

Wilderness Park Home Owners Association
Meeting Minutes
March 9, 2024

Meeting called to order by Jeff Zabinski at 9:31 a.m.

Board Present: Jeff Zabinski, Oscar Ehrnst, Brice Graftstrom, Tom Hansen, Karen Ludwig, Rob LaFleur, Kris Jackson, Paul Albrecht, and Kari Koren

Appointment of Sergeant of Arms – Annette Monson.

Secretary's Report: Karen Ludwig provided minutes from the February, 2024, meeting to board members and attendees. A moment was provided to read through the minutes. No alterations were requested. Tom Hansen made a motion to approve February, 2024 minutes; Kari Koren seconded; motion carried.

Treasurer's Report: Rob LaFleur provided a reconciliation report and advised of account balances as follows:

US Bank Checking: 18,400.57
US Bank Savings: \$120,293.14
US Bank CD \$20,191.83 (set to expire May 9, 2024)

Deposits for the month of January totaled \$1,645.20.

Karen Ludwig informed that a typographical error was discovered in the September, 2023 meeting minutes. A budget was provided to board members by the treasurer and approved; however, the words "and budget" did not appear in the sentence describing the motion. The motion on record should be amended to read "Tom Hansen made a motion to approve the meeting minutes and budget; Oscar Ehrnst seconded, all in favor, motion carried."

Oscar Ehrnst made a motion to approve the treasurer's report; Paul Albrecht seconded; motion carried.

Caretaker's Update: Wayne Marklowitz and Glen Kastner were both in attendance. Wayne applied for a shoreline alteration permit to remove dead trees at Birch Park. The DNR approved the removal; however, is requiring a tree to be replanted for each tree removed. Wayne informed some of the dead trees at Birch Park are clusters of Birch. He stated he will reach out to the County next week to define whether a cluster is considered one tree or several.

Glen has been taking care of the aerator which can be removed now. Glen provided \$60 cash from the recycling of aluminum which will be placed in the activity committee's funds.

Glen would like to request the culvert on 8446 Arrow be removed or repaired. He said that every time it rains it runs over the road. Glen informed that he called the County, and the inspector will get back to him. This culvert was placed by Andy and Lori Musolf. Andy said there was never a problem until the ditch was filled in. Andy Musolf informed the water from the whole hill washes down. He also said the County already looked at the culvert and he informed the problem is because the road is lower than the ditch.

Discussions Between Board Members:

Structural Engineer. Oscar Ehrnst made a presentation showing documentation from Sandman Structural Engineers regarding the clubhouse project. Attached you will find the Structural Engineering Services Agreement and blueprint/plan. Oscar Ehrnst paid \$346.25 for the services of Sandman and was reimbursed.

Oscar informed when Troy, the inspector from the County was here, they started with the drain pipes from the eaves and came up with a plan. They then moved to the sidewalk/patio in front of the clubhouse clarifying what needs to be a part of the permit/variance application. The entryway placed over the entrance of the clubhouse near the pool needs to be included. They then discussed the sink hole. There is a section outside the back

corner of the clubhouse that washed out exposing concrete debris. No one knows who buried this debris or when. A plan was created to remove and remedy this. There are old concrete stairs behind the clubhouse causing water to come into the clubhouse. Removal/repair of this will be a part of the permit as well. There was a question about the septic as this needs to be inspected prior to approval of a permit. The septic is scheduled to be inspected in May. If not approved, it doesn't necessarily mean a new septic and drain field, if not approved, it could just be one or the other. The County worker did not want to come into the building to look at the inside structure as he informed that he could not come into a building without another inspector.

Wayne Marklowitz informed the septic tank was set in fall of 2007 and drain field in the fall of 2008. The individual from the County thought there was a good possibility of it passing.

Oscar showed a photo of what was exposed in the sink hole behind the clubhouse. Oscar asked Wayne to expose what was there so the board could see and assess. Wayne was then asked to cover it again before winter so no further damage was done before this could be addressed in the spring/summer. Wayne did not put cement or debris in this hole, it was already there. He discovered it and brought it to the attention of the board. He then was instructed to fill it back the way it was until it could be properly addressed.

Oscar showed a photo of the repairs inside the clubhouse to address any concerns that were raised regarding the header and the integrity of the clubhouse. He explained what was done and informed he went to Sandman Structural Engineering. Oscar wanted to indicate he was incorrect. There was a footing making this a load-bearing wall. The engineer created a plan of what needed to be done, and informed he did not need to come out to see for himself. At the January meeting, Jeff Zabinski indicated the engineer came out. That was a miscommunication between Oscar and Jeff. The engineer did not come out. The engineer looked at the photos and information Oscar provided. The plan is attached to these minutes. The pine was removed from the wall to be saved to be put back after the installation of the reinforced support wall. Jack-studs, king-studs and header greater than the suggestion of the engineer were placed. The engineer said the extra support was "overkill." Oscar showed what was found when they took the boards off a wall. There were no studs, it was all rotted out inside so it was a good thing this was discovered and repaired. There is another load-bearing wall that needs to be repaired but that cannot be done at this time due to the cease-and-desist order. After this order came out, approval was received to get the structure "winter-ready." Oscar informed he placed insulation and got it closed good but got overzealous with the placement of the tongue and groove. That was his mistake to continue with the tongue and groove walls as the electrical was not inspected first. He informed he will remove it, have it inspected, and replace it once construction can continue. The interior wall needs repair as well. After removing the poster board, it was discovered a window box was placed in this interior wall at some unknown time. This is also a load-bearing wall and will need to be repaired.

Jeff Zabinski informed no volunteer work can be accepted from this point forward. The park can only use licensed contractors for any work/repairs. Jeff confirmed everything is green-treated wood in the new front entry. There is foam insulation, and it is 2x6 frame-build with a vapor barrier. He is getting a contractor to come in and approve the work. We are now paying for every permit that was needed and not obtained over the past 15 years.

Andy Musolf asked about the trusses. Jeff Zabinski said the trusses were made and designed for the job by a lumber company. They were not made by a member or the board. Jeff Zabinski said he will look at the drawings to confirm and address Andy's concern. Oscar informed if posts need to be installed to reinforce the overhang, that can be done as well. The footings were done by Northfork. The board was concerned about the cement slab inside shifting up and down from the frost. That is why it was decided to cover and enclose this space.

Melissa Ehrnst informed there was a conversation twice where Oscar requested to meet with Andy Musolf at the clubhouse so Andy could provide his input in person, rather than over Facebook. Oscar and Andy continued their conversation in an attempt to resolve their differences. Oscar said he welcomes any help. Andy informed he did not want to be a part of the drama.

Toni Diede asked what the fines would be for the lack of obtaining permit(s). Jeff Zabinski informed approximately \$1,500 to Cass County - Oscar informed \$150 for a fine for the back patio, an amount per square foot for additions - \$300 for the back porch (covering over restroom entrance), and approximately \$1,000 for the front entry. As far as fines to the State of Minnesota, the board has not been informed to date.

A member informed she has no problem with people volunteering and asked why a permit not obtained initially. Jeff Zabinski informed it was last minute decision to cover the structure before winter as he was concerned if it snowed before it was covered it would cause further damage. In an attempt to save the structure and not cause further damage, volunteers came forward to assist as the placement of the structure was approved at a fall meeting. Jeff asked that members keep in mind the County is going back to review and correct a lack of permitting over the past 15+ years. Tom Hansen said he initiated this project as every time there was rain, water was flooding into the clubhouse. He did not get a permit when the back patio cement work was done as it was removed and replaced by a licensed contractor that was hired by the board. It was presumed the contractor would have obtained a permit, if necessary. Right or wrong, these issues are being remedied.

Gina Libbesmeier had a question for Oscar to clarify the fine. Oscar confirmed the \$150 fine was for the covered structure over the bathroom entrance. \$350 was a total for the fine and permit. Dan Paul informed that was done in 2017. Some of these fines are from prior repairs, not organized by this board.

The electrical and plumbing inspections are in the works. The County and State need to work together essentially. Larson Electric is coming out on Tuesday and has been here once already. Jeff Zabinski has been in contact with a contractor. Oscar reiterated from this point on a licensed contractor has to do any work.

Kris Rosten saw all the hoops the board is going through to move forward with this. As a contractor himself, he advised the County and State are most likely wanting to get this done and over with too. He asked if there was a punch-list or timeline for things that need to be done so items don't get missed with too many people handling too many different things. Oscar informed nothing can be done until May when the septic can be inspected, then it has to go to the County. Once that is certified, then we can file for the permit. Oscar informed he, Jeff Zabinski, and Wayne Marklowitz are working together and in contact with each other regularly to accomplish these tasks.

Melissa Ehrnst had questions for Lori Musolf as she is informed, she was the one who contacted the County/State. Melissa asked why Lori did not come to the board when she found out the clubhouse was considered a Place of Public Accommodation. Why not bring that to the board's attention and work together? A conversation was had between Melissa and Lori to address these concerns.

Many more questions on comments were addressed. The meeting was recorded and is being posted on YouTube with a link through the Wilderness Park Members page on Facebook. Additional discussions on this topic can be viewed through this link.

Activities Committee: No updates currently.

Road Committee: Jeff Zabinski informed the committee was finally able to have the road graded to smooth out some of the potholes. They will meet before the next meeting to address any road concerns and get a plan for pricing for the upcoming seasons.

Tom Hansen advised the tree-trimming log-cutting that was set to happen last fall through Engberg was delayed because of an injury with someone at Engberg. He spoke to them last week and confirmed they still have this project on their schedule. With the road restrictions it would be a challenge coming in. As far as we know, Engberg will still honor their original quote. Engberg informed him he does not want to chip any trees, brush, they will be takin the logs out of the park. Reminder – red ribbons mean cut down the tree but leave the wood; yellow means leave the tree – do not cut it down.

Self-Assessment Committee. Rob LaFleur announced this committee decided it is best of focus on the Declarations at this time; therefore, this committee is suspended for the time being. Rob indicated he didn't appreciate Lori Musolf's comments on Facebook. He has a background in finance, is qualified, and will not be personally attacked.

Declarations: Toni Diede indicated this committee met twice in February. They are hoping to wrap up the final process next week. Kelly Daniels informed if anyone has questions or would like to see a copy of the working

document, please email the board and your email will be passed onto the committee. The committee consists of Laura Kerfeld, Toni Diede, Kelly Daniels, Shawna Prigelmeier, Corine Young, Tom Hansen, and Don Hendricks.

The committee informed us we are a 317A Non-Profit Corporation and they are revising the document referencing the 515B. They believe both are necessary but they need to get clarification from an attorney once the working document is in a form that the members can agree with. Bylaws are a separate document and set forth the rules of the board. Oscar wanted to confirm that he did not ask Kelly Daniels to be a part of this committee as his "mole." Kelly confirmed he joined the committee on his own and is not "reporting" to anyone. Toni Diede explained everyone needs to set their feelings aside and work together as a group to make this work and figure this out.

Member's Address:

Bill Morris. Advised he had a house fire and lost everything he has. He asked the board to consider donating a dumpster for him to cleanup some of the debris. He also asked for members/volunteers to assist him in cleaning up next Saturday. His cabin is at 4886 Sherwood Drive Southwest. Annette Monson suggested a donation box for a dumpster or for replacing any essentials. Maybe start a Go Fund Me page. Bill asked that his number be included for anyone to call that is willing to help out. He can be reached at (320) 360-6852.

Kris Rosten. He did some homework and found information on how to put in a beach. He asked for the board's approval to proceed. He informed he already had a group of volunteers to do all the work and fund it, they were just looking for approval to proceed. He passed out a brochure and information showing the process to accomplish this task. Oscar Ehrnst suggested Kris propose a location for a beach. Leigh Blonigen said they are looking to place a small sand beach area for small kids to play at Birch Park. Kris said he would also put together a list of volunteers to accomplish this task. See attached.

Melissa Ehrnst. Mentioned Toni Diede's comment at the January meeting that her group had no secrets. Melissa stated she believed Toni, since last summer, has been meeting with the committee and then meeting with Lori Musolf. Melissa said she is not implying there is any wrongdoing in two friends meeting but is calling into question Toni's integrity. Toni said she is friends with Lori and that is no secret. She informed she spent \$1,000 of her own money to figure out if we need to be a 317A or 515B. Laura Kerfeld indicating everything being worked on in the declarations committee is available for any member to view. It is not secret.

Harmony Lipelt. Harmony informed she reached out to an attorney of her own – David Meyers of Rinke Noonan. She and her husband have been members for 13 years. She expressed her disappointment in the badness two ladies can create. She informed she had never met the board (other than Kris Jackson) until today and thanked them for their efforts. She asked that all members stand together. The opinion of David Meyers was read. See attached.

Old Business: As you all know the monthly meetings were changed to be held on the second Saturday of the month. Oscar Ehrnst noticed there was a sign referencing the meetings being the first Saturday of the month. This sign was updated.

New Business/Open Forum: If there is new business you would like addressed at the board meeting, please email the park so your topic can be added to the agenda.

Kari Koren made a motion to adjourn at 11:21 a.m.; Oscar Ehrnst seconded; motion carried.



Structural Engineering Services Agreement

CLIENT

PROJECT

Name: Oscar Ehrnst
Address: 5000 County Rd. 136
St. Cloud, MN 56301
Phone: 320-424-0117

Name: Wilderness Park
Location: 8193 Meadow Lake Rd SW
Motley, MN 56466
ID #: _____

AGREEMENT

1. This agreement will be between the client named above and Sandman Structural Engineers (SSE).
2. This agreement is based upon our understanding of the project to date. SSE reserves the right to revise the fee if the scope of work changes from the work noted herein.
 - a. Project Description:

THE EXISTING BUILDING IS A WOOD-FRAMED OFFICE BUILDING.

SSE HAS BEEN ASKED TO PROVIDE ENGINEERING RECOMMENDATIONS FOR THE REMODEL OF A PORTION OF THE OFFICE BUILDING.

- b. Scope of Services to be Provided:

SSE'S SCOPE WILL INCLUDE AN ANALYZATION OF THE PROPOSED NEW OPENINGS. SSE WILL PROVIDE HEADER SIZES, INCLUDING ADEQUATE JACK AND KING STUDS REQUIRED TO SUPPORT THE HEADER. SSE'S SCOPE IS LIMITED TO THE HEADERS PROVIDED ON THE STRUCTURAL MARKUP.

ANY CONSTRUCTION ADMINISTRATION QUESTIONS WILL BE BILLED AT THE CURRENT HOURLY RATE.

3. SSE will track and bill time at the hourly rates listed in this contract. Additional expense necessary due to change(s) in scope will be on a time and expense basis per SSE standard rates.
4. Fees will be paid by client in accordance with Section 5 of the General Provisions of Service.
5. See General Provisions of Service on Page 4 of this document.

AUTHORIZATION

I, Oscar Ernst, agree to the terms of this contract and authorize SSE to proceed with the work as outlined above. Signer states that they are in a position of responsible charge to legally sign contracts. If the signer is not found to be in responsible charge to legally sign this agreement on behalf of the represented company; SSE holds the right to enforce all terms of this agreement with the signer personally, the entity, or both. The signer also states that they have the authority to direct SSE to perform the services identified within this agreement.

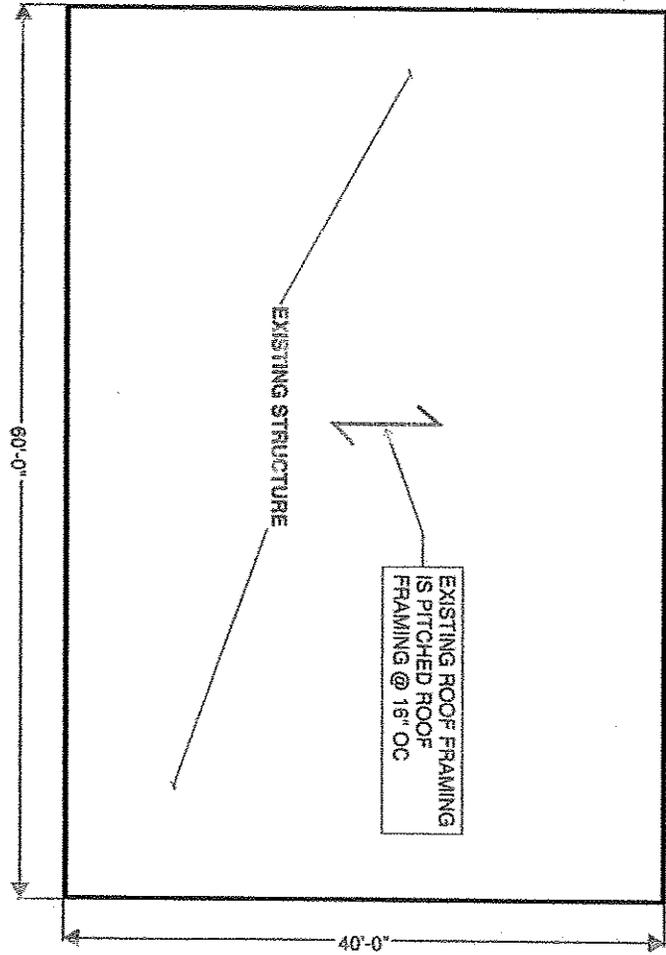
Client's Signature: 

Date: _____

SSE's Signature: 

Date: 12/20/2023

1
S.1
EXISTING ROOF FRAMING PLAN
NOT TO SCALE



S.1	PROJECT #	2300-115	WILDERNESS PARK
	DESIGNED BY	DT	MOTLEY, MINNESOTA
	DATE	12/21/2023	



SANDMAN
Structural Engineers
218.227.0022 - www.SandmanSE.com

Wilderness Park Estates

David Meyers <DMeyers@rinkenoonan.com>

Tue 3/5/2024 11:48 AM

To:Harmony Lipelt

 2 attachments (8 MB)

RECORDED PLATS.pdf; Declaration of Covenants, Cond, Restrictions.pdf;

Harmony : You have asked if the attached covenants bind the lots in the captioned plat. The Exhibit A legal description was not recorded with the attached covenants.

The short answer is yes, as to the lots owned by the developer when the covenants were signed and recorded.

There are 2 required indexes to review when Examining title. There is a required search of the legal description, but also a search of the Grantor / Grantee index.

As to the legal description, while Exhibit A was not attached, the covenants refer to the entire plat. See: Article III, Section 2 (a), which references the last lot in Wilderness Park , and Article VI, Sections 1 and 2 reference Wilderness Park. Article VII, Section 11 references prior recorded Covenants. (I'll review these prior covenants if you send me copy).

The Grantor of the plat , Wilderness Park, Inc . is also the entity that signed the covenants. A title examiner would be bound to take notice of the common grantor / developer of both the plats and covenants.

Let me know if you have questions.

David

David J. Meyers
Attorney

RINKE NOONAN
1015 West St. Germain St.
Suite 300, US Bank Plaza
P.O. Box 1497
St. Cloud, MN 56302
(320) 251-6700 Office
(320) 656-3512 Direct
(320) 656-3500 Fax

Wilderness HOA 32389-0001

David Meyers <DMeyers@rinkenoonan.com>

Tue 3/5/2024 3:23 PM

To:Harmony Lipelt

Harmony : You have 2 questions :

1. my concern for future sale of lots be addressed/ that he doesn't foresee an issue with future title transfers and that we are a part of the HOA. Per my prior email, I don't see a problem. The declaration references the plats. The developer and company who signed the declaration are the same. And, maybe most important, titles have transferred for 50 years. If this were a problem it should have come up in the 1980's. Closing companies, title insurance companies , mortgage lenders and buyers have been reviewing, passing on title and selling these lots for over 50 years.

2. Also that the HOA exists because of the easements and we are bound by the easements. Correct . The declaration establishing the easements, HOA and the HOA s right to collect assessments for the common easement property are not in question. And, again, it's worked for 50 years. People have been using the easements, paying assessments, voting for the HOA Board and the Board has functioned to maintain the roads, easements and common property for a half century . No one should doubt the validity of the easements, HOA or its assessments.

David

David J. Meyers
Attorney

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RINKE NOONAN
attorneys at law



Fw: Bonus- Other pertinent information

Harmony Lipelt

Thu 3/7/2024 2:37 AM

Notes/takeaways from my phone calls (3/1-3/5/24) with the atty, some of this may be included in the writings from the atty :

- This has worked for 50 yrs, why is this all of a sudden an issue because 2 people are questioning it.
- The HOA is legal and exists because of the easements.
- When you do a land search- you look at 2 things : the legal description and a name search (guarantee and guarantor).
- Re: exhibit A not being attached: it is way too late to add descriptions to the titles, if you do, you may "cloud" the titles. Regardless WP members are bound by the easements.
- covenants restrict your use, yours are currently expired, so that would take some extra work and would require members to sign. Regardless, the HOA again exists because of the easements.
- Your county recorder is new, otherwise she may have shared more with you and could have been more resourceful.
- I just finished up working on a SSD contract for a township in Jackson County in southern MN. They have 10 miles of paved road, for some of that to get repaved and for maintenance for a yr, it will cost them 300,000 for the first yr. An SSD is years in the making. Believe me, it is a headache for counties or townships, they don't like doing them. SSDs also require an additional board. Add at least a couple more zeros to your \$400 (dues) and that is what you would pay. Your dues are a steal and I don't understand why this is being questioned or fought, even per lot.
- Again, only \$400 per year?
- People know what they were buying into. Whether they thought it was legal or not. There were agreements, when you purchased the lot, title work, signed any paperwork, paying dues, using the roads, using the clubhouse/pool, using the parks, attending meetings. All agreements. They chose to and continue to choose to live there.
- The HOA has every right to collect and enforce dues based on easements alone. Those that don't pay don't use the easements and can choose to leave.
- Bottom line: I don't know of any judge who would say or rule differently than what I have shared with you. This has been in place for 50 yrs, not 1 yr, not 2yrs.... 50 yrs. And it has worked. It is crazy if anybody would think otherwise.

Shoreline Alterations: Beach Blanket



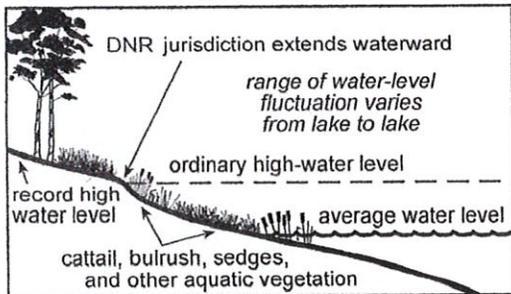
Will a sand beach work on my shoreline?

IS AN INDIVIDUAL PERMIT REQUIRED?

For most projects constructed *below* the ordinary high-water level* (OHWL) of public waters as determined by the Minnesota Department of Natural Resources (DNR), an individual permit is required from the DNR.

Beach blanket exception: An individual permit from the DNR is not required for beach sand or gravel placement if the conditions outlined in this information sheet are followed.

If you have questions concerning the contents of this information sheet, contact your local DNR Area Hydrologist. See contact information on reverse side.



Shoreline cross section

ARE OTHER PERMITS REQUIRED?

Other governmental units (federal, state, city, county, township, and watershed authority) may require a permit for that portion of the project within their jurisdiction, which usually involves work above the OHWL. It is advisable to contact them.

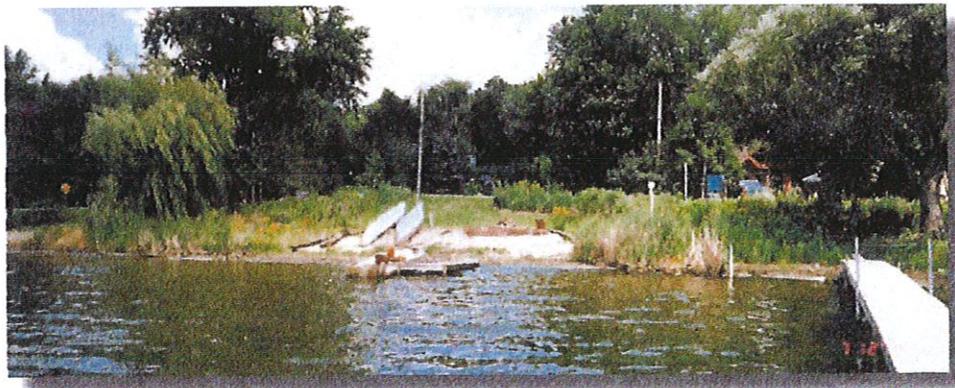
*For lakes and wetlands, the OHWL is the highest elevation that has been maintained as to leave evidence on the landscape. It is commonly that point where the natural vegetation changes from predominantly aquatic to predominantly terrestrial. For watercourses, the OHWL is the top of the bank of the channel. For reservoirs and flowages, the OHWL is the operating elevation of the normal summer pool.

One goal of DNR Ecological and Waters Resources is to limit unnecessary and potentially damaging alterations to shorelines. Specifically, use of beach sand and other types of fill is limited in order to prevent damage to fish spawning areas, aquatic habitat, and water quality of Minnesota's lakes.

Although natural sand beaches can be found on many Minnesota lake-shores, landowners often attempt to create them on shores where they do not naturally occur (i.e., a muddy-bottom lake). If you are considering adding a beach blanket, you should know a few important things before investing your money.

- Beach material that erodes into the lake may coat aquatic plant beds and fish spawning grounds, degrading fish and wildlife habitat and damaging the water quality of your lake.
- Beach material must be clean and washed free of fine particles and must be of the appropriate grain size (coarse sand or larger) to stay in place under wave action. Placed material that migrates from your site may constitute a violation of water quality standards. To further minimize the risk of your beach migrating away from the site, maintain aquatic vegetation on both sides of your beach, like in the diagram on page two.
- The lakebed must be capable of holding beach material in place. If the lake bottom is soft, the sand or gravel will only sink into the muck and disappear.
- You are only allowed to install sand or gravel twice in the same location without a permit.
- Vegetation will constantly emerge through the beach material, and additional plant control will be needed on the beach. If you plan to weed by hand or apply herbicide, an aquatic plant management permit may be required from the DNR Division of Fisheries.
- Beach blankets may not be placed over emergent vegetation such as bulrush or cattails unless you obtain a permit from the Division of Fisheries.

Keep in mind that you are *not* allowed to install any plant barrier or liner (e.g., filter fabric or plastic) underneath your constructed beach. If owning lakeshore property with a sandy beach is a high priority for you, look for lakeshore property where sandy beaches occur naturally before you make that important purchase.



Beach blanket at shoreline.

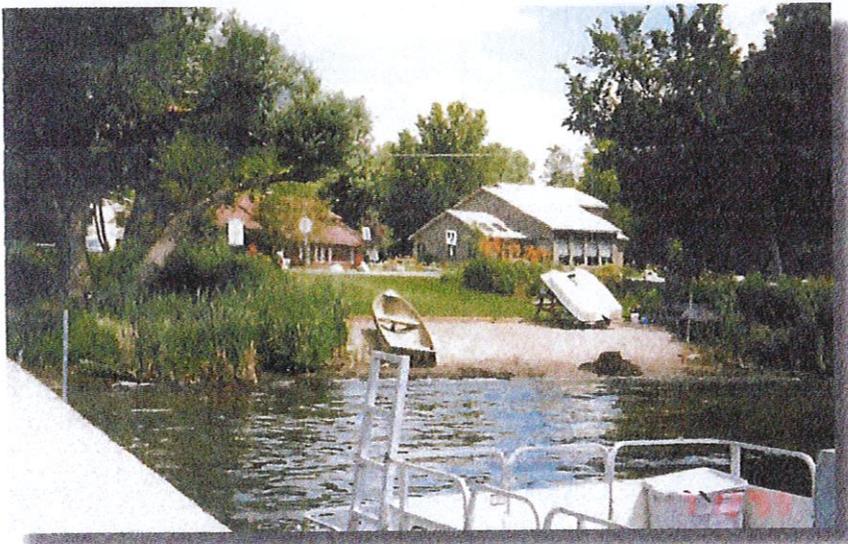
Shoreline Alterations: Beach Blanket

If you have considered all of the conditions above and you think adding beach sand or gravel will work for your shoreline, you may install a beach blanket without an individual permit if the installation meets all of the following conditions:

- The sand or gravel layer may be up to 6 inches thick; up to 50 feet wide along the shoreline or one-half the width of the lot, whichever is less; and up to 10 feet waterward of the ordinary high-water level (OHWL; see sidebar on page 1).
- The beach blanket does not cover emergent aquatic vegetation, unless authorized by an aquatic plant management permit (contact your local DNR Fisheries office).
- The sand or gravel is clean and washed so that it is free of fine particles.
- Local watershed district and local zoning officials are given at least 7 days' notice by the landowner.
- No plant barrier or liner (i.e., filter fabric or plastic) is installed underneath your beach sand.

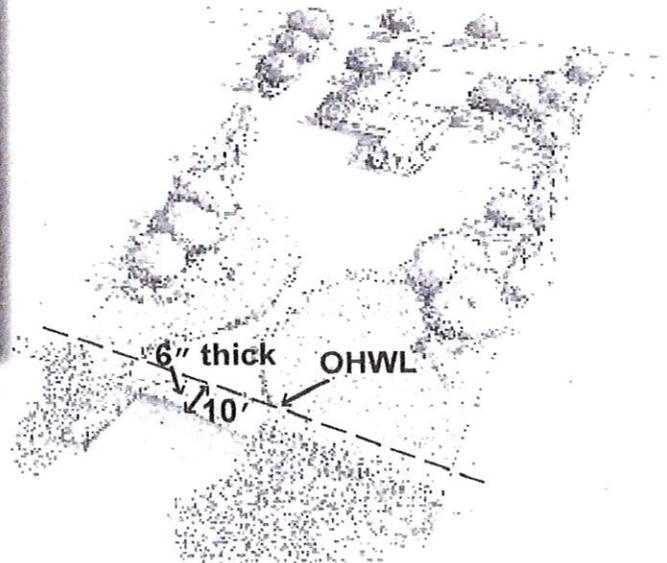
Installation of sand and gravel may be repeated *once* at the same location but may not exceed the amount of sand and dimensions of the original sand blanket.

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Another example of a beach blanket is pictured above.

The plan view of a diagram (right) shows dimensions of a beach blanket surrounded by vegetation with a path to the sand area.



Based on an illustration by Roxanna Esparza.

DNR Contact Information



DNR Ecological and Water Resources website and a listing of Area Hydrologists:
<http://mndnr.gov/contact/ewr.html>

DNR Ecological and Water Resources
500 Lafayette Road, Box 32
St. Paul, MN 55155
(651) 259-5100

For information about aquatic plant management permits:
<http://mndnr.gov/shorelandmgmt/apg/regulations.html>

DNR Information Center

Twin Cities: (651) 296-6157
Minnesota toll free: 1-888-646-6367
Telecommunication device for the deaf (TDD): (651) 296-5484
TDD toll free: 1-800-657-3929

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This information is available in an alternative format on request.

Thank you for contacting me about the regulations on installing a beach. I have attached a factsheet that outlines the criteria that must be met in order to install a sand beach on a property without a DNR Public Waters Work Permit. The project must meet ALL of the following conditions (also on page 2 of factsheet):

- The sand or gravel layer may be up to 6 inches thick; up to 50 feet wide along the shoreline or one-half the width of the lot, whichever is less; and up to 10 feet waterward of the ordinary high-water level (OHWL).
 - As we discussed, the OHWL isn't necessarily at the water's edge, so I would recommend having it flagged. I believe you can request Cass County to do this. There may be an associated cost.
- The beach blanket does not cover emergent aquatic vegetation, unless authorized by a DNR Aquatic Plant Management Permit.
- The sand or gravel is clean and washed so that it is free of fine particles.
- Local zoning officials are given at least 7 days' notice by the landowner.
- No plant barrier or liner (i.e., filter fabric or plastic) is installed underneath your beach sand.
- Installation of sand and gravel may be repeated only once at the same location but may not exceed the amount of sand and dimensions of the original sand blanket.

Below is some general information regarding aquatic plant management maintenance for a swimming area. If you have any questions about aquatic plant management, please contact Kevin Martini at 218-203-4344 or kevin.martini@state.mn.us.

A lakeshore property owner may cut or pull submerged vegetation, such as Elodea, without a DNR permit under certain conditions:

- The area to be cleared must be no larger than 2,500 square feet.
 - The cleared area must not extend more than 50 feet along the shoreline or one-half the length of your shoreline, whichever is less.
 - The cutting or pulling may be done by hand or with hand-operated or powered equipment. Such control cannot be done with draglines, bulldozers hydraulic jets, suction dredges, automated aquatic plant control devices, or other powered earth-moving equipment. After you have cut or pulled aquatic plants, you must dispose of them on land to prevent them from drifting onto your neighbor's property or washing back into the lake.
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- If you plan to dispose of the aquatic vegetation someplace other than on your property you will need an aquatic plant transport authorization form, which would allow you to transport the aquatic vegetation to a suitable location for disposal.

For floating-leaf vegetation, a lake shore property owner may maintain a channel 15 foot wide extending to open water by mechanical means without a permit. Any other destruction of floating-leaf vegetation requires an Aquatic Plant Management permit.

There is a lot of information here, so once you have had a chance to review, please don't hesitate to call me back so we can discuss any questions or concerns that you may have. Also, feel free to provide photos of the proposed beach area and I can provide recommendations.

Sincerely,

Danica

Danica Derks

Area Hydrologist | Division of Ecological and Water Resources

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