district shall be given notice of the public hearing. All corporations and utilities owning real estate or corporate property within the proposed district shall be given notice of the public hearing.

As part of the notification procedure, a statement shall accompany the notice setting forth the following:

- A. a description of the proposed purposes, programs, funding, and boundaries of the proposed district, and the name proposed for the district;
- B. the time and place of the public hearing; and
- C. the following paragraph shall be included:

"The establishment of the proposed lake improvement district requires review by the commissioner of natural resources and the approval of the (as appropriate) county board(s) (and/or city governing body). Concerned citizens may submit evidence at a

public hearing to be held prior to the passage of any resolution establishing the proposed lake improvement district. Concerned citizens may also submit evidence and opinions to the commissioner of natural resources. A copy of the petition (or document, as appropriate) for the establishment of the lake improvement district is available for public review at the (as appropriate) county courthouse (or other appropriate public building; give address and telephone number where interested citizens can review the document)."

If the establishment of the lake improvement district is proposed by the county board pursuant to subpart 2, item B and Minnesota Statutes, section 103B.515, the following paragraph shall be included in the notice of the public hearing:

"Citizens may call for a referendum on the question of whether or not to establish a lake improvement district by filing a petition requesting such a referendum. The petition shall be signed by 25 percent of the land owners within the territory of the proposed district, who are Minnesota residents. Upon receipt of such a petition prior to the effective date of creation of the district, the county board shall hold the creation in abeyance pending the referendum vote of all qualified voters residing within the boundaries of the proposed district."

Subp. 4. Public review of petition or resolution. The county board shall make the petition or document containing the information required by this part available for review by concerned citizens, at the county courthouse or other appropriate public building.

July 29, 2015 – Open House

Public engagement opportunity

August 3, 2015 – Open House – LID Board Meeting

Public engagement opportunity

August 19, 2015 – Public Hearing

103B.511 Subdivision 3. Hearing.

The county board must hold a public hearing on whether a lake improvement district should be established. Before the date set for the hearing, any interested person may file objections to the formation of the district with the county auditor. At the hearing, any interested person may offer objections, criticisms, or suggestions about the necessity of the proposed district and how the person's property will be benefited or affected by the establishment of the district.

County Board Document/Resolution

- A. Written statement of lake problems and objectives

- B. Proposed type or types of water and related land resource management programs to be undertaken
- C. Statement of means programs will be financed
- D. Map showing boundaries of proposed lake improvement district
- E. Number of directors
- F. Copies of local ordinances which regulate use of the lake or any public access
- G. Degree of local interest and commitment to future management
- H. Identification of lands and waters adversely affected
- I. Statement outlining adequacy and ownership of public accesses, including public lands and beaches
- J. Estimate of total equalized valuation of the property within the district
- K. Any other information

August 20-23, 2015 Ki Chi Saga Days

Public engagement opportunity

August 25, 2015 – Tour of Chisago Lakes Lake Improvement District projects

September 3, 2015 Notice to commissioner *Statutory deadline

At least ten working days' notice shall be given to the commissioner of the time and place where the board will formally convene for this purpose. If the commissioner or the commissioner's representative does not appear, any modifications of the commissioner's advisory report shall be publicly read into the record.

September 16, 2015 – County Board Meeting to approve or disapprove district

6115.0970 Subpart 9. Formal meeting to approve or disapprove district.

No sooner than ten days but within 30 days following the holding of the public hearing, the county board shall formally convene to approve or disapprove the establishment of the proposed lake improvement district. At least ten working days' notice shall be given to the commissioner of the time and place where the board will formally convene for this purpose. If the commissioner or the commissioner's representative does not appear, any modifications of the commissioner's advisory report shall be publicly read into the record.

103B.511, Subdivision 4. Establishment.

- a. The county board may establish a lake improvement district, by order, after making findings, if the board determines that the:
 - (1) Proposed district is necessary or that the public welfare will be promoted by the establishment of the district;
 - (2) Property to be included in the district will be benefitted by establishing the district; and

- (3) Formation of the district will not cause or contribute to long-range environmental pollution.
- b. The order establishing the district must state the board's findings and specify or prescribe the items contained in Subdivision 1, clauses (1) to (4).

103B.535 Order Establishing District

An order establishing a district must state the:

1. Name of the district;
2. Boundaries of the district, which are encouraged to be as consistent as practical with natural hydrologic boundaries;
3. Water and related land resources management programs and services to be undertaken;
4. Manner of financing programs and services; and
5. Number, qualifications, terms of office, and methods of election, removal, and filling of vacancies of the board of directors, including a method for property owners not present at the annual meeting to participate in the election of the district board.

6115.0970 Creation of Lake Improvement District

Subpart 1. Petition or county board document.

A county board document proposing the creation of, or a petition to create, a lake improvement district shall contain the following elements:

- A. A written statement of lake problems and objectives.
- B. The proposed type or types of water and related land resource management programs to be undertaken by the proposed district. This shall include a detailed statement of intended studies, management programs, remedial actions, and construction projects.
- C. A statement of the means by which the programs will be financed.
- D. A map showing the boundaries of the proposed lake improvement district. The map shall show the number and location of permanent homes and seasonal dwellings in the district. The scale of the map, and basic geographical information, such as range, township, and section numbers, shall be clearly indicated on the map.
- E. The number of directors proposed for the district.
- F. Copies of local ordinances which regulate use of the lake or any public access.
- G. Any information indicating the degree of local interest and commitment to future management.
- H. The identification of any lands and waters which may be adversely affected by the implementation of district purposes, and a preliminary assessment of these adverse effects.
- I. A statement outlining the adequacy and ownership of public accesses, including public lands and beaches.
- J. An estimate of the total equalized valuation of the property within the district.

- K. Any other information demonstrating accordance with the criteria and standards for establishment as contained in part 6115.0960.

103B.551 Board of Directors

Subdivision 1. Membership.

After a lake improvement district is established, the county board, joint county authority, or commissioner that established the district shall appoint persons to serve as an initial board of directors for the district. Subsequent board members must be elected by persons owning property in the district at the annual meeting of the district. The number, qualifications, terms of office, and method of election, removal, and filling of vacancies of directors shall be as provided in the order creating the board of directors. The initial and all subsequent boards of directors must include persons owning property within the district, and a majority of the directors must be residents of the district.

Subdivision 2. Compensation.

The directors shall serve with compensation as determined by the property owners at the annual meeting and may be reimbursed for their actual expenses necessarily incurred in the performance of their duties in the manner provided for county employees.

Subdivision 3. Powers.

County boards, joint county authorities, statutory and home rule cities, and towns may, by order, delegate the powers in this section to the board of directors of a district to be exercised within the district. Programs and services undertaken must be consistent with the statewide water and related land resources plan prepared by the commissioner of natural resources and with regional water and related land resources plans. A body of water may not be improved by using authority granted under this section unless the public has access to some portion of the shoreline. County boards, joint county authorities, statutory and home rule cities, and towns may delegate their authority to a district board of directors to:

1. acquire by gift or purchase an existing dam or control works that affects the level of waters in the district;
2. construct and operate water control structures that are approved by the commissioner of natural resources under section 103G.245;
3. undertake projects to change the course current or cross section of public waters that are approved by the commissioner of natural resources under section 103G.245;
4. acquire property, equipment, or other facilities, by gift or purchase to improve navigation;
5. contract with a board of managers of a watershed district within the lake improvement district or the board of supervisors of a soil and water conservation district within the district for improvements under chapters 103C and 103D;

6. undertake research to determine the condition and development of the body of water and the water entering it and to transmit the results of the studies to the Pollution Control Agency and other interested authorities;
7. develop and implement a comprehensive plan to eliminate water pollution;
8. conduct a program of water improvement and conservation;
9. construct a water, sewer, or water and sewer system in the manner provided by section 444.075 or other applicable laws;
10. receive financial assistance from and participate in projects or enter into contracts with federal and state agencies for the study and treatment of pollution problems and related demonstration programs;
11. make cooperative agreements with the United States or state government or other counties or cities to effectuate water and related land resource programs;
12. maintain public beaches, public docks, and other public facilities for access to the body of water;
13. provide and finance a government service of the county or statutory or home rule city that is not provided throughout the county or, if the government service is provided, the service is at an increased level within the district; and
14. regulate water surface use as provided in sections 86B.205, 103G.605, and 103G.621.

103B.555 Financing

Subdivision 1. Revenue.

The county board or joint county authority may undertake projects of improvement consistent with purposes of the district. To finance projects and services of the district, the county board or joint county authority may, only after seeking other sources of funding:

1. assess the costs of the projects upon benefited property within the district in the manner provided under chapter 429;
2. impose service charges on the users of lake improvement district services within the district;
3. issue obligations as provided in section 429.091;
4. levy an ad valorem tax solely on property within the lake improvement district, to be appropriated and expended solely on projects of special benefit to the district; or
5. impose or issue any combination of service charges, special assessments, obligations, and taxes.

Subdivision 2. Tax additional to other levies.

A tax under subdivision 1 may be in addition to amounts levied on all taxable property in the county for the same or similar purposes.

Subdivision 3. Budgeting for operations.

The county board or county boards forming the joint county authority shall include appropriate provisions in their budget for the operation of a lake improvement district.

Subdivision 4. District obligations.

The district, with approval of the county board or joint county authority, expressed in a resolution identifying each specific improvement to which the approval applies, may exercise the powers of a city under chapter 429 and section 444.075, including, but not limited to:

1. the levy of special assessments;
2. the imposition of rates and charges; and
3. the issuance of bonds

to finance improvements that the district may undertake.

September 18, 2015 *Statutory deadline to approve or disapprove district

October 15, 2015 Publication and Effective Date *Statutory deadline

103B.541 Publication and Effective Date

Subdivision 1. Publication of Establishment Order. If a lake improvement district is established, the county board, or joint county authority issuing the order establishing the district, shall publish the order once in the official newspapers of counties where the district is located and file the order with the secretary of state, the Pollution Control Agency, and the commissioner of natural resources.

Subdivision 2. Effective Date. Establishment of the lake improvement district is effective 30 days after publication or at a later date, if specified in the establishment order.

January 1, 2016 Proposed Effective Date

July or August 2016 – LID Annual Meeting

103B.571 Annual Meeting of District

Subdivision 1. Time. A district must have an annual meeting. The first annual meeting shall be scheduled during the month of July or August and be held annually in that period unless changed by vote of the previous annual meeting.

Subdivision 2. Notice.

The annual meeting shall be preceded by two weeks' published notice and written notice mailed at least ten days in advance of the meeting to the county board or joint county authority, town boards and statutory and home rule charter cities wholly or partially within the district, the Pollution Control Agency, commissioner of natural resources, and if there is a proposed project by the district having a cost in excess of \$5,000, all property owners within the assessment area.

Subdivision 3. Agenda.

(a) At the annual meeting the district property owners present shall:

- (1) elect one or more directors to fill any midterm vacancies in the board of directors;
- (2) approve a budget for the fiscal year;
- (3) approve or disapprove proposed projects by the district having a cost to the district in excess of \$5,000; and
- (4) take up and consider other business that comes before them.

(b) At the annual meeting all district property owners, including absent members as provided in the order establishing the district, shall elect one or more directors for board positions with expiring terms.

Subdivision 4. Annual report.

Each year the board of directors shall prepare and file a report of the financial conditions of the district, the status of all projects in the district, the business transacted by the district, other matters affecting the interests of the district, and a discussion of the directors' intentions for the succeeding years. Copies of the report shall be transmitted to the county board or joint county authority, town boards and city councils of statutory and home rule charter cities wholly or partially within the district, the commissioner of natural resources, and the Pollution Control Agency by four months after the annual meeting.

January 1, 2017 New Taxes Payable

Attachments

Attachment 1 – March 18, 2015 County Board Minutes

Attachment 2 – Resolution of Intent

Attachment 3 – Frequently Asked Questions

Attachment 4

Attachment 5

Attachment 6

Attachment 7

Attachment 8

Attachment 9

Attachment 10