



ADJOURNED MEETING OF THE COUNTY BOARD OF COMMISSIONERS

What: Aitkin County Board Agenda

When: June 11, 2024

Where: Government Center Board Room

The public is invited to join the meeting remotely by phone call:

Phone: 1-415-655-0001

Access Code: 2550 687 6069

Meeting Password: 7282

9:00 a.m.

1) J. Mark Wedel, County Board Chair

- A) Call to Order**
- B) Pledge of Allegiance**
- C) Approval of the Agenda**

9:00 a.m.

D) Citizens Public Comment- Comments from visitors must be informational and not exceed (5) minutes per person (when there is a large number of speakers to be heard, the Board of Commissioners may shorten this time). The County Board generally will not engage in a discussion or debate in those five minutes but will take the information and find answers if that is appropriate. As part of the County Board protocol, it is unacceptable for any speaker to slander or engage in character assassination at a public board meeting. Anyone attending virtually wishing to speak during the public comment period should notify the County Administrators office at 218-927-7276 option 7 no later than 2:30 P.M. on the Monday before the meeting.

2) Consent Agenda- All items on the Consent Agenda are considered to be routine and have been made available to the County Board at least two days prior to the meeting; the items will be enacted by one motion. There will be no separate discussion of these items unless a Board member or citizen so requests, in which event the item will be removed from this Agenda and considered under separate motion.

A) Correspondence File-

May 28, 2024 - June 10, 2024

B) Approve County Board Minutes-

May 28, 2024

C) Approve Electronic Funds Transfers

EFT through June 3, 2024

D) Approve Auditor Vouchers-

School Advances 05.23.24

E) Approve Auditor Vouchers-

Auditor Warrants 05.24.24

F) Approve Manual Warrants/Voids/Corrections-

ELAN 05.09.24

G) Approve Auditor Vouchers-

Property Tax Overpayments 05.31.24

H) Adopt Resolution-

Sheriff's Office Donation - AOES

I) Approve Manual Warrants/Voids/Corrections-

05.31.24

J) Adopt Resolution-

2024 State of MN Federal Supplemental Boating Safety Patrol Grant

K) Approve-

Community Corrections Sobriety Court Grant Agreement

L) Adopt Resolution-

County On, Off and Sunday Sale Liquor License - Ty & C, LLC

M) Adopt Resolution-

Residential Road Easement - Shane Brown

N) Adopt Resolution-

Application for Temporary On Sale Liquor License - Isle Lion's Club

9:05 a.m.

- 3) Jim Bright – Facilities Coordinator
A) Fairgrounds water line replacement
B) Fairgrounds Lighting
C) Request the use of Fiscal Recovery Funds

9:15 a.m.

- 4) Dennis Thompson – Land Commissioner
A) Adopt Resolution - Direct purchase of tax-forfeited land - Phillip Gerber
B) Adopt Resolution - Direct purchase of tax-forfeited land - Charles and Mary Ann Wark

9:20 a.m.

- 5) Erin Melz – Public Health Supervisor
A) 2nd Reading - Updated Aitkin County Tobacco Ordinance
B) Adopt Resolution - Aitkin County Tobacco Ordinance

9:35 a.m.

- 6) John Welle – County Engineer
A) NEMNATP Presentation

10:05 a.m.

- 7) Board of Commissioners
A) Commissioner Committee Report

10:15 a.m.

- 8) Jessica Seibert – County Administrator
A) Administrator Updates
B) Closed Session - Labor Negotiations Strategy, MN Statute 13D.03

ADJOURN



2B

AITKIN COUNTY BOARD OF COMMISSIONERS

May 28, 2024

9:00 a.m.

Government Center Board Room

Regular Session Minutes

1.A CALL TO ORDER

Chair Wedel called the meeting to order at 9:00 a.m.

Attendee Name	Title	Status
J. Mark Wedel	District #1	Present
Laurie Westerlund	District #2	Present
Travis Leiviska	District #3	Present
Bret Sample	District #4	Present
Michael Kearney	District #5	Present
Jessica Seibert	County Administrator	Present
April Kellerman	Administrative Assistant	Present

1.B PLEDGE OF ALLEGIANCE

1.C APPROVAL OF AGENDA

Motion to: Approve the agenda.

RESULT: APPROVED (5 TO 0)
MOVER: Commissioner Bret Sample
SECONDER: Commissioner Michael Kearney

1.D Health & Human Services (see separate HHS Agenda)

1.E Citizens Public Comment by:

Jon Olson, Aitkin County, addressed MLEC building purchase concerns

2 CONSENT AGENDA

Motion to: Approve the Consent Agenda.

RESULT: APPROVED (5 TO 0)
MOVER: Commissioner Laurie Westerlund
SECONDER: Commissioner Bret Sample

A) Correspondence File-

May 14, 2024 - May 27, 2024

B) Approve County Board Minutes-

May 14, 2024

C) Approve Electronic Funds Transfers

Total \$1,067,526.48

D) Approve Auditor Vouchers-

R&B 05.10.24

R&B	\$67,397.85					Total	\$67,397.85
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E) Approve Auditor Vouchers-

Auditor Warrants - Sales/Use & Diesel Tax, April 2024

General	\$117.44	R&B	\$381.70	Trust	\$59.18	LLCC	\$238.02
Parks	\$303.00					Total	\$1,099.34

F) Approve Manual Warrants/Voids/Corrections-

MN Care Tax, 2nd Quarter

HHS	\$110.19					Total	\$110.19
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G) Approve Manual Warrants/Voids/Corrections-

Manual Warrants 05.09.24

General	\$309.48	State	\$55,465.94	Taxes	\$1,741.00	LLCC	\$609.24
						Total	\$58,125.66

H) Adopt Resolution-

Application for Temp On Sale Liquor License - Aitkin Fire Dept. Relief Assoc.

I) Adopt Resolution-

Search & Rescue Donation - Seavey Township

J) Adopt Resolution-

Search & Rescue Donation - Glen Township

K) Approve Auditor Vouchers-

Auditor Warrants 05.17.24

R&B	\$118,491.58					Total	\$118,491.58
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L) Approve Manual Warrants/Voids/Corrections-

Manual Warrants 05.17.24

General	\$686.05	Taxes	\$1,882.00	LLCC	\$63.00	Parks	\$160.00
						Total	\$2,791.05

M) Adopt Resolution-

County On, Off and Sunday Sale Liquor License - Castaways, LLC

N) Approve Commissioner's Vouchers

Commissioner Warrants 05.24.24

General	\$90,018.06	Reserves	\$7,007.35	R&B	\$53,988.64	HHS	\$45,101.63
Trust	\$16,608.65	Forest	\$4,765.89	Taxes	\$386,742.63	LLCC	\$15,937.12
Parks	\$55,100.25					Total	\$675,270.22

O) Approve-

Aitkin High School Opioid Funding Request

P) Adopt Resolution-

Approve License to Sell Tobacco Products - Castaways, LLC

Q) Approve County Board Minutes-

COW meeting 05.21.24

R) Approve-

Change order to be signed

Regular Agenda

3A John Welle – County Engineer

Motion to:

Approve Right of Way Plat No.22

RESULT:	APPROVED (5 TO 0)
MOVER:	Commissioner Travis Leiviska
SECONDER:	Commissioner Bret Sample

3B John Welle – County Engineer

Motion to:

Adopt Resolution - State Ditch 86 Partial Abandonment

RESULT:	APPROVED (4 TO 1)
MOVER:	Commissioner Travis Leiviska
SECONDER:	Commissioner Laurie Westerlund
	Commissioner Kearney voted No

4A Andrew Carlstrom – Environmental Services Director

Public Hearing: Emergency Interim Zoning on New or Expanding Cannabis Uses

PUBLIC HEARING:

Open: 10:37 a.m.

Public Comment: None

Closed: 10:40 a.m.

4B Andrew Carlstrom – Environmental Services Director

Informational Only

First Reading - Emergency Interim Zoning on New or Expanding Cannabis Uses

RESULT: INFORMATIONAL ONLY

MOVER:

SECONDER:

as amended with the addition of the word 'Cultivating'

5A Jessica Seibert – County Administrator

Informational Only

Consider Health & Human Services/MLEC Facilities Options - Discussion Only

RESULT: DISCUSSION ONLY

MOVER:

SECONDER:

5B Jessica Seibert – County Administrator

Motion to:

Approve General Operations Policy Updates

RESULT: APPROVED (5 TO 0)

MOVER: Commissioner Michael Kearney

SECONDER: Commissioner Travis Leiviska

5C Jessica Seibert – County Administrator

Informational Only

Administrator Updates

Regular 1:1's, Strategic Planning Summit, Dangerous Dog Hearing, Budget Committee, MACA Legislative update

6A Kathleen Ryan – Chief Financial Officer

Motion to:

Adopt Resolution - EDIAM IOWA Authorization

RESULT: APPROVED (5 TO 0)

MOVER: Commissioner Bret Sample

SECONDER: Commissioner Laurie Westerlund

7A Bobbie Danielson – Human Resources Director

Motion to:

Approve Personnel Committee Recommendations - Social Worker

RESULT: APPROVED (5 TO 0)

MOVER: Commissioner Laurie Westerlund

SECONDER: Commissioner Michael Kearney

7B Bobbie Danielson – Human Resources Director

Motion to:

Approve Personnel Committee Recommendations - Jail Nurse

RESULT: APPROVED (5 TO 0)

MOVER: Commissioner Bret Sample

SECONDER: Commissioner Laurie Westerlund

8A Board of Commissioners

Informational Only

Commissioner Committee Reports

Planning Commission, EMS Meeting, NE MN Office Job Training (JET), Arrowhead Counties Association, MN Rural Counties, Aitkin County CARE Board, Personnel Committee, Budget Committee, Dangerous Dog Hearing, Strategic Planning Summit, Aitkin Airport Commission

Motion to Adjourn

Motion made at 11:29 a.m.

MOVER: Commissioner Michael Kearney

SECONDER: Commissioner Travis Leiviska

Next Meeting: Tuesday, June 11, 2024

J. Mark Wedel, Board Chair
Aitkin County Board of Commissioner

Jessica Seibert
County Administrator



Board of County Commissioners Agenda Request

2C
Agenda Item #

Requested Meeting Date: 6/11/2024

Title of Item: EFT Report

<input type="checkbox"/> REGULAR AGENDA <input checked="" type="checkbox"/> CONSENT AGENDA <input type="checkbox"/> INFORMATION ONLY	Action Requested: <input type="checkbox"/> Approve/Deny Motion <input type="checkbox"/> Adopt Resolution (attach draft) <i>*provide copy of hearing notice that was published</i>	<input type="checkbox"/> Direction Requested <input type="checkbox"/> Discussion Item <input type="checkbox"/> Hold Public Hearing*
Submitted by: Lori Grams		Department: County Treasurer
Presenter (Name and Title): N/A		Estimated Time Needed:
Summary of Issue: EFT Report thru 6/3/2024		
Alternatives, Options, Effects on Others/Comments:		
Recommended Action/Motion:		
Financial Impact: <i>Is there a cost associated with this request?</i> <input type="checkbox"/> Yes <input type="checkbox"/> No <i>What is the total cost, with tax and shipping? \$</i> <i>Is this budgeted?</i> <input type="checkbox"/> Yes <input type="checkbox"/> No <i>Please Explain:</i>		

ELECTRONIC FUNDS TRANSFER**Thru June 3, 2024 Board Meeting June 11, 2024**

Abstract Number	Date	Amount	Reason
22039	5/24/24	\$98,113.80	Commissioner Abstract
22040	5/23/24	\$3,515,417.60	Auditor Abstract
22041	5/24/24	\$9,709.74	Auditor Abstract
22042	5/23/24	\$7,344.30	Manual Abstract
22043	5/24/24	\$2,123.64	Auditor Abstract
22044	5/28/24	\$10,874.78	Commissioner Abstract
22046	5/31/24	\$713,789.98	Payroll Abstract
22047	5/31/24	1548.97	Auditor Abstract
22048	5/31/24	\$2,709,996.89	Manual Abstract

\$0
Voids/No ACH
22045

\$7,068,919.70

S:Board Report:2024 EFT Board Report Thru Date

WLB1
5/22/24

1:38PM

Aitkin County

Audit List for Board

AUDITOR'S VOUCHERS ENTRIES



2D

Page 1

Print List in Order By: 1
1 - Fund (Page Break by Fund)
2 - Department (Totals by Dept)
3 - Vendor Number
4 - Vendor Name

Explode Dist. Formulas?: Y

Paid on Behalf Of Name
on Audit List?: N

Type of Audit List: D
D - Detailed Audit List
S - Condensed Audit List

Save Report Options?: N

WLB1

5/22/24

1:38PM

12 Townships/Cities/ARDC/Amt

Aitkin County



Audit List for Board

AUDITOR'S VOUCHERS ENTRIES

Page 2

	Vendor	Name	Rpt		Warrant Description	Invoice #	Account/Formula Description	1099
	No.	Account/Formula	Accr	Amount	Service Dates	Paid On Bhf #	On Behalf of Name	
1	393	ISD 1 Aitkin-Treasurer						
		12-932-000-0000-2045		471.86	2024 ADVANCE PAYMENT	MAY 2024 ADV	In Lieu-Payable to Schools	N
2		12-932-000-0000-6801		1,667,139.23	2024 ADVANCE PAYMENT	MAY 2024 ADV	Appropriations	N
	393	ISD 1 Aitkin-Treasurer		1,667,611.09	2 Transactions			
3	1985	ISD 182 Crosby-Treasurer						
		12-932-000-0000-6801		0.14	2024 ADVANCE PAYMENT	MAY 2024 ADV	Appropriations	N
	1985	ISD 182 Crosby-Treasurer		0.14	1 Transactions			
4	392	ISD 2 Hill City-Treasurer						
		12-932-000-0000-2045		997.85	2024 ADVANCE PAYMENT	MAY 2024 ADV	In Lieu-Payable to Schools	N
5		12-932-000-0000-6801		639,680.11	2024 ADVANCE PAYMENT	MAY 2024 ADV	Appropriations	N
	392	ISD 2 Hill City-Treasurer		640,677.96	2 Transactions			
6	1983	ISD 2165 Hinckley Finlayson-Treasurer						
		12-932-000-0000-6801		110,812.94	2024 ADVANCE PAYMENT	MAY 2024 ADV	Appropriations	N
	1983	ISD 2165 Hinckley Finlayson-Treasurer		110,812.94	1 Transactions			
7	1979	ISD 2580 East Central-Treasurer						
		12-932-000-0000-6801		20,988.36	2024 ADVANCE PAYMENT	MAY 2024 ADV	Appropriations	N
	1979	ISD 2580 East Central-Treasurer		20,988.36	1 Transactions			
8	395	ISD 4 McGregor-Treasurer						
		12-932-000-0000-2045		283.37	2024 ADVANCE PAYMENT	MAY 2024 ADV	In Lieu-Payable to Schools	N
9		12-932-000-0000-6801		859,940.93	2024 ADVANCE PAYMENT	MAY 2024 ADV	Appropriations	N
	395	ISD 4 McGregor-Treasurer		860,224.30	2 Transactions			
10	1982	ISD 473 Isle-Treasurer						
		12-932-000-0000-6801		195,896.64	2024 ADVANCE PAYMENT	MAY 2024 ADV	Appropriations	N
	1982	ISD 473 Isle-Treasurer		195,896.64	1 Transactions			
11	1981	ISD 577 Willow River-Treasurer						
		12-932-000-0000-6801		7,274.38	2024 ADVANCE PAYMENT	MAY 2024 ADV	Appropriations	N
	1981	ISD 577 Willow River-Treasurer		7,274.38	1 Transactions			
12	394	ISD 698 Floodwood-Treasurer						
		12-932-000-0000-6801		11,204.78	2024 ADVANCE PAYMENT	MAY 2024 ADV	Appropriations	N
	394	ISD 698 Floodwood-Treasurer		11,204.78	1 Transactions			
	1984	ISD 95 Cromwell-Wright-Treasurer						

WLB1
5/22/24 1:38PM
12 Townships/Cities/ARDC/Amt

Aitkin County



Audit List for Board AUDITOR'S VOUCHERS ENTRIES

Page 3

Vendor			<u>Rpt</u>	<u>Amount</u>	<u>Warrant Description</u>	<u>Invoice #</u>	<u>Account/Formula Description</u>	<u>1099</u>
<u>No.</u>	<u>Account/Formula</u>	<u>Accr</u>			<u>Service Dates</u>	<u>Paid On Bhf #</u>	<u>On Behalf of Name</u>	
13	12-932-000-0000-6801			727.01	2024 ADVANCE PAYMENT	MAY 2024 ADV	Appropriations	N
1984	ISD 95 Cromwell-Wright-Treasurer			727.01	1 Transactions			
12 Fund Total:				3,515,417.60	Townships/Cities/ARDC/Ambulan	10 Vendors	13 Transactions	
Final Total:				3,515,417.60	10 Vendors	13 Transactions		

Aitkin County

Audit List for Board

AUDITOR'S VOUCHERS ENTRIES



Recap by Fund

<u>Fund</u>	<u>AMOUNT</u>	<u>Name</u>	
12	3,515,417.60	Townships/Cities/ARDC/Ambulan	
All Funds	3,515,417.60	Total	Approved by,
		
		



Print List in Order By:	2	1 - Fund (Page Break by Fund) 2 - Department (Totals by Dept) 3 - Vendor Number 4 - Vendor Name	Page Break By:	1	1 - Page Break by Fund 2 - Page Break by Dept
Explode Dist. Formulas?:	N				
Paid on Behalf Of Name on Audit List?:	N				
Type of Audit List:	D	D - Detailed Audit List S - Condensed Audit List			
Save Report Options?:	N				

Aitkin County



Audit List for Board AUDITOR'S VOUCHERS ENTRIES

1 General Fund										Page 2	
	Vendor	Name	Rpt		Warrant Description	Invoice #	Account/Formula Description	1099			
	No.	Account/Formula	Accr	Amount	Service Dates	Paid On Bhf #	On Behalf of Name				
0	DEPT				Undesignated						
	13957	Roth RV									
		01-000-000-0000-2320		10,000.00	SAR COMMAND TRAILER	5327	Unavailable Rev - Sheriff Department	N			
	13957	Roth RV		10,000.00	1 Transactions						
0	DEPT Total:			10,000.00	Undesignated	1 Vendors	1 Transactions				
44	DEPT				Central Services						
	9692	Minnesota Energy Resources Corporation									
		01-044-100-0000-6800		458.87	2023 Tax Abatement / interest	2023 Abatement	Tax Abatements	N			
	9692	Minnesota Energy Resources Corporation		458.87	1 Transactions						
44	DEPT Total:			458.87	Central Services	1 Vendors	1 Transactions				
391	DEPT				Solid Waste						
	9624	Carlstrom/Andrew									
		01-391-000-0000-5840		400.00	START UP CASH E-WASTE DAY	52224	Misc Receipts	N			
	9624	Carlstrom/Andrew		400.00	1 Transactions						
391	DEPT Total:			400.00	Solid Waste	1 Vendors	1 Transactions				
1	Fund Total:			10,858.87	General Fund		3 Transactions				

WLB1
5/22/24 2:29PM

Aitkin County



Audit List for Board

AUDITOR'S VOUCHERS ENTRIES

Page 3

	Vendor		Rpt	Amount	Warrant Description	Invoice #	Account/Formula Description	1099
	No.	Account/Formula						
			Accr		Service Dates	Paid On Bhf #	On Behalf of Name	
200	DEPT				Enforcement			
	13957	Roth RV						
		02-200-020-0000-6360		620.00	SAR COMMAND TRAILER	5327	Sheriff Search & Rescue Reserve Expenses	
	13957	Roth RV		620.00	1 Transactions			
200	DEPT Total:			620.00	Enforcement	1 Vendors	1 Transactions	
2	Fund Total:			620.00	Reserves Fund		1 Transactions	

WLB1
5/22/24 2:29PM

Aitkin County



Audit List for Board

AUDITOR'S VOUCHERS ENTRIES

Page 4

	Vendor		Rpt		Amount	Warrant Description	Invoice #	Account/Formula Description	1099
	No.	Account/Formula				Service Dates	Paid On Bhf #	On Behalf of Name	
308	DEPT					R&B Equipment & Facilities			
	9506	NORTH COUNTRY CHEVROLET BUICK GM							
		03-308-000-0000-6610			50,582.62	3GTUUAED5RG311293	AITKINCONTY24-10	Equipment	N
	9506	NORTH COUNTRY CHEVROLET BUICK GM			50,582.62	1 Transactions			
308	DEPT Total:				50,582.62	R&B Equipment & Facilities	1 Vendors	1 Transactions	
3	Fund Total:				50,582.62	Road & Bridge		1 Transactions	

WLB1
5/22/24 2:29PM

13 Taxes & Penalties

Aitkin County

Audit List for Board AUDITOR'S VOUCHERS ENTRIES



Vendor		Name	Rpt	Warrant Description		Invoice #	Account/Formula Description	1099
No.		Account/Formula	Accr	Amount	Service Dates	Paid On Bhf #	On Behalf of Name	
943	DEPT				Taxes And Penalties			
	9692	Minnesota Energy Resources Corporation						
		13-943-000-0000-2004		9,250.87	2023 Tax Abatement	2023 Abatement	Del - Property Taxes	N
	9692	Minnesota Energy Resources Corporation		9,250.87	1 Transactions			
943	DEPT Total:			9,250.87	Taxes And Penalties	1 Vendors	1 Transactions	
13	Fund Total:			9,250.87	Taxes & Penalties		1 Transactions	
	Final Total:			71,312.36	6 Vendors	6 Transactions		

Aitkin County

Audit List for Board

AUDITOR'S VOUCHERS ENTRIES



Recap by Fund

<u>Fund</u>	<u>AMOUNT</u>	<u>Name</u>
1	10,858.87	General Fund
2	620.00	Reserves Fund
3	50,582.62	Road & Bridge
13	9,250.87	Taxes & Penalties
All Funds	71,312.36	Total

Approved by,

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WLB1
5/22/24 3:50PM

Aitkin County



2F

Audit List for Board **MANUAL WARRANTS/VOIDS/CORRECTIONS**

Page 2

1 General Fund

Vendor	Name	Rpt	Warrant Description	Invoice #	Account/Formula Description	1099
No.	Account/Formula	Accr	Service Dates	Paid On Bhf #	On Behalf of Name	
5462	Bremer Bank (Elan ACH)					
8	01-001-000-0000-6332		216.42 WESTERLUND HOTEL STAY	0153	Hotel / Motel Lodging	N
			05/29/2024 05/30/2024			
9	01-052-000-0000-6332		216.42 SEIBERT HOTEL STAY	0153	Hotel / Motel Lodging	N
			05/29/2024 05/30/2024			
10	01-053-000-0000-6332		363.39 MCIT CONF. HOTEL STAY	0153	Hotel / Motel Lodging	N
			04/16/2024 04/18/2024			
11	01-053-000-0000-6405		10.69 HALLMARK CARD RESTOCK	0153	Office Supplies	N
			04/25/2024 04/25/2024			
29	01-200-003-0000-6339		23.86 #204 TRNG MEAL - MARSHALL MN	037818	Meals (Overnight)	N
13	01-040-000-0000-6205		9.85 PASSPORT APPLICATION POSTAGE	04302024	Postage	N
22	01-200-003-0000-6339		15.90 #222 TRNG MEAL - SAVAGE	1017	Meals (Overnight)	N
23	01-200-003-0000-6339		14.06 #222 TRNG MEAL- SAVAGE	10360	Meals (Overnight)	N
21	01-110-000-0000-6422		134.31 AIR FRESHNERS	18352	Janitorial Supplies	N
30	01-200-003-0000-6339		14.69 #204 TRNG MEAL - MARSHALL	19394651	Meals (Overnight)	N
15	01-257-251-0000-6268		299.00 TRAINING - AIAFS SERIES SUBSCR	26424	Staff Training, Development	N
			04/29/2024 04/29/2024			
26	01-200-003-0000-6241		300.00 #221 MSA CHEIF DEP SUMMER CONF	311030	Registration Fee	N
12	01-040-000-0000-6268		25.00 MN NOTARY TRAINING	34834	Staff Training, Development	N
4	01-040-000-0000-6241		25.00 MN NOTARY TRNG COURSE (KR)	34836	Registration Fee	N
2	01-391-000-0000-6335		35.20 SSTS TRAINING - CLOQUET	377426	Gas/Vehicle Fuel Charges	N
7	01-391-000-0000-6268		30.00 LEADERSHIP TRAINING CARLSTROM	50824	Staff Training, Development	N
20	01-110-000-0000-6335		42.00 GAS FOR PICKUP	57731	Gas/Vehicle Fuel Charges	N
27	01-200-200-0000-6265		35.00 GOOD SPORTSMAN CAMERAS	63296	Programs	N
28	01-253-003-0000-6332		172.57 #314 STS CONFERENCE	680827	Hotel / Motel Lodging	N
25	01-200-003-0000-6339		26.79 #222 TRNG MEAL - SAVAGE	70977	Meals (Overnight)	N
19	01-122-000-0000-6335		40.74 SHELL - SSTS TRAINING	716464	Gas/Vehicle Fuel Charges	N
14	01-257-251-0000-6332		184.02 TRAINING HOTEL-MNATSA (JL)	72466490	Hotel / Motel Lodging	N
			04/18/2024 04/19/2024			
3	01-391-000-0000-6332		527.76 SSTS TRAINING	85073EE019715	Hotel / Motel Lodging	N
24	01-200-003-0000-6339		14.07 #222 TRNG MEAL- SAVAGE	AAA8DL76AJAC	Meals (Overnight)	N
1	01-122-000-0000-6360		15.99 MONTHLY ZOOM CONTRACT	INV253664017	Services, Labor, Contracts	N
			04/22/2024 05/21/2024			
5	01-257-251-0000-6268		414.22 TRAINING - CURRICULUM SUPPLIES	ORD-413972-K2F2C	Staff Training, Development	N
			05/01/2024 05/01/2024			
5462	Bremer Bank (Elan ACH)		3,206.95	26 Transactions		
1 Fund Total:			3,206.95	General Fund	1 Vendors	26 Transactions

WLB1
5/22/24 3:50PM

Aitkin County



2 Reserves Fund

Audit List for Board **MANUAL WARRANTS/VOIDS/CORRECTIONS**

Page 3

Vendor		<u>Name</u>	<u>Rpt</u>		<u>Warrant Description</u>	<u>Invoice #</u>	<u>Account/Formula Description</u>	<u>1099</u>
	<u>No.</u>	<u>Account/Formula</u>	<u>Accr</u>	<u>Amount</u>	<u>Service Dates</u>	<u>Paid On Bhf #</u>	<u>On Behalf of Name</u>	
6	5462	Bremer Bank (Elan ACH)						
		02-120-000-0000-6357		56.58	VETERAN ASSISTANCE PAYMENT	04262024	MNDVA Grant/Donations for Vets Expe	N
	5462	Bremer Bank (Elan ACH)		56.58	1 Transactions			
2 Fund Total:				56.58	Reserves Fund	1 Vendors	1 Transactions	

WLB1
5/22/24 3:50PM
10 Trust

Aitkin County



Audit List for Board **MANUAL WARRANTS/VOIDS/CORRECTIONS**

Page 4

Vendor		<u>Name</u>	<u>Rpt</u>	<u>Warrant Description</u>	<u>Invoice #</u>	<u>Account/Formula Description</u>	<u>1099</u>
<u>No.</u>	<u>Account/Formula</u>	<u>Accr</u>	<u>Amount</u>	<u>Service Dates</u>	<u>Paid On Bhf #</u>	<u>On Behalf of Name</u>	
	5462	Bremer Bank (Elan ACH)					
17	10-923-000-0000-6450		1,573.66	ORANGE QUART & NOZZLE CAPS	544530-00	Field Supplies	N
31	10-923-000-0000-6405		392.00	HARDWARE AT LLCC	US983886	Office Supplies	N
	5462	Bremer Bank (Elan ACH)	1,965.66	2 Transactions			
10 Fund Total:			1,965.66	Trust	1 Vendors	2 Transactions	

WLB1
5/22/24 3:50PM
11 Forest Development

Aitkin County



Audit List for Board **MANUAL WARRANTS/VOIDS/CORRECTIONS**

Page 5

Vendor		<u>Name</u>	<u>Rpt</u>	<u>Warrant Description</u>	<u>Invoice #</u>	<u>Account/Formula Description</u>	<u>1099</u>
<u>No.</u>	<u>Account/Formula</u>	<u>Accr</u>	<u>Amount</u>	<u>Service Dates</u>	<u>Paid On Bhf #</u>	<u>On Behalf of Name</u>	
18	5462	Bremer Bank (Elan ACH)					
		11-939-000-0000-6450	286.85	2 -200' & 1-100' 10THS, 100THS	544530-00	Supplies	N
	5462	Bremer Bank (Elan ACH)	286.85	1 Transactions			
11 Fund Total:			286.85	Forest Development	1 Vendors	1 Transactions	

WLB1

5/22/24

3:50PM

19 Long Lake Conservation Cen

Aitkin County



Audit List for Board

MANUAL WARRANTS/VOIDS/CORRECTIONS

Page 6

Vendor		<u>Name</u>	<u>Rpt</u>		<u>Warrant Description</u>	<u>Invoice #</u>	<u>Account/Formula Description</u>	<u>1099</u>
	<u>No.</u>	<u>Account/Formula</u>	<u>Accr</u>	<u>Amount</u>	<u>Service Dates</u>	<u>Paid On Bhf #</u>	<u>On Behalf of Name</u>	
	5462	Bremer Bank (Elan ACH)						
16		19-521-000-0000-6230		23.47	ADS FOR HOMESCHOOL TRIP	NLRFZ3C2M2	Printing, Publishing & Adv	N
	5462	Bremer Bank (Elan ACH)		23.47	1 Transactions			
19 Fund Total:				23.47	Long Lake Conservation Center	1 Vendors	1 Transactions	
Final Total:				5,539.51	5 Vendors	31 Transactions		

Aitkin County

Audit List for Board

MANUAL WARRANTS/VOIDS/CORRECTIONS



Recap by Fund

<u>Fund</u>	<u>AMOUNT</u>	<u>Name</u>
5	1,308.03	Health & Human Services
All Funds	1,308.03	Total

Approved by,

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Aitkin County

Audit List for Board

MANUAL WARRANTS/VOIDS/CORRECTIONS



Recap by Fund

<u>Fund</u>	<u>AMOUNT</u>	<u>Name</u>
1	3,206.95	General Fund
2	56.58	Reserves Fund
10	1,965.66	Trust
11	286.85	Forest Development
19	23.47	Long Lake Conservation Center
All Funds	5,539.51	Total

Approved by,

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Total Elan paid 5.9.24 = \$6,847.54

WLB1
5/29/24

11:39AM

Aitkin County

Audit List for Board

AUDITOR'S VOUCHERS ENTRIES



2G

Page 1

Print List in Order By:

1	1 - Fund (Page Break by Fund)
	2 - Department (Totals by Dept)
	3 - Vendor Number
	4 - Vendor Name

Explode Dist. Formulas?: Y

Paid on Behalf Of Name
on Audit List?: N

Type of Audit List: D D - Detailed Audit List
S - Condensed Audit List

Save Report Options?: N

WLB1
5/29/24 11:39AM
13 Taxes & Penalties

Aitkin County



Audit List for Board AUDITOR'S VOUCHERS ENTRIES

Page 2

Vendor	Name	Rpt		Warrant Description	Invoice #	Account/Formula Description	1099
No.	Account/Formula	Accr	Amount	Service Dates	Paid On Bhf #	On Behalf of Name	
999999000	CARR/DERICK						
15	13-943-000-0000-2001		34.00	PROPERTY TAX OVERPAYMENT - P1	1102	Cur - Property Taxes	N
999999000	CARR/DERICK		34.00	1 Transactions			
999999000	CORELOGIC CENTRALIZED REFUNDS						
8	13-943-000-0000-2001		132.00	PROPERTY TAX OVERPAYMENT - P1	1095	Cur - Property Taxes	N
9	13-943-000-0000-2001		4.00	PROPERTY TAX OVERPAYMENT - P1	1096	Cur - Property Taxes	N
10	13-943-000-0000-2001		315.00	PROPERTY TAX OVERPAYMENT - P1	1097	Cur - Property Taxes	N
24	13-943-000-0000-2001		62.00	PROPERTY TAX OVERPAYMENT - P1	1111	Cur - Property Taxes	N
999999000	CORELOGIC CENTRALIZED REFUNDS		513.00	4 Transactions			
999999000	DOTZLER/PHILIP						
1	13-943-000-0000-2001		29.18	PROPERTY TAX OVERPAYMENT - 1	1088	Cur - Property Taxes	N
999999000	DOTZLER/PHILIP		29.18	1 Transactions			
999999000	FERNOW/WILLIAM						
36	13-943-000-0000-2001		25.00	PROPERTY TAX OVERPAYMENT - P1	1138	Cur - Property Taxes	N
999999000	FERNOW/WILLIAM		25.00	1 Transactions			
999999000	FISCHER/BRIAN						
40	13-943-000-0000-2001		37.24	PROPERTY TAX OVERPAYMENT - P1	1142	Cur - Property Taxes	N
999999000	FISCHER/BRIAN		37.24	1 Transactions			
999999000	GLEASON/PATRICK						
21	13-943-000-0000-2001		3,930.00	PROPERTY TAX OVERPAYMENT - P1	1108	Cur - Property Taxes	N
999999000	GLEASON/PATRICK		3,930.00	1 Transactions			
999999000	GRAND TIMBER						
6	13-943-000-0000-2001		98.00	PROPERTY TAX OVERPAYMENT - P1	1093	Cur - Property Taxes	N
999999000	GRAND TIMBER		98.00	1 Transactions			
999999000	GRAND TIMBER BANK						
27	13-943-000-0000-2001		195.00	PROPERTY TAX OVERPAYMENT - P1	1114	Cur - Property Taxes	N
30	13-943-000-0000-2001		1,018.00	PROPERTY TAX OVERPAYMENT - P1	1117	Cur - Property Taxes	N
31	13-943-000-0000-2001		196.00	PROPERTY TAX OVERPAYMENT - P1	1118	Cur - Property Taxes	N
32	13-943-000-0000-2001		10.00	PROPERTY TAX OVERPAYMENT - P1	1119	Cur - Property Taxes	N
999999000	GRAND TIMBER BANK		1,419.00	4 Transactions			
999999000	HOLM/TERENCE						
3	13-943-000-0000-2001		254.83	PROPERTY TAX OVERPAYMENT - P1	1090	Cur - Property Taxes	N

WLB1

5/29/24

11:39AM

13 Taxes & Penalties

Aitkin County



Audit List for Board

AUDITOR'S VOUCHERS ENTRIES

Page 3

Vendor	Name	Rpt		Warrant Description	Invoice #	Account/Formula Description	1099
No.	Account/Formula	Accr	Amount	Service Dates	Paid On Bhf #	On Behalf of Name	
999999000	HOLM/TERENCE		254.83	1 Transactions			
19	999999000 JOHANEK/MARK						
	13-943-000-0000-2001		14.00	PROPERTY TAX OVERPAYMENT - P1	1106	Cur - Property Taxes	N
999999000	JOHANEK/MARK		14.00	1 Transactions			
16	999999000 LANDIN/KATIE						
	13-943-000-0000-2001		54.00	PROPERTY TAX OVERPAYMENT - P1	1103	Cur - Property Taxes	N
17	13-943-000-0000-2001		46.00	PROPERTY TAX OVERPAYMENT - P1	1104	Cur - Property Taxes	N
999999000	LANDIN/KATIE		100.00	2 Transactions			
14	999999000 LERETA LLC						
	13-943-000-0000-2001		725.00	PROPERTY TAX OVERPAYMENT - P1	1101	Cur - Property Taxes	N
20	13-943-000-0000-2001		621.00	PROPERTY TAX OVERPAYMENT - P1	1107	Cur - Property Taxes	N
26	13-943-000-0000-2001		594.00	PROPERTY TAX OVERPAYMENT - P1	1113	Cur - Property Taxes	N
28	13-943-000-0000-2001		357.00	PROPERTY TAX OVERPAYMENT - P1	1115	Cur - Property Taxes	N
33	13-943-000-0000-2001		405.00	PROPERTY TAX OVERPAYMENT - P1	1120	Cur - Property Taxes	N
999999000	LERETA LLC		2,702.00	5 Transactions			
29	999999000 LINNE/BRIAN						
	13-943-000-0000-2001		184.00	PROPERTY TAX OVERPAYMENT - p1	1116	Cur - Property Taxes	N
999999000	LINNE/BRIAN		184.00	1 Transactions			
23	999999000 MENDEZ/JANE						
	13-943-000-0000-2001		40.00	PROPERTY TAX OVERPAYMENT - P1	1110	Cur - Property Taxes	N
999999000	MENDEZ/JANE		40.00	1 Transactions			
4	999999000 MERCHANTS BANK						
	13-943-000-0000-2001		488.00	PROPERTY TAX OVERPAYMENT - P1	1091	Cur - Property Taxes	N
999999000	MERCHANTS BANK		488.00	1 Transactions			
39	999999000 METZGER/VERNA						
	13-943-000-0000-2001		103.00	PROPERTY TAX OVERPAYMENT - P1	1141	Cur - Property Taxes	N
999999000	METZGER/VERNA		103.00	1 Transactions			
34	999999000 NELSON/HANSENA						
	13-943-000-0000-2001		874.00	PROPERTY TAX OVERPAYMENT - P1	1121	Cur - Property Taxes	N
999999000	NELSON/HANSENA		874.00	1 Transactions			
999999000	OSTERDYK/JESSICA						

WLB1

5/29/24

11:39AM

13 Taxes & Penalties

Aitkin County



Audit List for Board

AUDITOR'S VOUCHERS ENTRIES

Page 4

Vendor	Name	Rpt		Warrant Description	Invoice #	Account/Formula Description	1099
No.	Account/Formula	Accr	Amount	Service Dates	Paid On Bhf #	On Behalf of Name	
5	13-943-000-0000-2001		1,330.00	PROPERTY TAX OVERPAYMENT - P1	1092	Cur - Property Taxes	N
999999000	OSTERDYK/JESSICA		1,330.00	1 Transactions			
999999000	PELARSKI/DIANE						
35	13-943-000-0000-2001		334.00	PROPERTY TAX OVERPAYMENT - 1	1137	Cur - Property Taxes	N
999999000	PELARSKI/DIANE		334.00	1 Transactions			
999999000	RESCH/KAREN						
42	13-943-000-0000-2001		24.00	PROPERTY TAX OVERPAYMENT - P1	1144	Cur - Property Taxes	N
999999000	RESCH/KAREN		24.00	1 Transactions			
999999000	RICHARD WEBER						
11	13-943-000-0000-2001		84.00	PROPERTY TAX OVERPAYMENT - P1	1098	Cur - Property Taxes	N
999999000	RICHARD WEBER		84.00	1 Transactions			
999999000	SANDBERG/TODD						
2	13-943-000-0000-2001		81.00	PROPERTY TAX OVERPAYMENT - 1	1089	Cur - Property Taxes	N
999999000	SANDBERG/TODD		81.00	1 Transactions			
999999000	STEVE FEIDT						
7	13-943-000-0000-2001		16.00	PROPERTY TAX OVERPAYMENT - P1	1094	Cur - Property Taxes	N
999999000	STEVE FEIDT		16.00	1 Transactions			
999999000	VAN DELLEN/DANA						
37	13-943-000-0000-2001		107.00	PROPERTY TAX OVERPAYMENT - P1	1139	Cur - Property Taxes	N
38	13-943-000-0000-2001		1,642.00	PROPERTY TAX OVERPAYMENT - P1	1140	Cur - Property Taxes	N
999999000	VAN DELLEN/DANA		1,749.00	2 Transactions			
999999000	WEBER/RICHARD						
12	13-943-000-0000-2001		1,046.00	PROPERTY TAX OVERPAYMENT - P1	1099	Cur - Property Taxes	N
13	13-943-000-0000-2001		1,832.00	PROPERTY TAX OVERPAYMENT - P1	1100	Cur - Property Taxes	N
999999000	WEBER/RICHARD		2,878.00	2 Transactions			
999999000	WICKSTROM/SCOTT						
22	13-943-000-0000-2001		14.00	PROPERTY TAX OVERPAYMENT - P1	1109	Cur - Property Taxes	N
999999000	WICKSTROM/SCOTT		14.00	1 Transactions			
999999000	WILLIAMS/DIANA						
18	13-943-000-0000-2001		19.00	PROPERTY TAX OVERPAYMENT - P1	1105	Cur - Property Taxes	N

WLB1
5/29/24 11:39AM
13 Taxes & Penalties

Aitkin County



Audit List for Board AUDITOR'S VOUCHERS ENTRIES

Page 5

Vendor	Name	Rpt	Warrant Description	Invoice #	Account/Formula Description	1099
No.	Account/Formula	Accr	Amount	Service Dates	Paid On Bhf #	On Behalf of Name
999999000	WILLIAMS/DIANA		19.00	1 Transactions		
999999000	WINTERS/JULIE					
41	13-943-000-0000-2001		288.00	PROPERTY TAX OVERPAYMENT - P1	1143	Cur - Property Taxes
999999000	WINTERS/JULIE		288.00	1 Transactions		N
999999000	WOLBECK/KURTIS					
25	13-943-000-0000-2001		20.00	PROPERTY TAX OVERPAYMENT - P1	1112	Cur - Property Taxes
999999000	WOLBECK/KURTIS		20.00	1 Transactions		N
13 Fund Total:			17,682.25	Taxes & Penalties	29 Vendors	42 Transactions
Final Total:			17,682.25	29 Vendors	42 Transactions	

Aitkin County

Audit List for Board

AUDITOR'S VOUCHERS ENTRIES



Recap by Fund

<u>Fund</u>	<u>AMOUNT</u>	<u>Name</u>
13	17,682.25	Taxes & Penalties
All Funds	17,682.25	Total

Approved by,
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Board of County Commissioners Agenda Request

2H
Agenda Item #

Requested Meeting Date: 6/11/2024

Title of Item: Sheriff's Office Donation - AOES

<input type="checkbox"/> REGULAR AGENDA <input checked="" type="checkbox"/> CONSENT AGENDA <input type="checkbox"/> INFORMATION ONLY	Action Requested: <input type="checkbox"/> Approve/Deny Motion <input checked="" type="checkbox"/> Adopt Resolution (attach draft) <i>*provide copy of hearing notice that was published</i>	<input type="checkbox"/> Direction Requested <input type="checkbox"/> Discussion Item <input type="checkbox"/> Hold Public Hearing*
Submitted by: Sheriff Dan Guida		Department: Sheriff
Presenter (Name and Title): Sheriff Dan Guida		Estimated Time Needed:
Summary of Issue Accept donation of \$500.00 to the Aitkin County Sheriff's Office from Aitkin Area Chapter of the Order of the Eastern Star. This donation will be used for children's safety and drug education materials that are distributed by the Sheriff's Office.		
Alternatives, Options, Effects on Others/Comments:		
Recommended Action/Motion: Recommend accepting donation		
Financial Impact: <i>Is there a cost associated with this request?</i> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <i>What is the total cost, with tax and shipping? \$</i> <i>Is this budgeted?</i> <input type="checkbox"/> Yes <input type="checkbox"/> No <i>Please Explain:</i>		

CERTIFIED COPY OF RESOLUTION OF COUNTY BOARD OF AITKIN COUNTY, MINNESOTA

ADOPTED June 11, 2024

By Commissioner: xxx

20240611-xxx

Accept Donation – AOES

WHEREAS, Aitkin County is generally authorized to accept donations of real and personal property with a 2/3 majority vote pursuant to Minnesota Statutes Section 465.03 for the benefit of its citizens.

WHEREAS, the following persons and entities have offered to contribute the cash amounts set forth below to the county:

Aitkin Chapter of the Order of the Eastern Star	\$500.00
---	----------

WHEREAS, the terms or conditions of the donations, if any, are as follows:

Aitkin Chapter of the Order of the Eastern Star	Aitkin County Sheriff's Office
---	--------------------------------

WHEREAS, all such donations have been contributed to the county for the benefit of its citizens, as allowed by law.

NOW THEREFORE BE IT RESOLVED, the Aitkin County Board of Commissioners finds that it is appropriate to accept the donations offered.

Commissioner xxx seconded the adoption of the resolution and it was declared adopted upon the following vote

xxx MEMBERS PRESENT

All Members Voting xxx

STATE OF MINNESOTA}
COUNTY OF AITKIN}

I, Jessica Seibert, County Administrator, Aitkin County, Minnesota do hereby certify that I have compared the foregoing with the original resolution filed in the Administration Office of Aitkin County in Aitkin, Minnesota as stated in the minutes of the proceedings of said Board on the 11th day of June 2024, and that the same is a true and correct copy of the whole thereof.

Witness my hand and seal this 11th day of June 2024

Jessica Seibert
County Administrator

KMR1
5/31/24

9:09AM

Aitkin County



21

Audit List for Board

MANUAL WARRANTS/VOIDS/CORRECTIONS

Page 1

Print List in Order By: 1
1 - Fund (Page Break by Fund)
2 - Department (Totals by Dept)
3 - Vendor Number
4 - Vendor Name

Explode Dist. Formulas?: Y

Paid on Behalf Of Name
on Audit List?: N

Type of Audit List: D
D - Detailed Audit List
S - Condensed Audit List

Save Report Options?: N

KMR1
5/31/24 9:09AM

Aitkin County



1 General Fund

Audit List for Board **MANUAL WARRANTS/VOIDS/CORRECTIONS**

Page 2

Vendor		<u>Rpt</u>	<u>Warrant Description</u>		<u>Invoice #</u>	<u>Account/Formula Description</u>	<u>1099</u>
<u>No.</u>	<u>Account/Formula</u>	<u>Accr</u>	<u>Amount</u>	<u>Service Dates</u>	<u>Paid On Bhf #</u>	<u>On Behalf of Name</u>	
8410 Bremer Bank							
11	01-044-904-0000-6379		624.75	WEX APRIL FEE	000194949361-IN	Flex Services, Labor, Etc.	N
3	01-044-904-0000-6360		27.79	MED FSA CLAIMS 2024	05/18/2024	Flex Plan Withdrawals	N
4	01-044-904-0000-6360		208.34	DEP CARE FSA CLAIMS 2024	05/20/2024	Flex Plan Withdrawals	N
10	01-044-904-0000-6360		25.00	MED FSA CLAIMS 2024	05/23/2024	Flex Plan Withdrawals	N
17	01-044-904-0000-6360		401.40	MED FSA CLAIMS 2024	05/26/2024	Flex Plan Withdrawals	N
18	01-044-904-0000-6360		10.17	MED FSA CLAIMS 2024	05/28/2024	Flex Plan Withdrawals	N
2	01-122-000-0000-6820		696.00	CHARGEBACK - JANE HILBRANDS	228013	Refunds & Reimbursements	N
8410 Bremer Bank			1,993.45	7 Transactions			
1 Fund Total:			1,993.45	General Fund	1 Vendors	7 Transactions	

KMR1
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9 State

Aitkin County



Audit List for Board **MANUAL WARRANTS/VOIDS/CORRECTIONS**

Page 3

Vendor	<u>Name</u>	<u>Rpt</u>	<u>Warrant Description</u>	<u>Invoice #</u>	<u>Account/Formula Description</u>	<u>1099</u>
<u>No.</u>	<u>Account/Formula</u>	<u>Accr</u>	<u>Amount</u>	<u>Service Dates</u>	<u>Paid On Bhf #</u>	<u>On Behalf of Name</u>
	8410 Bremer Bank					
5	09-000-000-0000-2058		1,345,479.15	PD1 ADVANCE 1	PD 1 STATE ADV 1 State General Tax-Education	N
6	09-000-000-0000-2058		1,345,479.15	PD 1 ADVANCE 2	PD 1 STATE ADV 1 State General Tax-Education	N
	8410 Bremer Bank		2,690,958.30	2 Transactions		
9 Fund Total:			2,690,958.30	State	1 Vendors	2 Transactions

Aitkin County



Audit List for Board **MANUAL WARRANTS/VOIDS/CORRECTIONS**

Vendor	<u>Name</u>	<u>Rpt</u>	<u>Warrant Description</u>	<u>Invoice #</u>	<u>Account/Formula Description</u>	<u>1099</u>
<u>No.</u>	<u>Account/Formula</u>	<u>Accr</u>	<u>Amount</u>	<u>Service Dates</u>	<u>Paid On Bhf #</u>	<u>On Behalf of Name</u>
8410	Bremer Bank					
7	13-943-000-0000-2001		5,154.14	RETURNED PAYMENTS - P1	1132-1136	Cur - Property Taxes N
8	13-943-000-0000-2001		1,816.00	RETURNED PMT-CLOSED ACCT - P2	2001-2009	Cur - Property Taxes N
9	13-943-000-0000-2001		1,598.00	RETURNED PMT-INSUFF FUNDS - P2	2010-2013	Cur - Property Taxes N
12	13-943-000-0000-2001		1,172.00	RETURNED PMT-STOP PMT - P2	2014	Cur - Property Taxes N
14	13-943-000-0000-2001		1,072.00	RETURNED PAYMENT - P2	2015	Cur - Property Taxes N
15	13-943-000-0000-2001		2,560.00	RETURNED PAYMENT - P2	2017	Cur - Property Taxes N
16	13-943-000-0000-2001		3,508.00	RETURNED PAYMENT - P2	2018	Cur - Property Taxes N
8410	Bremer Bank		16,880.14	7 Transactions		
13 Fund Total:			16,880.14	Taxes & Penalties	1 Vendors	7 Transactions

KMR1
5/31/24 9:09AM
19 Long Lake Conservation Cen

Aitkin County



Audit List for Board **MANUAL WARRANTS/VOIDS/CORRECTIONS**

Page 5

Vendor		<u>Name</u>	<u>Rpt</u>	<u>Warrant Description</u>	<u>Invoice #</u>	<u>Account/Formula Description</u>	<u>1099</u>
<u>No.</u>	<u>Account/Formula</u>	<u>Accr</u>	<u>Amount</u>	<u>Service Dates</u>	<u>Paid On Bhf #</u>	<u>On Behalf of Name</u>	
1	8410 Bremer Bank		75.00	ROVERS REFUNDS	091000011491605	Refunds & Reimbursements	N
	19-522-000-0000-6820						
	8410 Bremer Bank		75.00	1 Transactions			
19 Fund Total:			75.00	Long Lake Conservation Center	1 Vendors	1 Transactions	

KMR1
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21 Parks

Aitkin County



Audit List for Board **MANUAL WARRANTS/VOIDS/CORRECTIONS**

Page 6

Vendor		<u>Name</u>	<u>Rpt</u>		<u>Warrant Description</u>	<u>Invoice #</u>	<u>Account/Formula Description</u>	<u>1099</u>
<u>No.</u>	<u>Account/Formula</u>		<u>Accr</u>	<u>Amount</u>	<u>Service Dates</u>	<u>Paid On Bhf #</u>	<u>On Behalf of Name</u>	
	8410	Bremer Bank						
13	21-520-000-0000-5510			90.00	CAMP REFUND - JULIEN	J - 7369	Co. Parks Campground Fees	N
	8410	Bremer Bank		90.00	1 Transactions			
21 Fund Total:				90.00	Parks	1 Vendors	1 Transactions	
Final Total:				2,709,996.89	5 Vendors	18 Transactions		

Aitkin County



Recap by Fund

<u>Fund</u>	<u>AMOUNT</u>	<u>Name</u>
1	1,993.45	General Fund
9	2,690,958.30	State
13	16,880.14	Taxes & Penalties
19	75.00	Long Lake Conservation Center
21	90.00	Parks
All Funds	2,709,996.89	Total

Approved by,

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Board of County Commissioners Agenda Request

2J

Agenda Item #

Requested Meeting Date: 6/11/2024

Title of Item: 2024 State of MN Federal Supplemental Boating Safety Patrol Grant

- ☐ REGULAR AGENDA
☒ CONSENT AGENDA
☐ INFORMATION ONLY

Action Requested:

- ☐ Approve/Deny Motion
☒ Adopt Resolution (attach draft)

**provide copy of hearing notice that was published*

- ☐ Direction Requested
☐ Discussion Item
☐ Hold Public Hearing*

Submitted by:
Sheriff Daniel G. Guida

Department:
Aitkin County Sheriff's Office

Presenter (Name and Title):
N/A

Estimated Time Needed:
N/A

Summary of Issue:

Approve annual State of Minnesota Federal Supplemental Boating Safety Patrol Grant Agreement. The amount is \$5,500.00 to use towards overtime boat & water patrol hours.

Alternatives, Options, Effects on Others/Comments:

Recommended Action/Motion:

Request board chair to sign agreement. Request County Administrator Jessica Seibert to sign resolution and return as soon as possible for submission to MN DNR.

Financial Impact:

Is there a cost associated with this request?

☐ Yes

☒ No

What is the total cost, with tax and shipping? \$

Is this budgeted? ☐ Yes ☐ No

Please Explain:



**2024 STATE OF MINNESOTA
FEDERAL BOATING SAFETY SUPPLEMENTAL PATROL
GRANT CONTRACT AGREEMENT**

ENCUMBRANCE WORKSHEET

Contract #: 245918

PO #: 3-250252

State Accounting Information

Dept. ID R29	PC Bus. Unit R2901	Fiscal Year 2024	Source Type REIMB	Vendor Number 0000197275-001
Total Amount \$5500	Project ID R29G70CGBLA23	Billing Location R297000221	UEI CLK7L6F3AM63	

Accounting Distribution

Fund 3000	Fin. Dept. ID R2937715	Approp. ID R297227	Category 84101501	Account 441302	Activity A7CG002
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Grant Begin Date May 10, 2024	Grant End Date September 2, 2024
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Grantee Name and Address:

Aitkin County Sheriff's Office
218 1st St. NW
Aitkin, MN 56431-1260

Payment Address:
(where DNR sends the check)

Aitkin Co. Treasurer
209 - 2nd St. NW, Rm. 203
Aitkin, MN 56431

**2024 STATE OF MINNESOTA
FEDERAL BOATING SAFETY SUPPLEMENTAL PATROL
GRANT CONTRACT AGREEMENT**

This grant contract agreement is between the State of Minnesota, acting through its Commissioner of Natural Resources, Enforcement Division ("State") and Aitkin County Sheriff's Office, 218 1st St. NW, Aitkin, MN 56431-1260 (DUNS CLK7L6F3AM63) ("Grantee"). The payment address for this grant contract agreement is Aitkin Co. Treasurer, 209 - 2nd St. NW, Rm. 203, Aitkin, MN 56431.

Recitals

1. Under Minnesota Statute §84.026, §86B.101 and Department of Homeland Security – through the Recreational Boating Safety Financial Assistance program to states, commonwealth and territories (FAIN 3319FAS190127), (CFDA number 97.012) in U.S.C. 13101-13110 the State is empowered to enter into this grant contract agreement. This grant contract agreement is a non-research and non-developmental grant.
1. The State will make available supplementary funding in the amount noted in this grant contract agreement to cover the cost of additional boating safety patrol of lakes and rivers in the county.
3. The Grantee represents that it is duly qualified and agrees to perform all services described in this grant contract agreement to the satisfaction of the State. Pursuant to Minn.Stat. §16B.98, Subd.1, the Grantee agrees to minimize administrative costs as a condition of this grant contract agreement.

Grant Contract Agreement

1 Term of Grant Contract Agreement

- 1.1 **Effective date:** May 10, 2024. Per Minn. Stat. §16B.98, Subd. 5, the Grantee must not begin work until this grant contract agreement is fully executed and the State's Authorized Representative has notified the Grantee that work may commence. Per Minn.Stat. §16B.98 Subd. 7, no payments will be made to the Grantee until this grant contract agreement is fully executed. Reimbursements will only be made for expenditures made according to the terms of this grant contract agreement.
- 1.2 **Expiration date:** September 2, 2024 or until all obligations have been satisfactorily fulfilled, whichever occurs first. The Grantee shall submit a final billing invoice within 30 days of the expiration of the grant contract agreement as specified herein.
- 1.3 **Survival of Terms.** The following clauses survive the expiration or cancellation of this grant contract agreement: 8. Liability; 9. State and Single Audits; 10. Government Data Practices; 14. Publicity and Endorsement; 15. Governing Law, Jurisdiction, and Venue; and 17. Data Disclosure.

2 Grantee's Duties

The Grantee, who is not a state employee, will comply with required grants management policies and procedures set forth through Minn.Stat. §16B.97, Subd. 4 (a) (1). The Grantee will provide additional boating safety patrol hours during high watercraft use periods through the payment of overtime or the addition of enforcement personnel. The Grantee will submit to the State a written plan to carry out the provisions of this grant contract agreement. Provisions of Chapter 86B, the provisions of Chapter 169A pertaining to motorboats and the Boat and Water Safety Rules, hereinafter referred to as the "Minn. Rules" will be enforced. Refer to Exhibit A which is attached and incorporated into this grant contract agreement for more information on allowable expenses. The Grantee is responsible for maintaining an adequate conflict of interest policy throughout the term of this grant contract agreement. The Grantee shall monitor and report any actual, potential or perceived conflicts of interest to the State's Authorized Representative.

Reporting Requirements: The Grantee is bound to financial and performance requirements as noted in this grant contract agreement and Exhibit A which is attached and incorporated into this grant contract agreement.

3 Time

The Grantee must comply with all the time requirements described in this grant contract agreement. In the performance of this grant contract agreement, time is of the essence.

4 Consideration and Payment

- 4.1 **Consideration.** Consideration for all services performed by Grantee pursuant to this grant contract agreement shall be paid by the State as follows:

- (a) **Compensation.** The Grantee will be paid for all boat and water safety activities performed by the Grantee during the term of the grant contract agreement up to five thousand five hundred dollars.
- (b) **Total Obligation.** The total obligation of the State for all compensation and reimbursements to the Grantee under this grant contract agreement will not exceed five thousand five hundred dollars.

- 4.2 **Payment**

- (a) **Invoice.** The State will promptly pay the Grantee after the Grantee presents an itemized invoice for the services actually performed and the State's Authorized Representative accepts the invoiced services. Submit one invoice at the end of the grant period or when all obligations have been satisfactorily fulfilled, whichever occurs first. The invoice shall be accompanied by log sheets and narrative report as described in Exhibit A. The invoice, log sheets and required narrative report must be submitted to the State not later than October 6, 2021,

- unless an extension is requested in writing from the Grantee and approved in writing from the State.
- (b) **Federal funds.** Payments under this grant contract agreement will be made from federal funds obtained by the State through the U.S. Coast Guard, Department of Homeland Security – through the Recreational Boating Safety Financial Assistance program to states, commonwealth and territories (FAIN 3319FAS190127), (CFDA number 97.012) in U.S.C. 13101-13110. Exhibit B is attached and incorporated into this grant contract agreement for specific federal requirements that affect this grant contract agreement. The Grantee is responsible for compliance with all federal requirements imposed on these funds and accepts full financial responsibility for any requirements imposed by the Grantee's failure to comply with federal requirements.

4.3 Contracting and Bidding Requirements

Per Minn. Stat. §471.345, grantees that are municipalities as defined in Subd. 1 must follow the law.

- (a) The grantee must not contract with vendors who are suspended or debarred in MN:
<https://mn.gov/admin/osp/government/suspended-debarred/index2.jsp>

5 Conditions of Payment

All services provided by the Grantee under this grant contract agreement must be performed to the State's satisfaction, as determined at the sole discretion of the State's Authorized Representative and in accordance with all applicable federal, state, and local laws, ordinances, rules, and regulations. The Grantee will not receive payment for work found by the State to be unsatisfactory or performed in violation of federal, state, or local law.

6 Authorized Representative

The State's Authorized Representative is Adam Block, Boating Law Administrator, Enforcement Division – Central Office, Minnesota Department of Natural Resources (DNR), 500 Lafayette Rd., St. Paul, MN 55155-4047, adam.block@state.mn.us or his/her successor, and has the responsibility to monitor the Grantee's performance and the authority to accept the services provided under this grant contract agreement. If the services are satisfactory, the State's Authorized Representative will certify acceptance on each invoice submitted for payment.

The Grantee's Authorized Representative is Sheriff Daniel Guida, Aitkin County Sheriff's Office, 218 1st St. NW, Aitkin, MN 56431-1260, or his/her successor. If the Grantee's Authorized Representative changes at any time during this grant contract agreement, the Grantee must immediately notify the State.

7 Assignment, Amendments, Waiver, and Grant Contract Agreement Complete

- 7.1 **Assignment.** The Grantee shall neither assign nor transfer any rights or obligations under this grant contract agreement without the prior written consent of the State, approved by the same parties who executed and approved this grant contract agreement, or their successors in office.
- 7.2 **Amendments.** Any amendments to this grant contract agreement must be in writing and will not be effective until it has been executed and approved by the same parties who executed and approved the original grant contract agreement, or their successors in office.
- 7.3 **Waiver.** If the State fails to enforce any provision of this grant contract agreement, that failure does not waive the provision or the State's right to enforce it.
- 7.4 **Grant Contract Agreement Complete.** This grant contract agreement, including Exhibits A and B which are attached and incorporated into this grant contract agreement, contains all negotiations and agreements between the State and the Grantee. No other understanding regarding this grant contract agreement, whether written or oral, may be used to bind either party.

8 Liability

The Grantee must indemnify, save, and hold the State, its agents, and employees harmless from any claims or causes of action, including attorney's fees incurred by the State, arising from the performance of this grant contract agreement by the Grantee or the Grantee agents or employees. This clause will not be construed to bar any legal remedies the Grantee may have for the State's failure to fulfill its obligations under this grant contract agreement.

9 Audits (State and Single)

Under Minn. Stat. §16B.98, subd. 8, the Grantee's books, records, documents, and accounting procedures and practices of the Grantee or other party relevant to this grant contract agreement or transaction are subject to examination by the Commissioner of Administration, by the State granting agency and/or the State Auditor or Legislative Auditor, as appropriate, for a minimum of six years from the end of this grant contract agreement, receipt and approval of all final reports, or the required period of time to satisfy all state and program retention requirements, whichever is later.

All state and local governments, colleges and universities, and non-profit organizations that expend \$750,000 or more of Federal awards in a fiscal year must have a single audit according to the OMB Uniform Guidance: Cost Principles, Audit, and Administrative Awards Requirements for Federal Awards. This is \$750,000 total Federal awards received from all sources. If an audit is completed, forward a copy of the report to both the State's Authorized Representative and the State Auditor.

10 Government Data Practices

- 10.1 **Government Data Practices.** The Grantee and State must comply with the Minnesota Government Data Practices Act, Minn. Stat. Ch. 13, as it applies to all data provided by the State under this grant contract

agreement, and as it applies to all data created, collected, received, stored, used, maintained, or disseminated by the Grantee under this grant contract agreement. The civil remedies of Minn. Stat. §13.08 apply to the release of the data referred to in this clause by either the Grantee or the State. If the Grantee receives a request to release the data referred to in this Clause, the Grantee must immediately notify the State. The State will give the Grantee instructions concerning the release of the data to the requesting party before the data is released. The Grantee's response to the request shall comply with applicable law.

11 American Disabilities Act

The Grantee is subject to complying with the Americans with Disabilities Act (ADA) of 1990 (42 U.S.C. 12101 et seq.) and all applicable regulations and guidelines.

12 Non-Discrimination Requirements

No person in the United States must, on the ground of race, color, national origin, handicap, age, religion, or sex, be excluded from participation in, be denied the benefits of, or be subject to discrimination under, any program or activity receiving Federal financial assistance. Including but not limited to:

- (a) Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq.) and DOC implementing regulations published at 15 C.F.R. Part 8 prohibiting discrimination on the grounds of race, color, or national origin under programs or activities receiving Federal financial assistance; Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681 et seq.) prohibiting discrimination on the basis of sex under Federally assisted education programs or activities;
- (b) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794), and DOC implementing regulations published at 15 C.F.R. Part 8b prohibiting discrimination on the basis of handicap under any program or activity receiving or benefiting from Federal assistance.
- (c) The Age Discrimination Act of 1975, as amended (42 U.S.C. § 6101 et seq.), and DOC implementing regulations published at 15 C.F.R. Part 20 prohibiting discrimination on the basis of age in programs or activities receiving Federal financial assistance;
- (d) Title II of the Americans with Disabilities Act (ADA) of 1990 which prohibits discrimination against qualified individuals with disabilities in services, programs, and activities of public entities.
- (e) Any other applicable non-discrimination law(s).

13 Workers' Compensation

The Grantee certifies that it is in compliance with Minn. Stat. §176.181, Subd. 2, pertaining to workers' compensation insurance coverage. The Grantee's employees and agents will not be considered State employees. Any claims that may arise under the Minnesota Workers' Compensation Act on behalf of these employees and any claims made by any third party as a consequence of any act or omission on the part of these employees are in no way the State's obligation or responsibility.

14 Publicity and Endorsement

14.1 Publicity. Any publicity regarding the subject matter of this grant contract agreement must identify the State as the sponsoring agency and must not be released without prior written approval from the State's Authorized Representative. For purposes of this provision, publicity includes notices, informational pamphlets, press releases, research, reports, signs, and similar public notices prepared by or for the Grantee individually or jointly with others, or any subcontractors with respect to the program, publications, or services provided resulting from this grant contract agreement. All projects primarily funded by state grant appropriations must publicly credit the State of Minnesota, including on the grantee's website when practicable.

14.2 Endorsement. The Grantee must not claim that the State endorses its products or services.

15 Governing Law, Jurisdiction, and Venue

Minnesota law, without regard to its choice-of-law provisions, governs this grant contract agreement. Venue for all legal proceedings out of this grant contract agreement, or its breach, must be in the appropriate state or federal court with competent jurisdiction in Ramsey County, Minnesota.

16 Termination

16.1 Termination by the State. (a) The State may immediately terminate this grant contract agreement with or without cause, upon 30 days' written notice to the Grantee. Upon termination, the Grantee will be entitled to payment, determined on a pro rata basis, for services satisfactorily performed.

(b) **Termination by The Commissioner of Administration.** Commissioner of Administration may unilaterally cancel this grant contract agreement if further performance under the agreement would not serve agency purposes or is not in the best interest of the State.

16.2 Termination for Cause. The State may immediately terminate this grant contract agreement if the State finds that there has been a failure to comply with the provisions of this grant contract agreement that reasonable progress has not been made or that the purposes for which the funds were granted have not been or will not be fulfilled. The State may take action to protect the interests of the State of Minnesota, including the refusal to disburse additional funds and requiring the return of all or part of the funds already disbursed.

16.3 Termination for Insufficient Funding. The State may immediately terminate this grant contract agreement if:

- (a) It does not obtain funding from U.S. Coast Guard, Department of Homeland Security – through the Recreational Boating Safety Financial Assistance program to states, commonwealth and territories (FAIN 3319FAS190127), (CFDA number 97.012) in U.S.C. 13101-13110 is withdrawn.

(b) Or, if funding cannot be continued at a level sufficient to allow for the payment of the services covered here. Termination must be by written or fax notice to the Grantee. The State is not obligated to pay for any services that are provided after notice and effective date of termination. However, the Grantee will be entitled to payment, determined on a pro rata basis, for services satisfactorily performed to the extent that funds are available. The State will not be assessed any penalty if the grant contract agreement is terminated because of the decision of the Minnesota Legislature, or other funding source, not to appropriate funds. The State must provide the Grantee notice of the lack of funding within a reasonable time of the State's receiving that notice.

17 Data Disclosure

Under Minn. Stat. § 270C.65, Subd. 3, and other applicable law, the Grantee consents to disclosure of its social security number, federal employer tax identification number, and/or Minnesota tax identification number, already provided to the State, to federal and state tax agencies and state personnel involved in the payment of state obligations. These identification numbers may be used in the enforcement of federal and state tax laws which could result in action requiring the Grantee to file state tax returns and pay delinquent state tax liabilities, if any.

18 Invasive Species Prevention

The DNR requires active steps to prevent or limit the introduction, establishment, and spread of invasive species during contracted work. The contractor shall prevent invasive species from entering into or spreading within a project site by cleaning equipment prior to arriving at the project site.

If the equipment, vehicles, gear, or clothing arrives at the project site with soil, aggregate material, mulch, vegetation (including seeds) or animals, it shall be cleaned by contractor furnished tool or equipment (brush/broom, compressed air or pressure washer) at the staging area. The contractor shall dispose of material cleaned from equipment and clothing at a location determined by the DNR Contract Administrator. If the material cannot be disposed of onsite, secure material prior to transport (sealed container, covered truck, or wrap with tarp) and legally dispose of offsite.

The contractor shall ensure that all equipment and clothing used for work in infested waters has been adequately decontaminated for invasive species (ex. zebra mussels) prior to being used in non-infested waters. All equipment and clothing including but not limited to waders, tracked vehicles, barges, boats, turbidity curtain, sheet pile, and pumps that comes in contact with any infested waters must be thoroughly decontaminated.

19 Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transactions

19.1 The prospective lower tier participant certifies, by submission of this grant contract agreement, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.

19.2 Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this grant contract agreement.

20 Whistleblower Protection Rights

41 USC §4712, Enhancement of Recipient and Subrecipient Employee Whistleblower Protection

(a) This award and employees working on this financial assistance agreement will be subject to the whistleblower rights and remedies in the pilot program on Award Recipient employee whistleblower protections established at 41 U.S.C. 4712 by section 828 of the National Defense Authorization Act for Fiscal Year 2013 (Pub.L. 112-239).

(b) Recipients, their subrecipients, and their contractors awarded contracts over the simplified acquisition threshold related to this award, shall inform their employees in writing, in the predominant language of the workforce, of the employee whistleblower rights and protections under 41 USC 4712.

(c) The recipient shall insert this clause, including this paragraph (c), in all subawards and in contracts over the simplified acquisition threshold related to this award.

Attachments:

- _____ A. Federal Boat Patrol Grant Contract Agreement
- _____ B. Exhibit A
- _____ C. Exhibit B
- _____ D. Conflict of Interest Disclosure

1. STATE ENCUMBRANCE VERIFICATION

Individual certifies that funds have been encumbered as required by Minn. Statutes 16A.15 and 16B.98.

Signed: **Pamela D. Brisson** Digitally signed by Pamela D. Brisson
Date: 2024.03.29 08:12:00 -05'00'

Date: 3/29/2024

SWIFT Contract # 245918

Purchase Order # 3-250252

2. GRANTEE

The Grantee certifies that the appropriate person(s) have executed the grant contract agreement on behalf of the Grantee as required by applicable articles, bylaws, resolutions, or ordinances.

By: _____

Title: County Sheriff

Date: _____

By: _____

Title: Chairperson of County Board

Date: _____

3. STATE AGENCY: NATURAL RESOURCES

By: _____
(With delegated authority)

Title: Director, Enforcement Division – Central Office

Date: _____

Distribution:
Agency
Grantee
State's Authorized Representative

**2024 FEDERAL BOATING SAFETY
SUPPLEMENTAL PATROL AGREEMENT
(CFDA #97.012)**

1. The purpose of this program is to provide supplementary funding to the County to provide for additional boating safety patrol hours during high-use periods through the payment of straight time, overtime, or the addition of enforcement personnel on a temporary basis. Other activities such as rental boat inspections, training, extended search and rescue operations, aids-to-navigation work, aquatic invasive species (AIS) enforcement or inspections, talks and displays do not qualify for reimbursement under this program. Incidental on-scene accident investigation, assistance to the public and immediate search and rescue operations by personnel assigned to this program are authorized.
2. The program shall begin on Friday, May 10, 2024 or the date the State obtains all required signatures, whichever is later, and end at midnight, Monday, September 2, 2024. The Grantee must not begin work until this grant contract agreement is fully executed and the State's Authorized Representative has notified the Grantee that work may commence.
3. Reimbursable hours and days of operation shall occur during the following days and hours:

The schedule of hours shall be left to the county. Scheduling, however, should be made to coincide with periods of activity or complaints and night patrols are encouraged. *If at all possible, schedules should be canceled or delayed if inclement weather is expected.*

4. Emphasis on this program shall be placed on the following violations:
 - Boating while intoxicated
 - Personal watercraft operation
 - Careless and reckless operation
 - Speed and wake violations
 - Use of navigation lights
 - Other boating equipment and registration violations
5. Allowable costs include overtime patrol hours, additional personnel salary and appropriate fringe benefits associated with patrol. No indirect costs will be paid by the state. Submit one invoice at the end of the grant period or when all obligations have been satisfactorily fulfilled, whichever occurs first. A copy of the daily logs of each deputy involved - showing hours on duty, water body patrolled, boats stopped, citations or warnings issued and other pertinent information on a daily basis must be submitted with the reimbursement invoice. The deputy and his or her supervisor must sign each log sheet. Reimbursement request must also include a summary of the times and hours worked and total costs for each deputy by date.

All other expenses, such as fuel, training, repairs, boats, meals etc. must be paid by the county (use of the regular 2024 state boat and water safety grant funds for these other expenses is an allowable cost). The county will be responsible for any unemployment or worker's compensation costs associated with the program.
6. Each participating county, with the payment request, will submit a written review of the program. Payment will not be made without this narrative, which shall include a summary of the county's activities, accomplishments and suggested changes for future funding.
7. **Deadline for the invoice, log sheets and narrative is Wednesday, October 2, 2024. An invoice submitted after that date will not be reimbursed, unless an extension is requested by the grantee in writing and the extension is approved in writing from the State. Submit invoice info to: Kelly.Affeldt@state.mn.us**
8. Hours from this program will be excluded in determining the regular 2026 county grant allocation.
9. These funds are not designed to take the place of existing funding, but rather to supplement it. A copy of the 2024 county supplemental patrol work plan must be submitted to the State for approval before the grant may be processed.

2024 FEDERAL ASSURANCES NON-CONSTRUCTION PROGRAMS

NOTE: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the awarding agency. Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project cost) to ensure proper planning, management and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§ 1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290 dd-3 and 290 ee 3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.
7. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation purchases.

8. Will comply, as applicable, with provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327-333), regarding labor standards for federally-assisted construction sub-agreements.
10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
11. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§ 1451 et seq.); (f) conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§ 7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).
12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§ 1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
13. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq.).
14. Will comply with P.L. 93-248 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.
15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. §§2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.
16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, "Audits of States, Local Governments and Non-Profit Organizations." *(see below).
18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.

**If the COUNTY (as defined on page 1 of this grant) expends more than \$500,000 in federal assistance per year, it agrees to have a program-specific or single audit made in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133 – "Audits of States, Local Governments and Non-Profit Organizations." Copies of the audit report are required to be sent to the following: 1) Office of the State Auditor – Single Audit Division, Suite 500, 525 Park Street, St. Paul, MN 55103, 2) Minnesota Department of Natural Resources, Internal Audit Section – Office of Management & Budget Services 500 Lafayette Road, St. Paul, MN 55155 and 3) The Federal Single Audit Clearinghouse located at: Bureau of the Census, Data Preparation Division, 1201 East 10th Street, Jeffersonville, IN 47132.*

Conflict of Interest Disclosure Form for Grantees

Conflict of Interest

A conflict of interest occurs when a person has actual or apparent duty or loyalty to more than one organization and the competing duties or loyalties may result in actions which are adverse to one or both parties. A conflict of interest exists even if no unethical, improper or illegal act results from it. There are several types of conflicts of interest.

Actual Conflict of Interest

An actual conflict of interest occurs when a person's decision or action would compromise a duty to a party without taking immediate appropriate action to eliminate the conflict.

Potential Conflict of Interest

A potential conflict of interest may exist if a person has a relationship, affiliation, or other interest that could create an inappropriate influence if the person is called on to make a decision or recommendation that would affect one or more of those relationships, affiliations, or interests.

Individual Conflict of Interest

A conflict of interest that may benefit an individual employee *or a grant reviewer* is any situation in which *their* judgment, actions or non-action could be interpreted to be influenced by something that would benefit them directly or through indirect gain to *an immediate family member, business, or organization with which they are involved.*

Organizational Conflict of Interest

A conflict of interest can also occur with an organization that is a grant applicant in a competitive grant process or grantee of a state agency.

Organizational conflicts of interest occur when:

- A grantee's objectivity in carrying out the grant is impaired or compromised due to competing duties or loyalties
- A grantee, potential grantee or grant applicant has an unfair competitive advantage through being furnished unauthorized proprietary information or source selection information that is not available to all competitors.

This section to be completed by Grantee's Authorized Representative

I certify that we will maintain an adequate Conflict of Interest Policy, and throughout the term of our agreement will report any actual or potential conflicts of interests by individual employees or our organization as a whole to the State's Authorized Representative.

Organization Name:

Project Name: 2024 MN DNR Federal Boating Patrol Grant

Legal Citation: Under Minnesota Statute §84.026, §86B.101 and Department of Homeland Security – through the Recreational Boating Safety Financial Assistance program to states, commonwealth and territories (FAIN 3319FAS190127), (CFDA number 97.012) in U.S.C. 13101-13110 the State is empowered to enter into this grant contract agreement.

Authorized Representative Printed Name:

Authorized Representative Signature/Date:

CERTIFIED COPY OF RESOLUTION OF COUNTY BOARD OF AITKIN COUNTY, MINNESOTA

ADOPTED June 11, 2024

By Commissioner: xxx

20240611-xxx

2024 State of Minnesota Federal Boating Safety Supplemental Patrol Grant Agreement

BE IT RESOLVED, that the Aitkin County Board of Commissioners approve the Fiscal Years 2024 State of Minnesota Federal Boating Safety Supplemental Grant Agreement on file in the Office of the County Auditor and authorize the Aitkin County Sheriff's Office, County Board Chair and County Administrator to sign the agreement in the amount of \$5,500.00 for the term of May 10, 2024 to September 2, 2024.

Commissioner xxx seconded the adoption of the resolution and it was declared adopted upon the following vote

xxx MEMBERS PRESENT

All Members Voting xxx

**STATE OF MINNESOTA}
COUNTY OF AITKIN}**

I, Jessica Seibert, County Administrator, Aitkin County, Minnesota do hereby certify that I have compared the foregoing with the original resolution filed in the Administration Office of Aitkin County in Aitkin, Minnesota as stated in the minutes of the proceedings of said Board on the 11th day of June, 2024, and that the same is a true and correct copy of the whole thereof.

Witness my hand and seal this 11th day of June, 2024

Jessica Seibert
County Administrator



Board of County Commissioners Agenda Request

2K
Agenda Item #

Requested Meeting Date: June 11, 2024

Title of Item: Community Corrections Sobriety Court Grant Agreement

<input type="checkbox"/> REGULAR AGENDA <input checked="" type="checkbox"/> CONSENT AGENDA <input type="checkbox"/> INFORMATION ONLY	Action Requested: <input checked="" type="checkbox"/> Approve/Deny Motion <input type="checkbox"/> Adopt Resolution (attach draft) <div style="text-align: right; font-size: small;"><i>*provide copy of hearing notice that was published</i></div> <div style="display: flex; justify-content: space-between;"><div><input type="checkbox"/> Direction Requested</div><div><input type="checkbox"/> Discussion Item</div><div><input type="checkbox"/> Hold Public Hearing*</div></div>
Submitted by: Kameron Genz	Department: Community Corrections
Presenter (Name and Title): Kameron Genz - Director	Estimated Time Needed: 0 minutes
Summary of Issue: <p>Approval of the Sobriety Court Grant/Cooperative Agreement in the amount of \$65,800 for Fiscal Year 2025 (7/1/24-6/30/25). \$65,000 is dedicated to Sobriety Court agent salary/fringe and \$800 for agent travel expenses/fuel.</p> <p>This is a re-occurring/annual grant and agreement in which the Board previously authorized signature by the Community Corrections Director.</p>	
Alternatives, Options, Effects on Others/Comments:	
Recommended Action/Motion: Approve the Fiscal Year 2025 Cooperative Agreement between Aitkin County Community Corrections and the State of MN 9th Judicial District, for the Sobriety Court grant in the amount of \$65,800.	
Financial Impact: <div style="display: flex; justify-content: space-between;"><div><p>Is there a cost associated with this request? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p><p>What is the total cost, with tax and shipping? \$</p><p>Is this budgeted? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p></div><div><p>Please Explain:</p><p>This revenue amount is budgeted annually in the Community Corrections budget. This amount is a slight increase from fiscal year 2024 amount.</p></div></div>	

STATE OF MINNESOTA
COOPERATIVE AGREEMENT

This Agreement is between Aitkin County Community Corrections (herein “ACCC”), 209 2nd St NW, Room 178, Aitkin, MN 56431, and the State of Minnesota, acting through its agent Ninth Judicial District, Aitkin County Sobriety Court (herein “Court”), 616 America Ave NW, Suite 250, Bemidji, MN 56601.

Recitals

Under Minnesota Statute § 471.59, subdivision 10, the Court is empowered to engage such assistance as deemed necessary.

The Court has established a Sobriety Court program that is designed to intervene in the lifestyles of offenders with substance use disorders and to improve public safety.

The Court and the ACCC desire to establish cooperative procedures for the implementation and effective operation of the Aitkin County Sobriety Court program.

ACCC is empowered under Minnesota law to provide probation supervision services to and participate in the Aitkin County Sobriety Court program.

The Court is in need of additional probation supervision services from ACCC coextensive with the availability of County, Court, and Federal Funds to fund such services.

Agreement

1. Term of the Agreement

- A. **Effective date:** July 1, 2024, or the date the Court obtains all required signatures under Court policy, whichever is later.
- B. **Expiration date:** June 30, 2025, or until all obligations have been satisfactorily fulfilled, whichever occurs first.

2. Agreement between the Parties

A. ACCC is responsible to:

- 1. Provide an assigned qualified probation officer to fully participate in the Aitkin County Sobriety Court process and supervise participants in Aitkin County Sobriety Court. “Assigned” probation officer means a probation officer providing supervision

services and participating in the Aitkin County Sobriety Court process and employed by ACCC. This position shall be a permanent ACCC employee and shall be a limited duration appointment which ends when the funds appropriated by the Legislature and allocated by the Judicial Branch to the Court expire.

2. Administer any union contract and County personnel policies according to ACCC supervisory expectations. This includes assuring union contract language is adhered to and that performance improvement plans, corrective action, progressive discipline and grievance procedures are followed. All ACCC personnel policies will be monitored and followed. ACCC will retain ultimate authority to determine and issue discipline, including but not limited to discharge.
3. Follow all compensation policies, rules, and practices as they relate to fringe benefits, health insurance, payroll, overtime and timesheets.
4. Prepare and administer all performance communications, including identifying areas of performance that meet expectations, exceed expectations and/or need improvement. Performance improvement plans will include input from the Court and overall performance shall be monitored on a continual basis by ACCC.
5. Monitor and authorize overtime, paid time off, other time off, hours of work and workload coverage so that employee work is completed in a timely fashion and personnel rules are followed.
6. Identify, provide training and monitor safety issues, practices and policies to assure the safety of employees, clients and the public.
7. Provide recruitment, selection and hiring of any employee who falls under this contract. Recruitment, selection and hiring will be administered by ACCC.

B. Both ACCC and Court are responsible to:

1. Individually and jointly determine whether the assigned probation officers are performing adequately within the program. ACCC may decide to remove existing personnel from the program provided that prior notice is given to the Court.
2. Monitor and authorize hours of work and workload coverage so that employee work is completed in a timely fashion.
3. Identify, provide training and monitor safety issues, practices and policies to assure the safety of employees, clients and the public.

4. Work in partnership in the recruitment and selection of any employee who falls under this contract. Recruitment, selection and hiring will follow and be administered by ACCC with input and recommendation from the Court.
 5. Authorize and approve employee expenses for mileage, meals, parking, purchases and miscellaneous items.
 6. Arrive at financial agreements that allow the Court and ACCC to operate within fiscally sound principles that meet the payment and receipt procedures of both ACCC and the Court. ACCC must adhere to Minnesota Judicial Branch Treatment Court Policies, including financial policies regarding treatment court expenditures.
 7. Agree on what information systems will be utilized, what data must be acquired, entered and maintained, and who has access rights to the resulting information.
 8. Jointly establish training requirements and seek/select and approve appropriate training to meet the required training needs. Agree on who is responsible for payment of training and by which means payment will be made.
- C. Court, in collaboration with the treatment court team and in accordance with state and national best practice standards outlined in Minnesota Judicial Branch Policy 511.1 Treatment Court Standards, will be responsible for:
1. Program design, program delivery methods, participant eligibility criteria, graduation criteria, termination criteria, establishing program capacity, and alcohol and drug testing protocols.
 2. Monitor performance of employee and provide input of employee's performance to ACCC on a continual basis.

D. Continuation

No less than 30 days before the agreement expiration date, the parties to this agreement will attempt to meet, confer, and decide whether this agreement should be extended. If extended, ACCC and the Court agree to reconsider the funding parameters for the next term.

3. Payment

- A. The Court shall reimburse ACCC for probation services and supervision services related to the Aitkin County Sobriety Court program for the 1.0 FTE position(s) dedicated to intensive supervision of Aitkin County Sobriety Court participants. If the position is used for something other than Aitkin County Sobriety Court supervision, the reimbursement shall be proportionally reduced. ACCC shall indicate on its billing the amount expended during the invoice period for supervision /monitoring and for testing services for Aitkin County Sobriety Court participants.
- B. **Payment Rate.** The Court shall compensate ACCC for services based upon quarterly invoices submitted to the Court by the 20th of the month following the end of the quarter. Quarterly ending dates will be September 30th, December 31st, March 31st, and June 30th. Each quarterly invoice will be specific to the Court and will include reports sufficient to document the amount being billed. The cost of the probation and supervision services provided to the Court shall not exceed sixty-five thousand dollars (\$65,000.00) for the period from July 1, 2024 through June 30, 2025. Said cost is based on the actual per hour expenses including fringe benefits incurred by the probation officer in the performance of the duties set forth herein. The cost of probation travel expenses provided to the Court shall not exceed eight hundred dollars (\$800.00) for the period from July 1, 2024 through June 30, 2025.
- C. The total obligation of the Court under this agreement shall not exceed sixty-five thousand eight hundred dollars (\$65,800.00).

4. Authorized Representatives

- A. The Court's Authorized Representative is Maria Pahlen, or her successor, at 616 America Ave NW, Suite 250, Bemidji, MN 56601, and all inquiries shall be directed to her attention.
- B. The ACCC's Authorized Representative is Kameron Genz, or her successor, at 209 2nd St NW, Room 178, Aitkin, MN 56431, and all inquiries shall be directed to her attention.

5. Assignments, Amendments, Waiver, and Contract Complete

- A. **Assignment.** ACCC may neither assign nor transfer any rights or obligations under this agreement without the prior consent of the Court and a fully executed assignment agreement, executed and approved by the same parties who executed and approved this agreement, or their successors in office.
- B. **Amendments.** Any amendment to this agreement must be in writing and will not be effective until it has been executed and approved by the same parties who executed and approved the original agreement, or their successors in office.
- C. **Waiver.** If the Court fails to enforce any provision of this agreement, that failure does not waive the provision or its right to enforce it.
- D. **Contract Complete.** This agreement contains all negotiations and agreements between the Court and ACCC. No other understanding regarding this agreement, whether written or oral, may be used to bind either party.

6. Liability

Each party shall be responsible for its own acts or omissions and any liability which results as a consequence thereof.

7. State Audits

Under Minnesota Statute § 16C.05, subdivision 5, ACCC's books, records, documents, and accounting procedures and practices relevant to this agreement are subject to examination by the Court and/or the Court Auditor or Legislative Auditor, as appropriate, for a minimum of six years from the end date of this agreement.

8. Confidentiality, Disclosure, and Use

ACCC shall not disclose to any third party any information that is inaccessible to the public pursuant to the Rules of Public Access of the Judicial Branch promulgated by the Minnesota Supreme Court. If ACCC receives a request to release information referred to in this Clause, ACCC must immediately notify the Court.

ACCC is subject to the Minnesota Government Data Practices Act, Minn. Stat. Ch. 13. The Court is not subject to Minn. Stat. Ch. 13 but is subject to the rules of Public Access to Records of the Judicial Branch promulgated by the Minnesota Supreme Court, as the same may be amended from time to time. Both parties acknowledge and agree that Minn. Stat. § 13.03, subdivision 4(e) requires ACCC to comply with the Rules of Public Access for data received from the Court under this agreement.

9. Venue

Venue for all legal proceedings out of this agreement, or its breach, must be in the appropriate court or federal court with competent jurisdiction in Ramsey County, Minnesota.

10. Termination

- A. **Termination.** The Court or ACCC may terminate this agreement at any time, with or without cause, upon 30 days' written notice to the other party.
- B. **Termination for Insufficient Funding.** The Court may immediately terminate this agreement if it does not obtain funding from the Minnesota Legislature, or other funding source, or if funding cannot be continued at a level sufficient to allow for the payment of the services covered here. Termination must be by written or fax notice to ACCC. The Court is not obligated to pay for any services that are provided after notice and effective date of termination. However, ACCC will be entitled to payment, determined on a pro rata basis, for services satisfactorily performed to the extent that funds are available. The Court will not be assessed any penalty if the agreement is terminated because of the

decision of the Minnesota Legislature, or other funding source, not to appropriate funds. The Court must provide ACCC notice of the lack of funding within a reasonable time of the Court's receiving that notice.

1. AITKIN COUNTY COMMUNITY CORRECTIONS

By: _____

Title: _____

Date: _____

2. COURT

By: _____

Title: _____

Date: _____

By: _____

Title: State Court Administrator

Date: _____

3. Funds have been encumbered as required by State Court Finance Policy by:

By: _____

Title: _____

Date: _____

Contract No. _____

4. Approved as to form and execution:

By: _____

Title: _____

Date: _____



Board of County Commissioners Agenda Request

2L
Agenda Item #

Requested Meeting Date: June 11, 2024

Title of Item: County On, Off and Sunday Sale Liquor License - Ty & C, LLC dba Fireside Inn

<input type="checkbox"/> REGULAR AGENDA <input checked="" type="checkbox"/> CONSENT AGENDA <input type="checkbox"/> INFORMATION ONLY	Action Requested: <input type="checkbox"/> Approve/Deny Motion <input checked="" type="checkbox"/> Adopt Resolution (attach draft) <i>*provide copy of hearing notice that was published</i>	<input type="checkbox"/> Direction Requested <input type="checkbox"/> Discussion Item <input type="checkbox"/> Hold Public Hearing*
Submitted by: Christy M. Bishop		Department: Auditor's Office
Presenter (Name and Title):		Estimated Time Needed:
Summary of Issue: Application for new County On, Off and Sunday Sale Liquor License for Ty & C, LLC dba Fireside Inn located at 415 Meadow Dr McGregor, MN 55760 - Jevne Township		
Alternatives, Options, Effects on Others/Comments:		
Recommended Action/Motion: Resolution to approve new County On, Off and Sunday Sales Liquor License for Ty & C, LLC dba Fireside Inn located at 415 Meadow Dr McGregor, MN 55760 - Jevne Township		
Financial Impact: <i>Is there a cost associated with this request?</i> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <i>What is the total cost, with tax and shipping? \$</i> <i>Is this budgeted?</i> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <i>Please Explain:</i>		

Legally binding agreements must have County Attorney approval prior to submission.

CERTIFIED COPY OF RESOLUTION OF COUNTY BOARD OF AITKIN COUNTY, MINNESOTA

ADOPTED June 11, 2024

By Commissioner: xxx

20240611-xxx

County On, Off and Sunday Sale Liquor License – Ty & C, LLC

NOW THEREFORE BE IT RESOLVED, the Aitkin County Board of Commissioners agrees to approve the following new liquor license for a period of June 11, 2024 - December 31, 2024:

“ON, OFF AND SUNDAY” Sale:

Application for new County On, Off and Sunday Sale Liquor License for Ty & C, LLC dba Fireside Inn located at 415 Meadow Dr McGregor, MN 55760 - Jevne Township

Commissioner xxx seconded the adoption of the resolution and it was declared adopted upon the following vote

xxx MEMBERS PRESENT

All Members Voting xxx

**STATE OF MINNESOTA}
COUNTY OF AITKIN}**

I, Jessica Seibert, County Administrator, Aitkin County, Minnesota do hereby certify that I have compared the foregoing with the original resolution filed in the Administration Office of Aitkin County in Aitkin, Minnesota as stated in the minutes of the proceedings of said Board on the 11th day of June, 2024, and that the same is a true and correct copy of the whole thereof.

Witness my hand and seal this 11th day of June, 2024

Jessica Seibert
County Administrator



Board of County Commissioners Agenda Request

2M
Agenda Item #

Requested Meeting Date: June 11, 2024

Title of Item: Residential Road Easement - Shane Brown

<input type="checkbox"/> REGULAR AGENDA <input checked="" type="checkbox"/> CONSENT AGENDA <input type="checkbox"/> INFORMATION ONLY	Action Requested: <input type="checkbox"/> Approve/Deny Motion <input checked="" type="checkbox"/> Adopt Resolution (attach draft) <i>*provide copy of hearing notice that was published</i> <input type="checkbox"/> Direction Requested <input type="checkbox"/> Discussion Item <input type="checkbox"/> Hold Public Hearing*	
Submitted by: Dennis (DJ) Thompson		Department: Land
Presenter (Name and Title):		Estimated Time Needed: NA
Summary of Issue: <p>Shane Brown is requesting a residential road easement to access his property in Section 33, Township 44, Range 23 (PID# 25-0-053200). See attached map.</p> <p>Cost of the easement is \$2,046.00 (\$2,000/acre plus a recording fee of \$46). The applicant has paid the \$400 application fee, which will be credited to the assessment if the easement is approved.</p> <p>Aitkin County Surveyor has reviewed the easement and has no objections.</p>		
Alternatives, Options, Effects on Others/Comments:		
Recommended Action/Motion: Adopt resolution granting a Residential Road Easement to Shane Brown.		
Financial Impact: <p>Is there a cost associated with this request? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>What is the total cost, with tax and shipping? \$</p> <p>Is this budgeted? <input type="checkbox"/> Yes <input type="checkbox"/> No Please Explain:</p>		



REQUEST FOR ACCESS ACROSS AITKIN COUNTY MANAGED LAND

November 12, 2019

Before completing this request, read the accompanying instructions to determine the type of easement that you are requesting. Please attach a map showing the proposed easement that you are requesting. A non-refundable application fee of \$400.00 must accompany this application. If approved, the application fee will be applied to the easement fee.

1. Easement: ☐ Utility Easement Only.
☐ Recreational Road Easement – No Utilities allowed, for recreation use only.
☒ Residential Road Easement – Includes Utility Easement, for year-round use. 66'

See the instruction sheet for better definitions of the types of easements.

2. Applicant Information (please print or type)

NAME Shane Brown COMPANY _____
ADDRESS 55 5th Ave N.W. CITY, STATE, ZIP Forest Lake, MN. 55025
PHONE 651-462-4949 E-MAIL None 651-462-4949

3. Please answer the following with regards to **YOUR** parcel being accessed:

Tax Parcel Number: 25-0-053200 Acreage: 19.49

Location of Parcel: Legal Description: NW NE Less 16.53

Section: 33 Township: 44.0 Range: 23

Do you have any other access into this property? ☐ Yes ☒ No

Will the proposed Easement route cross property other than Aitkin County Tax-Forfeited lands? ☐ Yes

☒ No. If yes, has legal access been acquired from these other properties? ☐ Yes ☐ No

4. Please write a brief note on why you are requesting an Easement: _____

To be able to drive into my property.

5. Signature of Application or Authorized Rep.

Shane Brown

15 May 2024
Date

Please return completed form, and map, along
with the nonrefundable application fee of \$400.00 to:
Aitkin County Land Department
502 Minnesota Ave. N.
Aitkin, MN 56431

DOCUMENT CONTAINS INVISIBLE FLUORESCENT FIBERS AND CHEMICAL REACTIVE PROPERTIES

SECURE

PAPER CONTAINS TONER ADHESION PROTECTION AND A METALLIC HOLOGRAM

187250



FIRST STATE BANK
OF WYOMING

P.O. Box 308 • Wyoming, MN 55092

UNCOM
CHECK SOLUTIONS
SECURITY • DELIVERY • VALUE

Remitter : Shane J Brown

DATE
May 15, 2024

AMOUNT
\$400.00

PAY ***Four Hundred Dollars and 00 Cents***

TO
THE
ORDER
OF

AITKIN COUNTY LAND DEPARTMENT

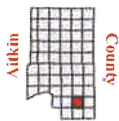
CASHIER'S CHECK

Annette Olson

AUTHORIZED SIGNATURE



⑈ 187250⑈ ⑆091911548⑆ 2000006⑈



PLINY T44N-R23W

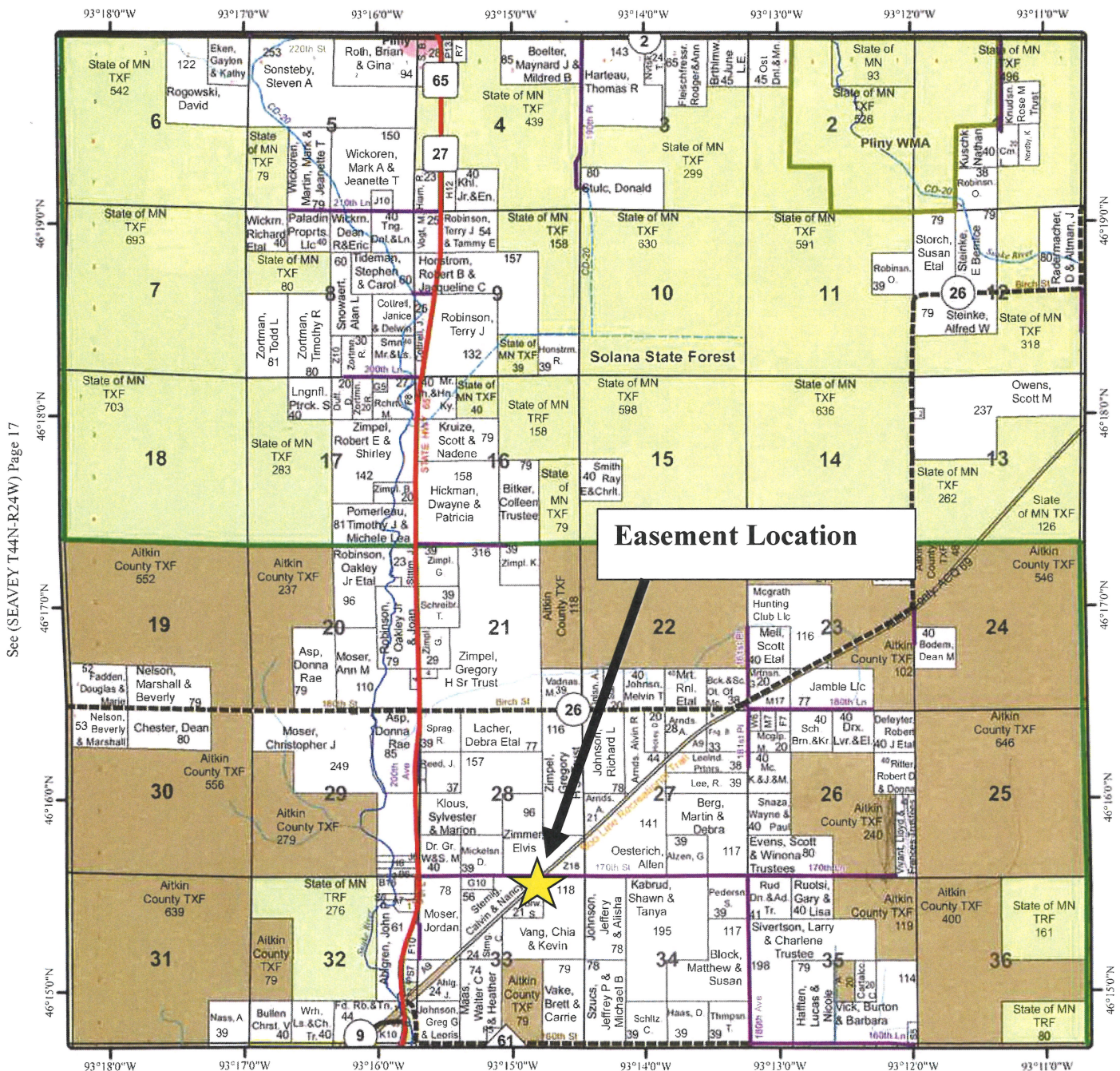
1 0.5 0 1 Miles

Acres shown are approximate.



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See (WHITE PINE T45N-R23W) Page 24



See (WILLIAMS T43N-R23W) Page 14



UNIVERSITY OF MINNESOTA | EXTENSION

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Call 9 AM-12 PM AND 1-4 PM, MONDAY-FRIDAY
or EMAIL ANSWERS@IASTATE.EDU

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- Ask a Master Gardener — Call 612-301-7530 or visit z.umn.edu/askmg
- www.extension.umn.edu



CERTIFIED COPY OF RESOLUTION OF COUNTY BOARD OF AITKIN COUNTY, MINNESOTA

ADOPTED June 11, 2024

By Commissioner: xxx

20240611-xxx

Brown Residential Road Easement

WHEREAS, Shane Brown of 55 5th Avenue N.W., Forest Lake MN 55025, made application to obtain a Residential Road Easement for access to his property located in Section 33, Township 44, Range 23 (PID# 25-0-053200) across the following described County lands, to wit:

An easement lying over and across that part of the former right of way of the Soo Line Railroad Company's so-called Brooten to Superior branch line in Aitkin County, Minnesota, which lies within the East 66.00 feet of the Northwest Quarter of the Northeast Quarter (NW1/4-NE1/4), Section 33, Township 44, Range 23, said Aitkin County, Minnesota.

WHEREAS, Said applicant will be charged a two thousand forty-six dollar (\$2,046.00) fee as appraised by the County Land Commissioner, and

WHEREAS, the Aitkin County Land Commissioner, after making an investigation of such application, has advised that he finds no objection to granting such easement.

NOW THEREFORE, BE IT RESOLVED, That pursuant to Minnesota Statutes, Section 282.04, Subd. 4, the County Auditor be and is hereby authorized to issue to Shane Brown, his heirs and assigns, a perpetual crossing easement to use said strip of land, if consistent with the law as in the special conditions set forth herein, over and across the before mentioned legal descriptions.

BE IT FURTHER RESOLVED, that said easement be granted, subject to the following terms, and conditions:

1. Aitkin County manages County owned and tax-forfeited lands to produce direct and indirect revenue for the taxing districts. This management includes the harvesting and extraction of timber, gravel, minerals, and other resources. The issuing and use of this easement shall not adversely affect the management and harvesting of timber and other resources on County owned and tax forfeited land. If, for any reason, including township or county road construction or reconstruction, the easement needs to be relocated, the county and township will not be responsible for any relocation costs.
2. Any such easement may be canceled by resolution of the County Board for any substantial breach of its terms or if at any time its continuance will conflict with public use of the land, or any part thereof, on which it is granted, after ninety (90) days written notice, addressed to the record owner of the easement at the last known address.
3. Land affected by this easement may be sold or leased for any legal purpose, but such sale or lease shall be subject to this easement and excepted from the conveyance or lease while such easement remains in force.
4. Failure to use the right of way described in this document for the purpose for which this easement is granted for a period of five years, shall result in the cancellation of this easement and any rights granted to the grantee by this easement shall cease to exist and shall revert to the grantor.

5. All Federal, State, and local laws, ordinances rules, and regulations regarding wetlands, construction of road, placement of fill material, and disposal of excavated material shall be followed and are the responsibility of the grantee.
6. Upon termination of this easement, the grantee shall promptly remove all lines, wires, poles and other personal property and restore said lands to proper condition at no cost to the lessor. If the lessee fails to do so within 60 days of termination, the lessor shall have the right to remove said personal property and restore said land in which event the lessee shall promptly reimburse the lessor for all costs incurred plus 15%.
7. Any land survey markers or monuments disturbed, moved or destroyed during the construction or maintenance of this easement area shall be replaced and restored at the expense of the applicant. If not replaced or restored by the applicant, the County may restore said monument and the applicant shall be responsible for all costs of said replacement and restoration plus 15%.

Commissioner xxx seconded the adoption of the resolution and it was declared adopted upon the following

xxx MEMBERS PRESENT

All Members Voting xxx

**STATE OF MINNESOTA}
COUNTY OF AITKIN}**

I, Jessica Seibert, County Administrator, Aitkin County, Minnesota do hereby certify that I have compared the foregoing with the original resolution filed in the Administration Office of Aitkin County in Aitkin, Minnesota as stated in the minutes of the proceedings of said Board on the 11th day of June 2024, and that the same is a true and correct copy of the whole thereof.

Witness my hand and seal this 11th day of June 2024

Jessica Seibert
County Administrator



Board of County Commissioners Agenda Request



Requested Meeting Date: June 11, 2024

Title of Item: Application for Temporary On Sale Liquor License - Isle Lion's Club

<input type="checkbox"/> REGULAR AGENDA <input checked="" type="checkbox"/> CONSENT AGENDA <input type="checkbox"/> INFORMATION ONLY	Action Requested: <input type="checkbox"/> Approve/Deny Motion <input checked="" type="checkbox"/> Adopt Resolution (attach draft) <i>*provide copy of hearing notice that was published</i>	<input type="checkbox"/> Direction Requested <input type="checkbox"/> Discussion Item <input type="checkbox"/> Hold Public Hearing*
Submitted by: Christy M. Bishop		Department: Auditor's Office
Presenter (Name and Title):		Estimated Time Needed:
Summary of Issue: Isle Lion's Club Application for Temporary On Sale Liquor License for event dates of 08/31/2024 - 09/02/2024. Event will take place at 15489 180th Avenue Finlayson, MN 55735.		
Alternatives, Options, Effects on Others/Comments:		
Recommended Action/Motion: To approve the Temporary On-Sale Liquor License for Isle Lion's Club for 08/31/2024 - 09/02/2024		
Financial Impact: Is there a cost associated with this request? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No What is the total cost, with tax and shipping? \$ Is this budgeted? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <i>Please Explain:</i>		

CERTIFIED COPY OF RESOLUTION OF COUNTY BOARD OF AITKIN COUNTY, MINNESOTA

ADOPTED June 11, 2024

By Commissioner: xxx

20240611-xxx

Temporary On Sale Liquor License – Isle Lion’s Club

Motion by Commissioner X, seconded by Commissioner X and carried, all members voting yes to approve the following Temporary **On-Sale Liquor License (Strong Beer)** for August 31, 2024 through September 2, 2024.

ON Sale:

Isle Lions Club – Williams Township – 15489 180th Avenue Finlayson, MN 55735

Commissioner xxx seconded the adoption of the resolution and it was declared adopted upon the following vote

xxx MEMBERS PRESENT

All Members Voting xxx

**STATE OF MINNESOTA}
COUNTY OF AITKIN}**

I, Jessica Seibert, County Administrator, Aitkin County, Minnesota do hereby certify that I have compared the foregoing with the original resolution filed in the Administration Office of Aitkin County in Aitkin, Minnesota as stated in the minutes of the proceedings of said Board on the 11th day of June 2024, and that the same is a true and correct copy of the whole thereof.

Witness my hand and seal this 11th day of June, 2024

Jessica Seibert
County Administrator



Board of County Commissioners Agenda Request

3A

Agenda Item #

Requested Meeting Date: June 11, 2023

Title of Item: Fairgrounds water line replacement

<input checked="" type="checkbox"/> REGULAR AGENDA <input type="checkbox"/> CONSENT AGENDA <input type="checkbox"/> INFORMATION ONLY	Action Requested: <input checked="" type="checkbox"/> Approve/Deny Motion <input type="checkbox"/> Adopt Resolution (attach draft) <input type="checkbox"/> Direction Requested <input type="checkbox"/> Discussion Item <input type="checkbox"/> Hold Public Hearing* <i>*provide copy of hearing notice that was published</i>
Submitted by: Jim Bright	Department: Maintenance
Presenter (Name and Title): Jim Bright Facilities Coordinator	Estimated Time Needed: 5 Min
Summary of Issue: <p>The current water line has exceeded its usefully life. It has been repaired numerous times and has multiple dead end which is a safety issue. We will also be extending water line under the walking paths into the midway area so wheel chairs and walkers don't have to navigate the ramps over the hoses on the path.</p> <p>We are going to replace the underground water lines at the fairgrounds, we will be adding tracer wires, valve boxes and drain valves to the lines. We received 2 quotes for this work.</p> <p>Lundberg Plumbing and Heating at \$27,820.00 Larson Plumbing and Heating at \$14,800</p> <p>These are other expenses associated with the project,</p> <p>Dutch's Electric - trenching the water lines - \$2,000</p> <p>Sleeves under walking paths - Not to exceed \$400</p> <p>Mini backhoe rental - Not to exceed \$1,000</p>	
Alternatives, Options, Effects on Others/Comments:	
Recommended Action/Motion: I'm requesting the Aitkin County Board of Commissioners approve these quotes for the replacement of the underground water line.	
Financial Impact: <p>Is there a cost associated with this request? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>What is the total cost, with tax and shipping? \$ 18,200</p> <p>Is this budgeted? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <i>Please Explain:</i></p> <p>There is \$43,000 of Fiscal Recovery Funds set aside for this project.</p>	



Board of County Commissioners Agenda Request

3B

Agenda Item #

Requested Meeting Date: June 11, 2023

Title of Item: Fairgrounds Lighting



REGULAR AGENDA



CONSENT AGENDA



INFORMATION ONLY

Action Requested:



Approve/Deny Motion



Adopt Resolution (attach draft)



Direction Requested



Discussion Item



Hold Public Hearing*

**provide copy of hearing notice that was published*

Submitted by:

Jim Bright

Department:

Maintenance

Presenter (Name and Title):

Jim Bright Facilities Coordinator

Estimated Time Needed:

5 Min

Summary of Issue:

We are upgrading lighting at the fairgrounds. We will be adding/replacing 18 wall packs on the ends of buildings with LED lights. This will help with the areas that are dark and will help with our monthly electric bills.

We received 2 quotes for this work.

Dutch's Electric at \$7,860

Boyd Electric at \$9,420

Alternatives, Options, Effects on Others/Comments:

Recommended Action/Motion:

I'm requesting the Aitkin County Board of Commissioners approve the quote from Dutch's Electric.

Financial Impact:

Is there a cost associated with this request?



Yes



No

What is the total cost, with tax and shipping? \$ 7,860.00

Is this budgeted?



Yes



No

Please Explain:

There is \$43,000 of Fiscal Recovery Funds set aside for this project.



Board of County Commissioners Agenda Request



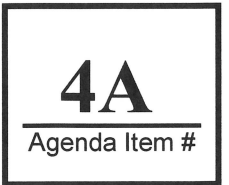
Requested Meeting Date: June 11, 2023

Title of Item: Request the use of Fiscal Recovery Funds

<input checked="" type="checkbox"/> REGULAR AGENDA <input type="checkbox"/> CONSENT AGENDA <input type="checkbox"/> INFORMATION ONLY	Action Requested: <input checked="" type="checkbox"/> Approve/Deny Motion <input type="checkbox"/> Adopt Resolution (attach draft) <i>*provide copy of hearing notice that was published</i>	<input type="checkbox"/> Direction Requested <input type="checkbox"/> Discussion Item <input type="checkbox"/> Hold Public Hearing*
Submitted by: Jim Bright		Department: Maintenance
Presenter (Name and Title): Jim Bright Facilities Coordinator		Estimated Time Needed: 5 Min
Summary of Issue: I'm requesting \$43,000 of Fiscal Recovery Funds to be used for upgrades at the fairgrounds.		
Alternatives, Options, Effects on Others/Comments:		
Recommended Action/Motion: I'm requesting the Aitkin County Board of Commissioners approve		
Financial Impact: Is there a cost associated with this request? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No What is the total cost, with tax and shipping? \$ 43,000 Is this budgeted? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <i>Please Explain:</i> There is \$43,000 of Fiscal Recovery Funds set aside for this project.		



Board of County Commissioners Agenda Request



Requested Meeting Date: June 11, 2024

Title of Item: Direct purchase of tax-forfeited land - Phillip Gerber

<input checked="" type="checkbox"/> REGULAR AGENDA <input type="checkbox"/> CONSENT AGENDA <input type="checkbox"/> INFORMATION ONLY	Action Requested: <input type="checkbox"/> Approve/Deny Motion <input checked="" type="checkbox"/> Adopt Resolution (attach draft) <i>*provide copy of hearing notice that was published</i>	<input type="checkbox"/> Direction Requested <input type="checkbox"/> Discussion Item <input type="checkbox"/> Hold Public Hearing*
Submitted by: Dennis (DJ) Thompson		Department: Land
Presenter (Name and Title): Dennis (DJ) Thompson, Land Commissioner		Estimated Time Needed: 2 Minutes
Summary of Issue: <p>Phillip Gerber requested the direct purchase of tax-forfeited parcels 57-1-088400 (.18 acres) and 57-1-088500 (.12 acres) described as Quadna Mountain Vacation Club First Addition Outlots A and B in Section 26, Township 52, Range 26.</p> <p>At it's October 24, 2023 meeting, the Aitkin County Board of Commissioners passed a motion for the Land Commissioner to seek special legislation to allow for the private sale of these two parcels.</p> <p>In 2024, Senator Farnsworth and Representative Igo authored legislation for such a purpose.</p> <p>Enacted during the Minnesota State Legislature Regular Session 2024, Chapter 116, H.F. No 3911, Article 8, Section 7 permits the direct sale of these tax forfeited lands.</p>		
Alternatives, Options, Effects on Others/Comments:		
Recommended Action/Motion: Adopt resolution for the sale of parcels 57-1-088400 and 57-1-088500 to Phillip Gerber.		
Financial Impact: <p>Is there a cost associated with this request? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>What is the total cost, with tax and shipping? \$</p> <p>Is this budgeted? <input type="checkbox"/> Yes <input type="checkbox"/> No Please Explain:</p>		

CERTIFIED COPY OF RESOLUTION OF COUNTY BOARD OF AITKIN COUNTY, MINNESOTA

ADOPTED June 11, 2024

By Commissioner: xxx

20240611-xxx

Direct Sale of Tax-Forfeited Land to Phillip Gerber

WHEREAS, Phillip Gerber has requested to purchase the following tax-forfeited parcels:

Parcels 57-1-088400 (.18 acres) and 57-1-088500 (.12 acres) described as Quadna Mountain Vacation Club First Addition Outlots A and B in Section 26, Township 52, Range 26.

WHEREAS, on October 24, 2023 the Aitkin County Board of Commissioners passed a motion for the Land Commissioner to seek special legislation to allow for the private sale of these two parcels.

WHEREAS, the 2024 Minnesota State Legislature enacted legislation during the Regular Session, Chapter 116, H.F. No 3911, Article 8, Section 7 which permits the direct sale of these tax forfeited lands,

THEREFORE, BE IT RESOLVED, that the Aitkin County Board of Commissioners authorizes the Land Commissioner's Office to proceed with the sale of such lands.

BE IT FURTHER RESOLVED, that the lands exchanged are subject to zoning ordinances adopted by the County Board and that all lands are subject to highway and utility easements.

Commissioner xxx seconded the adoption of the resolution and it was declared adopted upon the following vote

xxx MEMBERS PRESENT

All Members Voting xxx

STATE OF MINNESOTA}
COUNTY OF AITKIN}

I, Jessica Seibert, County Administrator, Aitkin County, Minnesota do hereby certify that I have compared the foregoing with the original resolution filed in the Administration Office of Aitkin County in Aitkin, Minnesota as stated in the minutes of the proceedings of said Board on the 11th day of June 2024, and that the same is a true and correct copy of the whole thereof.

Witness my hand and seal this 11th day of June 2024

Jessica Seibert
County Administrator



Board of County Commissioners Agenda Request

4B

Agenda Item #

Requested Meeting Date: June 11, 2024**Title of Item:** Direct purchase of tax-forfeited land - Charles and Mary Ann Wark

<input checked="" type="checkbox"/> REGULAR AGENDA <input type="checkbox"/> CONSENT AGENDA <input type="checkbox"/> INFORMATION ONLY	Action Requested: <input type="checkbox"/> Approve/Deny Motion <input checked="" type="checkbox"/> Adopt Resolution (attach draft) <i>*provide copy of hearing notice that was published</i>	<input type="checkbox"/> Direction Requested <input type="checkbox"/> Discussion Item <input type="checkbox"/> Hold Public Hearing*
Submitted by: Dennis (DJ) Thompson		Department: Land
Presenter (Name and Title): Dennis (DJ) Thompson, Land Commissioner		Estimated Time Needed: 2 Minutes
Summary of Issue: <p>Charles and Mary Ann Wark have requested the direct purchase of tax-forfeited parcel 56-1-118100 (.28 acres) described as Knox Irregular Lots, Lot 3 as in Doc 351384 in Section 25, Township 47, Range 27.</p> <p>At it's October 24, 2023 meeting, the Aitkin County Board of Commissioners passed a motion for the Land Commissioner to seek special legislation to allow for the private sale of this parcel.</p> <p>In 2024, Senator Wesenberg and Representative Kresha authored legislation for such a purpose.</p> <p>Enacted during the Minnesota State Legislature Regular Session 2024, Chapter 116, H.F. No 3911, Article 8, Section 7 permits the direct sale of this tax forfeited parcel.</p>		
Alternatives, Options, Effects on Others/Comments:		
Recommended Action/Motion: Adopt resolution for the sale of parcel 56-1-118100 to Charles and Mary Ann Wark.		
Financial Impact: <i>Is there a cost associated with this request?</i> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <i>What is the total cost, with tax and shipping? \$</i> <i>Is this budgeted?</i> <input type="checkbox"/> Yes <input type="checkbox"/> No <i>Please Explain:</i>		

Legally binding agreements must have County Attorney approval prior to submission.

CERTIFIED COPY OF RESOLUTION OF COUNTY BOARD OF AITKIN COUNTY, MINNESOTA

ADOPTED June 11, 2024

By Commissioner: xxx

20240611-xxx

Direct Sale of Tax-Forfeited Land to Charles and Mary Ann Wark

WHEREAS, Charles and Mary Ann Wark have requested to purchase the following tax-forfeited parcel:

Parcel 56-1-118100 (.28 acres) described as Knox Irregular Lots, Lot 3 as in Doc 351384 in Section 25, Township 47, Range 27.

WHEREAS, on October 24, 2023 the Aitkin County Board of Commissioners passed a motion for the Land Commissioner to seek special legislation to allow for the private sale of this parcel.

WHEREAS, the 2024 Minnesota State Legislature enacted legislation during the Regular Session, Chapter 116, H.F. No 3911, Article 8, Section 7 which permits the direct sale of this tax forfeited parcel,

THEREFORE, BE IT RESOLVED, that the Aitkin County Board of Commissioners authorizes the Land Commissioner's Office to proceed with the sale of such land.

BE IT FURTHER RESOLVED, that the land exchanged is subject to zoning ordinances adopted by the County Board and that all lands are subject to highway and utility easements.

Commissioner xxx seconded the adoption of the resolution and it was declared adopted upon the following vote

xxx MEMBERS PRESENT

All Members Voting xxx

**STATE OF MINNESOTA}
COUNTY OF AITKIN}**

I, Jessica Seibert, County Administrator, Aitkin County, Minnesota do hereby certify that I have compared the foregoing with the original resolution filed in the Administration Office of Aitkin County in Aitkin, Minnesota as stated in the minutes of the proceedings of said Board on the 11th day of June 2024, and that the same is a true and correct copy of the whole thereof.

Witness my hand and seal this 11th day of June 2024

Jessica Seibert
County Administrator



Board of County Commissioners Agenda Request

5A
Agenda Item #

Requested Meeting Date: June 11, 2024

Title of Item: 2nd Reading - Updated Aitkin County Tobacco Ordinance

<input checked="checked" type="checkbox"/> REGULAR AGENDA <input type="checkbox"/> CONSENT AGENDA <input type="checkbox"/> INFORMATION ONLY	Action Requested: <input type="checkbox"/> Approve/Deny Motion <input type="checkbox"/> Adopt Resolution (attach draft) <i>*provide copy of hearing notice that was published</i>	<input type="checkbox"/> Direction Requested <input checked="checked" type="checkbox"/> Discussion Item <input type="checkbox"/> Hold Public Hearing*
Submitted by: Erin Melz		Department: H&HS
Presenter (Name and Title): Erin Melz, Public Health Supervisor		Estimated Time Needed: 10 min
Summary of Issue: The 2nd reading of the Aitkin County Tobacco Ordinance as amended.		
Alternatives, Options, Effects on Others/Comments:		
Recommended Action/Motion:		
Financial Impact: <i>Is there a cost associated with this request?</i> <input type="checkbox"/> Yes <input checked="checked" type="checkbox"/> No <i>What is the total cost, with tax and shipping? \$</i> <i>Is this budgeted?</i> <input type="checkbox"/> Yes <input type="checkbox"/> No <i>Please Explain:</i>		

AITKIN COUNTY ORDINANCE REGULATING THE SALE, PROCUREMENT, AND POSSESSION OF TOBACCO AND RELATED DEVICES

AN ORDINANCE RELATING TO THE SALE, PROCUREMENT, AND POSSESSION OF COMMERCIAL TOBACCO, AND RELATED DEVICES AND PRODUCTS IN THE COUNTY OF AITKIN, MINNESOTA

WHEREAS, the Aitkin County Board of Commissioners recognizes that the sale of commercial tobacco, tobacco-related devices, electronic delivery devices, and nicotine or lobelia delivery products to persons under the age of 21 years are violations of both State and Federal laws; and

WHEREAS, studies have shown that 90% of people who smoke begin smoking before they have reached the age of 18 years, and that almost no one starts smoking after age 25; and

WHEREAS, because marketing analysis, public health research, and commercial tobacco industry documents reveal that tobacco companies have used menthol, mint, fruit, candy, and alcohol flavors as a way to target youth and young adults and that the presence of such flavors can make it more difficult to quit; and because studies show that youth and young adults are especially susceptible to commercial tobacco product availability, advertising, and price promotions at tobacco retail environments; and

WHEREAS, smoking has been shown to be the cause of several serious health problems which subsequently place a financial burden on all levels of government; and

WHEREAS, this ordinance is intended to regulate the sale, procurement, and possession of commercial tobacco, tobacco-related devices, electronic delivery devices, nicotine, or lobelia delivery products for the purpose of enforcing and furthering existing laws, to protect youth and young adults against the serious effects associated with use and initiation, to further the official public policy of the State of Minnesota in regard to preventing young people from starting to smoke as stated in Minn. Stat. Sec., 144.391 as it may be amended from time to time.

Now, Therefore,

THE BOARD OF COMMISSIONERS OF THE COUNTY OF AITKIN, MINNESOTA, HEREBY ORDAINS:

Section 1. Applicability and Jurisdiction

This ordinance governs the licensing and regulation of the sale of tobacco, tobacco-related devices, electronic delivery devices, and nicotine or lobelia delivery products in the unorganized territory of Aitkin County and in any city or town located in Aitkin County that does not license and regulate retail sales of tobacco, tobacco-related devices, electronic delivery devices, and nicotine or lobelia delivery products in conformance with the minimum requirements of Minn. Stat. § 461. Retail establishments licensed by a city or town are not required to obtain a second license for the same location under this ordinance.

Section 2. Definitions and Interpretations in this Ordinance

Except as may otherwise be provided or clearly implied by context, all terms are given their commonly accepted definitions. For the purpose of this ordinance, the following definitions apply unless the context clearly indicates or requires a different meaning:

ADMINISTRATIVE FEE. The license and service fees that are assessed to individuals, as authorized by the Ordinance. Administrative fees are not penalties assigned in a criminal court.

ADMINISTRATIVE PENALTY. The fees that are assessed to individuals for violation of the Ordinance as authorized by the Ordinance.

CHILD-RESISTANT PACKAGING. Packaging that meets the definition set forth in Code of Federal Regulations, title 16, section 1700.15(b), as in effect on January 1, 2015, and was tested in accordance with the method described in Code of Federal Regulations, title 16, section 1700.20, as in effect on January 1, 2015.

CIGAR. Any roll of tobacco that is wrapped in tobacco leaf or in any other substance containing tobacco, with or without a tip or mouthpiece, which is not a cigarette as defined in Minn. Stat. § 297F.01, subd. 3, as it may be amended from time to time.

COMPLIANCE CHECKS. The system the county uses to investigate and ensure that those authorized to sell licensed products are following and complying with the requirements of this ordinance. COMPLIANCE CHECKS may also be conducted by the county or other units of government for educational, research, and training purposes or for investigating or enforcing federal, state, or local laws and regulations relating to licensed products.

COUNTY BOARD. The Aitkin County Board of Commissioners.

ELECTRONIC DELIVERY DEVICE. Any product containing or delivering nicotine, lobelia, or any other substance, whether natural or synthetic, intended for human consumption through the inhalation of aerosol or vapor from the product. ELECTRONIC DELIVERY DEVICE includes, but is not limited to, devices manufactured, marketed, or sold as e-cigarettes, e-cigars, e-pipes, vape pens, mods, tank systems, or under any other product name or descriptor. ELECTRONIC DELIVERY DEVICE includes any component part of a product, whether or not marketed or sold separately. ELECTRONIC DELIVERY DEVICE does not include any nicotine cessation product that has been authorized by the U.S. Food and Drug Administration to be marketed and for sale as "drugs," "devices," or "combination products," as defined in the Federal Food, Drug, and Cosmetic Act.

FLAVORED PRODUCT. Any licensed product that contains a taste or smell, other than the taste or smell of tobacco, that is distinguishable by an ordinary consumer either prior to or during the consumption of the product, including, but not limited to, any taste or smell relating to chocolate, cocoa, menthol, mint, wintergreen, vanilla, honey, fruit, or any candy, dessert, alcoholic beverage, herb, or spice; or a cooling or numbing sensation distinguishable by an ordinary consumer either prior to or during the consumption of such tobacco product.

INDOOR AREA. All space between a floor and a ceiling that is bounded by walls, doorways, or windows, whether open or closed, covering more than 50 percent of the combined surface area of the vertical planes constituting the perimeter of the area. A wall includes any retractable divider, garage door, or other physical barrier, whether temporary or permanent.

LICENSED PRODUCTS. The term that collectively refers to any tobacco, tobacco-related device, electronic delivery device, or nicotine, synthetic or from any source, or lobelia delivery product.

LOOSIES. The common term used to refer to single cigarettes, cigars, and any other licensed products that have been removed from their original retail packaging and offered for sale.

LOOSIES does not include premium cigars that are hand-constructed, have a wrapper made entirely from whole tobacco leaf, and have a filler and binder made entirely of tobacco, except for adhesives or other materials used to maintain size, texture, or flavor.

MOVEABLE PLACE OF BUSINESS. Any form of business that is operated out of a kiosk, truck, van, automobile or other type of vehicle or transportable shelter and that is not a fixed address or other permanent type of structure licensed for over-the-counter sales transactions.

NICOTINE OR LOBELIA DELIVERY PRODUCT. Any product containing or delivering nicotine or lobelia intended for human consumption, whether natural or synthetic, or any part of such a product, that is not tobacco or an electronic delivery device as defined in this section.

NICOTINE OR LOBELIA DELIVERY PRODUCT does not include any nicotine cessation product that has been authorized by the U.S. Food and Drug Administration to be marketed and for sale as "drugs," "devices," or "combination products," as defined in the Federal Food, Drug, and Cosmetic Act.

RETAIL ESTABLISHMENT. Any place of business where licensed products are available for sale to the general public. **RETAIL ESTABLISHMENT** includes but is not limited to grocery stores, tobacco products shops, convenience stores, liquor stores, gasoline service stations, bars, and restaurants.

SALE. Any transfer of goods for money, trade, barter, or other consideration.

SELF-SERVICE DISPLAY. The open display of licensed products in a retail establishment in any manner where any person has access to the licensed products without the assistance or intervention of the licensee or the licensee's employee and where a physical exchange of the licensed product from the licensee or the licensee's employee to the customer is not required in order to access the licensed products.

SMOKING. Inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, or pipe, or any other lighted or heated product containing, made, or derived from nicotine, tobacco, marijuana, or other plant, whether natural or synthetic, that is intended for inhalation. **SMOKING** also includes carrying or using an activated electronic delivery device.

SYNTHETIC NICOTINE PRODUCT. Any product containing, made, or derived from non-tobacco nicotine that is intended for human consumption, whether chewed, smoked, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means. **SYNTHETIC NICOTINE**

PRODUCT does not include any nicotine cessation product that has been authorized by the U.S. Food and Drug Administration to be marketed and for sale as “drugs,” “devices,” or “combination products,” as defined in the Federal Food, Drug, and Cosmetic Act.

TOBACCO PRODUCT. Any product containing, made, or derived from tobacco that is intended for human consumption, whether chewed, smoked, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, or any component, part, or accessory of a tobacco product including but not limited to cigarettes; cigars; cheroots; stogies; perique; granulated, plug cut, crimp cut, ready rubbed, and other smoking tobacco; snuff; snuff flour; cavendish; plug and twist tobacco; fine cut and other chewing tobaccos; shorts; refuse scraps, clippings, cuttings and sweepings of tobacco; and other kinds and forms of tobacco. TOBACCO PRODUCT does not include any nicotine cessation product that has been authorized by the U.S. Food and Drug Administration to be marketed and for sale as “drugs,” “devices,” or “combination products,” as defined in the Federal Food, Drug, and Cosmetic Act.

TOBACCO-RELATED DEVICE. Any rolling papers, wraps, pipes, or other device intentionally designed or intended to be used with tobacco products. TOBACCO-RELATED DEVICE includes components of tobacco-related devices or tobacco products, which may be marketed or sold separately. TOBACCO-RELATED DEVICES may or may not contain tobacco.

VENDING MACHINE. Any mechanical, electric or electronic, or other type of device that dispenses licensed products upon payment by any form by the person seeking to purchase the licensed product.

YOUTH-ORIENTED FACILITY. Any facility with residents, customers, visitors, or inhabitants of which 25 percent or more are regularly under the age of 21 or that primarily sells, rents, or offers services or products that are consumed or used primarily by persons under the age of 21. Youth-oriented facility includes, but is not limited to, schools, playgrounds, recreation centers, and parks.

Section 3. License Provisions

- (A) **License required.** No person shall sell or offer to sell any licensed product at any place in the County without first obtaining a license from County Auditor’s Office, unless the applicable township or other municipality has assumed jurisdiction of retail tobacco licenses within said township or municipality.
- (B) **Fees.** No license will be issued until the proper license fee is paid in full. The fees will be established by the County's fee schedule and may be amended from time to time.
- (C) **Term.** All retail tobacco licenses shall be valid for one calendar year from the date that the license is issued unless said license is suspended, revoked, canceled, or otherwise limited by the county.
- (D) **Display.** Every license shall be conspicuously posted and displayed at the place for which the license is issued and shall be exhibited to any person upon request.
- (E) **Moveable place of business.** No license shall be issued to a moveable place of business. Only fixed location businesses shall be eligible to be licensed under this ordinance.

(F) Youth-orientated facility. No new license will be granted to any person for a retail establishment location not already established as of the date of this ordinance that is within 500 feet of a youth-orientated facility, as measured by the shortest line from the property line of the space to be occupied by the proposed licensee to the nearest property line of the school or playground.

(G) Transfers. All licenses shall be valid only on the premises for which the license was issued and only for the person to whom the license was issued. No transfer of the license to another location or person shall be allowed.

(H) Revocation or suspension. Any license issued under this section may be revoked or suspended as provided in this ordinance. No new retail tobacco licenses shall be issued to a licensee while said licensee's previous or current license is under suspension, revocation, cancellation, or other period of limitation by the county.

(I) Issuance as a privilege and not a right. The issuance of a license issued under this section shall be considered a privilege and not an absolute right of the applicant and shall not entitle the holder to an automatic renewal of the license.

(J) Smoking prohibited. Smoking shall not be permitted and no person shall smoke within the indoor area of any establishment with a retail tobacco license. Smoking for the purposes of sampling licensed products is prohibited.

(K) Samples prohibited. No person shall distribute samples of any licensed product free of charge or at a nominal cost. The distribution of licensed products as a free donation is prohibited.

Section 4. Basis for Denial of License

(A) Grounds for the County Board to deny the issuance or renewal of a license under this ordinance include, but are not limited to the following:

- (1) The applicant is under the age of Twenty-one (21) years.
- (2) The applicant has been convicted within the past five years of any violation of a federal, state, or local law, Ordinance provision, or other regulation relating to licensed products.
- (3) The applicant has had a license to sell licensed products suspended or revoked within the preceding 12 months of the date of application.
- (4) The applicant fails to provide any information required on the application, or provides false or misleading information.
- (5) The applicant is prohibited by federal, state, or other local law, Ordinance, or other regulation, from holding a license.
- (6) The business for which the license is requested is a moveable place of business. Only fixed location retail establishments shall be eligible to be licensed under this Ordinance.
- (7) The applicant is delinquent in payment of federal, state, or local taxes, fines and fees.
- (8) The applicant, or employee or agent of the applicant, has interfered with a compliance check.
- (9) The applicant has failed to pay an administrative penalty.

(10) Any other suitable reason that the granting of a license to the applicant is inconsistent with public health, safety, and welfare, including the applicant's history of noncompliance with this ordinance and other laws relating to the sale of licensed products.

(B) If a license is mistakenly issued or renewed to a person, it shall be revoked upon the discovery that the person was ineligible for the license under this section. The licensee is entitled to a hearing with the Tobacco Hearing Board as outlined in Section 8 of this ordinance.

Section 5. Prohibited Sales and Acts

(A) It shall be a violation of this ordinance for any person to sell or offer to sell any licensed product:

- (1) To any person under the age of twenty-one (21) years;
- (2) By means of self-service display. All licensed products shall either be stored behind a counter or other area not freely accessible to customers, or in a case or other storage unit not left open and accessible to the general public;
- (3) Vending machine. By means of any type of vending machine, unless premise cannot be entered at any time by persons younger than twenty-one (21) years of age;
- (4) By means of "loosies" as defined in this ordinance;
- (5) Containing opium, morphine, jimsonweed, belladonna, strychnos, cocaine, marijuana, or other deleterious, hallucinogenic, toxic, or controlled substances except nicotine and other substances found naturally in tobacco or added as part of an otherwise lawful manufacturing process;
- (6) By any other means, to any other person, or in any other manner or form prohibited by Federal, State, County, or other local law, ordinance, or other regulation;
- (7) Liquid packaging. It shall be a violation of this Ordinance to sell any liquid, whether or not such liquid contains nicotine, intended for human consumption and use in an electronic delivery device, in packaging that is not child-resistant. Upon request, a licensee shall provide a copy of the certificate of compliance or full laboratory testing report for the packaging used;
- (8) Licensees are required to follow any federal and state requirements regarding minimum pack pricing on any licensed product;
- (9) Flavored products. No person shall sell or offer for sale any flavored products. Any communication by, or on behalf of, the manufacturer or retailer of a tobacco product that indicates that the product imparts: a taste or smell other than the taste or smell of tobacco; or a cooling or numbing sensation, constitutes presumptive evidence of a violation of this section. Presumptive evidence may include but is not limited to the use of terms such as "cool," "chill," "ice," "fresh," "arctic," or "frost" to describe the product.

(B) Legal age. No person shall sell, give, or furnish, any licensed product to any person under the age of Twenty-one (21).

(1) Licensees must verify by means of government-issued photographic identification containing the bearer's date of birth that the purchaser is at least 21 years of age. Verification is not required for a person over the age of 30. That the person appeared to be 30 years of age or older does not constitute a defense to a violation of this subsection.

(2) Notice of the legal sales age, age verification requirement, and possible penalties for underage sales must be posted prominently and in plain view at all times at each location where licensed products are offered for sale. The required signage, must be posted in a manner that is clearly visible to anyone who is or is considering making a purchase.

(3) It is a violation of this Ordinance for any person 21 years of age or older to purchase or otherwise obtain any licensed product on behalf of a person under the age of 21. It is also a violation for any person 21 years of age and older to coerce or attempt to coerce a person under the age of 21 to purchase or attempt to purchase any licensed product.

(4) It shall be a violation of this Ordinance for any person to attempt to disguise his or her true age by the use of a false form of identification, whether the identification is that of another person or one on which the age of the person has been modified or tampered with to represent an age older than the actual age of the person. A licensee may seize a form of identification, if the licensee has reasonable grounds to believe that the form of identification has been altered or falsified or is being used to violate any law. A licensee who seizes a form of identification as authorized under this subdivision shall deliver it to a law enforcement agency within 24 hours of seizing it.

(C) Possession. It shall be a violation of this ordinance for any person under age 21 to have in his or her possession any tobacco, tobacco-related device, electronic delivery device, or nicotine or lobelia delivery product. This subdivision shall not apply to minors lawfully involved in a compliance check.

Section 6. Responsibility

All licensees are responsible for the actions of their employees regarding the sale, offer to sell, and furnishing of licensed products on the licensed premises. The sale, offer to sell, or furnishing of any licensed product by an employee shall be considered an act of the licensee.

Section 7. Compliance Checks and Inspections

All licensed premises shall be open to inspection by authorized County officials during regular business hours. From time to time, the County will conduct compliance checks to ensure compliance with all provisions of this ordinance. In accordance with state law, the county will conduct a compliance check that involves the participation of a person at least 17 years of age, but under the age of 21, to enter the licensed premises to attempt to purchase licensed products. Prior written consent from a parent or guardian is required for any person under the age of 18 to participate in a compliance check. Persons used for the purpose of compliance checks will be supervised by law enforcement or other designated personnel.

Section 8. Violations

(A) Notice. Upon discovery of a suspected violation, the alleged violator shall be issued, either personally or by mail:

- (1) A citation that sets forth the alleged violation; and
- (2) Notice of the administrative penalty including the dates of license suspension; and
- (3) Notice which shall inform the alleged violator of his/her right to be heard on the accusation.

(B) Hearings. The alleged violator shall have ten (10) calendar days from the date the citation was mailed or if the citation was issued personally, ten (10) calendar days from receipt, to provide a written request for a hearing before the hearing officer. If a person accused of violating this ordinance so requests, a hearing shall be scheduled, the time and place of which shall be published and provided to the accused violator. The requested hearing shall be held within thirty (30) days upon receipt of the written request for a hearing. If good cause is shown, the hearing officer may extend the time for the hearing for up to an additional thirty (30) days. The hearing officer must give reasonable notice for the hearing to the alleged violator and the public.

(C) Hearing Officer. The Aitkin County Board of Commissioners shall serve as the hearing officer.

(D) Decision. If the hearing officer determines that a violation of this ordinance did occur, that decision, along with the hearing officer's reasons for finding a violation and the penalty to be imposed under this ordinance, shall be recorded in writing, a copy of which shall be provided to the accused violator. Likewise, if the hearing officer finds that no violation occurred or finds grounds for not imposing any penalty, such findings shall be recorded in writing and a copy provided to the acquitted-violator.

(E) Appeals. All decisions of the hearing officer shall be final, except that any person or entity with the right to appeal may appeal the hearing officer's decision within thirty (30) days to the district court for the County in which the alleged violation occurred. The licensee, other aggrieved persons, any municipality, county or state and any officer, department or subdivision thereof shall have the right to appeal the hearing officer's decision. An appeal to the district court stays all proceedings in furtherance of the action appealed from, unless the hearing officer certifies that a stay would cause imminent peril to the public health, safety, and general welfare.

(F) Continued Violation. Each violation, and every day in which a violation occurs or continues, shall constitute a separate offense.

(G) Effect of Minnesota Statutes. Pursuant to Minnesota Statutes section 609.685, subdivision 4, in determining what law shall be followed the more stringent law shall be followed in all cases. A criminal prosecution is deemed to be more stringent than an administrative sanction in all cases.

Section 9. Administrative Penalties

(A) Licensees

- (1) First Violation. Any licensee found to have violated this ordinance, or whose employee shall have violated this ordinance, shall be charged an administrative penalty of \$300.00 for a first violation of this ordinance. Upon a first violation, proof the licensee has completed an

instructional program regarding the requirements of tobacco retail licensing and sales must be submitted to the Aitkin County Public Health Department within 10 calendar days.

(2) Second Violation. Penalties will increase if a second offense occurs at the same licensed premises within a 36-month period to \$600. In addition, for the second offense, the license shall be suspended for 7 calendar days, and proof the licensee and all staff have completed an instructional program regarding the requirements of tobacco retail licensing and sales must be submitted to the Aitkin County Public Health Department within 10 calendar days.

(3) Third and Subsequent Violation. Penalties will increase again for a third or subsequent offense at the same location within a 36-month period to \$1000. In addition, for the third offense, the license shall be suspended for 30 consecutive days and may be revoked. The licensee and all staff must complete an instructional program regarding the requirements of tobacco retail licensing and sales and proof of such training shall be submitted to the Aitkin County Public Health Department within 10 calendar days. Furthermore, for the fourth offense and subsequent offenses, the license shall be suspended for 90 calendar days and may be revoked.

(4) All penalties shall run consecutively.

(5) Dates of license suspension or revocation shall be determined by the County Auditor unless a hearing is requested. If a hearing is requested, the dates of license suspension or revocation shall be determined by the hearing officer.

(B) Employees of licensee

Employees of licensee found to be in violation of this ordinance will, within 10 calendar days, be required to provide proof of completion for an instructional program regarding the requirements of tobacco retail licensing and sales to the Aitkin County Public Health Department and may be charged an administrative fine of no more than \$50.

(C) Other individuals

Other individuals, other than individuals under the age of 21 regulated by Subd. E of this section, found to be in violation of this ordinance shall be charged an administrative penalty of no more than \$50.

(D) Misdemeanor

Nothing in this Section shall prohibit the County from seeking prosecution as a misdemeanor for a second violation of this ordinance within five years of a first violation or any Federal, State, County, or local law, statute, rule, or regulation.

(E) Persons under the age of 21.

(1) Persons under the age of 21 who use false identification to purchase or attempt to purchase licensed products may only be subject to non-criminal, non-monetary civil penalties or remedies such as tobacco-related education classes, diversion programs, community services, or another non-monetary, civil penalty that the legal and licensing authority determine to be appropriate. Law Enforcement, Court System, and Public Health

representatives may consult, as applicable, with interested persons, including, but not limited to, educators, parents, guardians, persons under the age of 21, public health officials, court personnel, and other interested parties to determine an appropriate remedy for persons under the age of 21 in the county in the best interest of the underage person.

- (2) Persons under the age of 21 who has in his or her possession any tobacco, tobacco-related devices, electronic delivery device, nicotine or lobelia delivery product may be subject to non-criminal, non-monetary civil penalties or remedies such as tobacco-related education classes, diversion programs, community services, another non-monetary, civil penalty or may be charged with an administrative penalty of no more than \$50, whichever the legal authority determines to be appropriate. Law Enforcement, Court System, and Public Health representatives may consult, as applicable, with interested persons, including, but not limited to, educators, parents, guardians, persons under the age of 21, public health officials, court personnel, and other interested parties to determine an appropriate remedy for persons under the age of 21 in the county and is in the best interest of the underage person.

(F) Payment of Penalty

The administrative penalty must be paid by a person and/or the licensee within 10 calendar days from mailing or personal delivery of the notice of violation unless a hearing is requested as provided in Section 8(B). If an administrative penalty is not paid and no hearing is requested within the time limits provided, the person or licensee will then have 10 calendar days to pay the fine plus a late fee established by the County Board. If payment is not received after the second notification deadline, this would constitute the basis for denial of license under Section 4(A) of this ordinance.

Section 10. Exceptions and Defenses

(A) Religious, spiritual, or cultural ceremonies or practices. Nothing in this ordinance shall prevent the providing of tobacco or tobacco-related devices to any person as part of an indigenous practice or a lawfully recognized religious, spiritual, or cultural ceremony as defined in Minnesota Statutes, section 609.685, subdivision 5.

(B) Reasonable reliance. It shall be an affirmative defense to the violation of this ordinance for a person to have a reasonably relied on proof of age as described by State law.

Section 11. Terms

Severability. The terms and provisions of this ordinance are severable. If any provision of this ordinance is, for any reason, held to be invalid, such decision shall not affect the validity of the remaining portion of this ordinance.

Section 12. Effective Date

Effective date. This ordinance shall be referred to as the Aitkin County Ordinance Regulating the Sale of Tobacco and Related Devices. This ordinance becomes effective on the date of its publication, or upon the publication of a summary of the ordinance as provided by Minn. Stat. § 375.51, subd. 3, as it may be amended from time to time, which meets the requirements of Minn. Stat. § 331A.01, subd. 10, as it may be amended from time to time.

Adopted by the Aitkin County Board of Commissioners this xxth day of xx, 2024.

Rev. 4/18/24

DRAFT



Board of County Commissioners Agenda Request

5B

Agenda Item #

Requested Meeting Date: June 11, 2024**Title of Item:** Aitkin County Tobacco Ordinance

<input checked="" type="checkbox"/> REGULAR AGENDA <input type="checkbox"/> CONSENT AGENDA <input type="checkbox"/> INFORMATION ONLY	Action Requested: <input type="checkbox"/> Approve/Deny Motion <input checked="" type="checkbox"/> Adopt Resolution (attach draft) <i>*provide copy of hearing notice that was published</i>	<input type="checkbox"/> Direction Requested <input type="checkbox"/> Discussion Item <input type="checkbox"/> Hold Public Hearing*
Submitted by: Erin Melz		Department: H&HS
Presenter (Name and Title): Erin Melz, Public Health Supervisor		Estimated Time Needed: 5 min
Summary of Issue: <p>At the April 23, 2024 County Board meeting, the date and time for a public hearing was set for May 28, 2024 at 9:15 a.m. A public notice was published in the Aitkin Age on May 1, 2024. On May 28, 2024 the first reading of the updated Aitkin County Tobacco Ordinance took place before the Board of Commissioners and the public hearing followed at 9:15. The second reading of the updated Aitkin County Tobacco Ordinance will take place today, June 11, 2024.</p> <p>The resolution and proposed draft are attached.</p>		
Alternatives, Options, Effects on Others/Comments:		
Recommended Action/Motion: Motion to approve the Aitkin County Tobacco Ordinance "as amended" and adopt resolution with an effective date of September 1, 2024.		
Financial Impact: <i>Is there a cost associated with this request?</i> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <i>What is the total cost, with tax and shipping? \$</i> <i>Is this budgeted?</i> <input type="checkbox"/> Yes <input type="checkbox"/> No <i>Please Explain:</i>		

CERTIFIED COPY OF RESOLUTION OF COUNTY BOARD OF AITKIN COUNTY, MINNESOTA

ADOPTED June 25, 2024

By Commissioner: xxx

20240625-xxx

AITKIN COUNTY ORDINANCE REGULATING THE SALE, PROCUREMENT, AND POSSESSION OF TOBACCO AND RELATED DEVICES

WHEREAS, current ordinance was last updated in 2006; and

WHEREAS, current ordinance language does not align with Federal Law, State Law, and best practices; and

WHEREAS, the Aitkin County Board of Commissioners recognizes that the sale of commercial tobacco, tobacco-related devices, electronic delivery devices, and nicotine or lobelia delivery products to persons under the age of 21 years are violations of both State and Federal laws; and

WHEREAS, studies have shown that 90% of people who smoke begin smoking before they have reached the age of 18 years, and that almost no one starts smoking after age 25; and

WHEREAS, because marketing analysis, public health research, and commercial tobacco industry documents reveal that tobacco companies have used menthol, mint, fruit, candy, and alcohol flavors as a way to target youth and young adults and that the presence of such flavors can make it more difficult to quit; and because studies show that youth and young adults are especially susceptible to commercial tobacco product availability, advertising, and price promotions at tobacco retail environments; and

WHEREAS, smoking has been shown to be the cause of several serious health problems which subsequently place a financial burden on all levels of government; and

WHEREAS, this ordinance is intended to regulate the sale, procurement, and possession of commercial tobacco, tobacco-related devices, electronic delivery devices, nicotine, or lobelia delivery products for the purpose of enforcing and furthering existing laws, to protect youth and young adults against the serious effects associated with use and initiation, to further the official public policy of the State of Minnesota in regard to preventing young people from starting to smoke as stated in Minn. Stat. Sec., 144.391 as it may be amended from time to time;

NOW THEREFORE BE IT RESOLVED, that the Aitkin County Board of Commissioners does hereby authorize the amendments to the Aitkin County Ordinance Regulating the Sale, Procurement, and Possession of Tobacco and Related Devices.

Commissioner xxx seconded the adoption of the resolution and it was declared adopted upon the following vote

xxx MEMBERS PRESENT

All Members Voting xxx

STATE OF MINNESOTA}
COUNTY OF AITKIN}

I, Jessica Seibert, County Administrator, Aitkin County, Minnesota do hereby certify that I have compared the foregoing with the original resolution filed in the Administration Office of Aitkin County in Aitkin, Minnesota as stated in the minutes of the proceedings of said Board on the 25th day of June 2024, and that the same is a true and correct copy of the whole thereof.

Witness my hand and seal this 25th day of June 2024

Jessica Seibert
County Administrator

AITKIN COUNTY ORDINANCE REGULATING THE SALE, PROCUREMENT, AND POSSESSION OF TOBACCO AND RELATED DEVICES

AN ORDINANCE RELATING TO THE SALE, PROCUREMENT, AND POSSESSION OF COMMERCIAL TOBACCO, AND RELATED DEVICES AND PRODUCTS IN THE COUNTY OF AITKIN, MINNESOTA

WHEREAS, the Aitkin County Board of Commissioners recognizes that the sale of commercial tobacco, tobacco-related devices, electronic delivery devices, and nicotine or lobelia delivery products to persons under the age of 21 years are violations of both State and Federal laws; and

WHEREAS, studies have shown that 90% of people who smoke begin smoking before they have reached the age of 18 years, and that almost no one starts smoking after age 25; and

WHEREAS, because marketing analysis, public health research, and commercial tobacco industry documents reveal that tobacco companies have used menthol, mint, fruit, candy, and alcohol flavors as a way to target youth and young adults and that the presence of such flavors can make it more difficult to quit; and because studies show that youth and young adults are especially susceptible to commercial tobacco product availability, advertising, and price promotions at tobacco retail environments; and

WHEREAS, smoking has been shown to be the cause of several serious health problems which subsequently place a financial burden on all levels of government; and

WHEREAS, this ordinance is intended to regulate the sale, procurement, and possession of commercial tobacco, tobacco-related devices, electronic delivery devices, nicotine, or lobelia delivery products for the purpose of enforcing and furthering existing laws, to protect youth and young adults against the serious effects associated with use and initiation, to further the official public policy of the State of Minnesota in regard to preventing young people from starting to smoke as stated in Minn. Stat. Sec., 144.391 as it may be amended from time to time.

Now, Therefore,

THE BOARD OF COMMISSIONERS OF THE COUNTY OF AITKIN, MINNESOTA, HEREBY ORDAINS:

Section 1. Applicability and Jurisdiction

This ordinance governs the licensing and regulation of the sale of tobacco, tobacco-related devices, electronic delivery devices, and nicotine or lobelia delivery products in the unorganized territory of Aitkin County and in any city or town located in Aitkin County that does not license and regulate retail sales of tobacco, tobacco-related devices, electronic delivery devices, and nicotine or lobelia delivery products in conformance with the minimum requirements of Minn. Stat. § 461. Retail establishments licensed by a city or town are not required to obtain a second license for the same location under this ordinance.

Section 2. Definitions and Interpretations in this Ordinance

Except as may otherwise be provided or clearly implied by context, all terms are given their commonly accepted definitions. For the purpose of this ordinance, the following definitions apply unless the context clearly indicates or requires a different meaning:

ADMINISTRATIVE FEE. The license and service fees that are assessed to individuals, as authorized by the Ordinance. Administrative fees are not penalties assigned in a criminal court.

ADMINISTRATIVE PENALTY. The fees that are assessed to individuals for violation of the Ordinance as authorized by the Ordinance.

CHILD-RESISTANT PACKAGING. Packaging that meets the definition set forth in Code of Federal Regulations, title 16, section 1700.15(b), as in effect on January 1, 2015, and was tested in accordance with the method described in Code of Federal Regulations, title 16, section 1700.20, as in effect on January 1, 2015.

CIGAR. Any roll of tobacco that is wrapped in tobacco leaf or in any other substance containing tobacco, with or without a tip or mouthpiece, which is not a cigarette as defined in Minn. Stat. § 297F.01, subd. 3, as it may be amended from time to time.

COMPLIANCE CHECKS. The system the county uses to investigate and ensure that those authorized to sell licensed products are following and complying with the requirements of this ordinance. COMPLIANCE CHECKS may also be conducted by the county or other units of government for educational, research, and training purposes or for investigating or enforcing federal, state, or local laws and regulations relating to licensed products.

COUNTY BOARD. The Aitkin County Board of Commissioners.

ELECTRONIC DELIVERY DEVICE. Any product containing or delivering nicotine, lobelia, or any other substance, whether natural or synthetic, intended for human consumption through the inhalation of aerosol or vapor from the product. ELECTRONIC DELIVERY DEVICE includes, but is not limited to, devices manufactured, marketed, or sold as e-cigarettes, e-cigars, e-pipes, vape pens, mods, tank systems, or under any other product name or descriptor. ELECTRONIC DELIVERY DEVICE includes any component part of a product, whether or not marketed or sold separately. ELECTRONIC DELIVERY DEVICE does not include any nicotine cessation product that has been authorized by the U.S. Food and Drug Administration to be marketed and for sale as "drugs," "devices," or "combination products," as defined in the Federal Food, Drug, and Cosmetic Act.

FLAVORED PRODUCT. Any licensed product that contains a taste or smell, other than the taste or smell of tobacco, that is distinguishable by an ordinary consumer either prior to or during the consumption of the product, including, but not limited to, any taste or smell relating to chocolate, cocoa, menthol, mint, wintergreen, vanilla, honey, fruit, or any candy, dessert, alcoholic beverage, herb, or spice; or a cooling or numbing sensation distinguishable by an ordinary consumer either prior to or during the consumption of such tobacco product.

INDOOR AREA. All space between a floor and a ceiling that is bounded by walls, doorways, or windows, whether open or closed, covering more than 50 percent of the combined surface area of the vertical planes constituting the perimeter of the area. A wall includes any retractable divider, garage door, or other physical barrier, whether temporary or permanent.

LICENSED PRODUCTS. The term that collectively refers to any tobacco, tobacco-related device, electronic delivery device, or nicotine, synthetic or from any source, or lobelia delivery product.

LOOSIES. The common term used to refer to single cigarettes, cigars, and any other licensed products that have been removed from their original retail packaging and offered for sale.

LOOSIES does not include premium cigars that are hand-constructed, have a wrapper made entirely from whole tobacco leaf, and have a filler and binder made entirely of tobacco, except for adhesives or other materials used to maintain size, texture, or flavor.

MOVEABLE PLACE OF BUSINESS. Any form of business that is operated out of a kiosk, truck, van, automobile or other type of vehicle or transportable shelter and that is not a fixed address or other permanent type of structure licensed for over-the-counter sales transactions.

NICOTINE OR LOBELIA DELIVERY PRODUCT. Any product containing or delivering nicotine or lobelia intended for human consumption, whether natural or synthetic, or any part of such a product, that is not tobacco or an electronic delivery device as defined in this section.

NICOTINE OR LOBELIA DELIVERY PRODUCT does not include any nicotine cessation product that has been authorized by the U.S. Food and Drug Administration to be marketed and for sale as "drugs," "devices," or "combination products," as defined in the Federal Food, Drug, and Cosmetic Act.

RETAIL ESTABLISHMENT. Any place of business where licensed products are available for sale to the general public. **RETAIL ESTABLISHMENT** includes but is not limited to grocery stores, tobacco products shops, convenience stores, liquor stores, gasoline service stations, bars, and restaurants.

SALE. Any transfer of goods for money, trade, barter, or other consideration.

SELF-SERVICE DISPLAY. The open display of licensed products in a retail establishment in any manner where any person has access to the licensed products without the assistance or intervention of the licensee or the licensee's employee and where a physical exchange of the licensed product from the licensee or the licensee's employee to the customer is not required in order to access the licensed products.

SMOKING. Inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, or pipe, or any other lighted or heated product containing, made, or derived from nicotine, tobacco, marijuana, or other plant, whether natural or synthetic, that is intended for inhalation. **SMOKING** also includes carrying or using an activated electronic delivery device.

SYNTHETIC NICOTINE PRODUCT. Any product containing, made, or derived from non-tobacco nicotine that is intended for human consumption, whether chewed, smoked, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means. **SYNTHETIC NICOTINE**

PRODUCT does not include any nicotine cessation product that has been authorized by the U.S. Food and Drug Administration to be marketed and for sale as “drugs,” “devices,” or “combination products,” as defined in the Federal Food, Drug, and Cosmetic Act.

TOBACCO PRODUCT. Any product containing, made, or derived from tobacco that is intended for human consumption, whether chewed, smoked, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, or any component, part, or accessory of a tobacco product including but not limited to cigarettes; cigars; cheroots; stogies; perique; granulated, plug cut, crimp cut, ready rubbed, and other smoking tobacco; snuff; snuff flour; cavendish; plug and twist tobacco; fine cut and other chewing tobaccos; shorts; refuse scraps, clippings, cuttings and sweepings of tobacco; and other kinds and forms of tobacco. TOBACCO PRODUCT does not include any nicotine cessation product that has been authorized by the U.S. Food and Drug Administration to be marketed and for sale as “drugs,” “devices,” or “combination products,” as defined in the Federal Food, Drug, and Cosmetic Act.

TOBACCO-RELATED DEVICE. Any rolling papers, wraps, pipes, or other device intentionally designed or intended to be used with tobacco products. TOBACCO-RELATED DEVICE includes components of tobacco-related devices or tobacco products, which may be marketed or sold separately. TOBACCO-RELATED DEVICES may or may not contain tobacco.

VENDING MACHINE. Any mechanical, electric or electronic, or other type of device that dispenses licensed products upon payment by any form by the person seeking to purchase the licensed product.

YOUTH-ORIENTED FACILITY. Any facility with residents, customers, visitors, or inhabitants of which 25 percent or more are regularly under the age of 21 or that primarily sells, rents, or offers services or products that are consumed or used primarily by persons under the age of 21. Youth-oriented facility includes, but is not limited to, schools, playgrounds, recreation centers, and parks.

Section 3. License Provisions

(A) License required. No person shall sell or offer to sell any licensed product at any place in the County without first obtaining a license from County Auditor’s Office, unless the applicable township or other municipality has assumed jurisdiction of retail tobacco licenses within said township or municipality.

(B) Fees. No license will be issued until the proper license fee is paid in full. The fees will be established by the County's fee schedule and may be amended from time to time.

(C) Term. All retail tobacco licenses shall be valid for one calendar year from the date that the license is issued unless said license is suspended, revoked, canceled, or otherwise limited by the county.

(D) Display. Every license shall be conspicuously posted and displayed at the place for which the license is issued and shall be exhibited to any person upon request.

(E) Moveable place of business. No license shall be issued to a moveable place of business. Only fixed location businesses shall be eligible to be licensed under this ordinance.

(F) Youth-orientated facility. No new license will be granted to any person for a retail establishment location not already established as of the date of this ordinance that is within 500 feet of a youth-orientated facility, as measured by the shortest line from the property line of the space to be occupied by the proposed licensee to the nearest property line of the school or playground.

(G) Transfers. All licenses shall be valid only on the premises for which the license was issued and only for the person to whom the license was issued. No transfer of the license to another location or person shall be allowed.

(H) Revocation or suspension. Any license issued under this section may be revoked or suspended as provided in this ordinance. No new retail tobacco licenses shall be issued to a licensee while said licensee's previous or current license is under suspension, revocation, cancellation, or other period of limitation by the county.

(I) Issuance as a privilege and not a right. The issuance of a license issued under this section shall be considered a privilege and not an absolute right of the applicant and shall not entitle the holder to an automatic renewal of the license.

(J) Smoking prohibited. Smoking shall not be permitted and no person shall smoke within the indoor area of any establishment with a retail tobacco license. Smoking for the purposes of sampling licensed products is prohibited.

(K) Samples prohibited. No person shall distribute samples of any licensed product free of charge or at a nominal cost. The distribution of licensed products as a free donation is prohibited.

Section 4. Basis for Denial of License

(A) Grounds for the County Board to deny the issuance or renewal of a license under this ordinance include, but are not limited to the following:

- (1) The applicant is under the age of Twenty-one (21) years.
- (2) The applicant has been convicted within the past five years of any violation of a federal, state, or local law, Ordinance provision, or other regulation relating to licensed products.
- (3) The applicant has had a license to sell licensed products suspended or revoked within the preceding 12 months of the date of application.
- (4) The applicant fails to provide any information required on the application, or provides false or misleading information.
- (5) The applicant is prohibited by federal, state, or other local law, Ordinance, or other regulation, from holding a license.
- (6) The business for which the license is requested is a moveable place of business. Only fixed location retail establishments shall be eligible to be licensed under this Ordinance.
- (7) The applicant is delinquent in payment of federal, state, or local taxes, fines and fees.
- (8) The applicant, or employee or agent of the applicant, has interfered with a compliance check.
- (9) The applicant has failed to pay an administrative penalty.

(10) Any other suitable reason that the granting of a license to the applicant is inconsistent with public health, safety, and welfare, including the applicant's history of noncompliance with this ordinance and other laws relating to the sale of licensed products.

(B) If a license is mistakenly issued or renewed to a person, it shall be revoked upon the discovery that the person was ineligible for the license under this section. The licensee is entitled to a hearing with the Tobacco Hearing Board as outlined in Section 8 of this ordinance.

Section 5. Prohibited Sales and Acts

(A) It shall be a violation of this ordinance for any person to sell or offer to sell any licensed product:

- (1) To any person under the age of twenty-one (21) years;
- (2) By means of self-service display. All licensed products shall either be stored behind a counter or other area not freely accessible to customers, or in a case or other storage unit not left open and accessible to the general public;
- (3) Vending machine. By means of any type of vending machine, unless premise cannot be entered at any time by persons younger than twenty-one (21) years of age;
- (4) By means of "loosies" as defined in this ordinance;
- (5) Containing opium, morphine, jimsonweed, belladonna, strychnos, cocaine, marijuana, or other deleterious, hallucinogenic, toxic, or controlled substances except nicotine and other substances found naturally in tobacco or added as part of an otherwise lawful manufacturing process;
- (6) By any other means, to any other person, or in any other manner or form prohibited by Federal, State, County, or other local law, ordinance, or other regulation;
- (7) Liquid packaging. It shall be a violation of this Ordinance to sell any liquid, whether or not such liquid contains nicotine, intended for human consumption and use in an electronic delivery device, in packaging that is not child-resistant. Upon request, a licensee shall provide a copy of the certificate of compliance or full laboratory testing report for the packaging used;
- (8) Licensees are required to follow any federal and state requirements regarding minimum pack pricing on any licensed product;
- (9) Flavored products. No person shall sell or offer for sale any flavored products. Any communication by, or on behalf of, the manufacturer or retailer of a tobacco product that indicates that the product imparts: a taste or smell other than the taste or smell of tobacco; or a cooling or numbing sensation, constitutes presumptive evidence of a violation of this section. Presumptive evidence may include but is not limited to the use of terms such as "cool," "chill," "ice," "fresh," "arctic," or "frost" to describe the product.

(B) Legal age. No person shall sell, give, or furnish, any licensed product to any person under the age of Twenty-one (21).

(1) Licensees must verify by means of government-issued photographic identification containing the bearer's date of birth that the purchaser is at least 21 years of age. Verification is not required for a person over the age of 30. That the person appeared to be 30 years of age or older does not constitute a defense to a violation of this subsection.

(2) Notice of the legal sales age, age verification requirement, and possible penalties for underage sales must be posted prominently and in plain view at all times at each location where licensed products are offered for sale. The required signage, must be posted in a manner that is clearly visible to anyone who is or is considering making a purchase.

(3) It is a violation of this Ordinance for any person 21 years of age or older to purchase or otherwise obtain any licensed product on behalf of a person under the age of 21. It is also a violation for any person 21 years of age and older to coerce or attempt to coerce a person under the age of 21 to purchase or attempt to purchase any licensed product.

(4) It shall be a violation of this Ordinance for any person to attempt to disguise his or her true age by the use of a false form of identification, whether the identification is that of another person or one on which the age of the person has been modified or tampered with to represent an age older than the actual age of the person. A licensee may seize a form of identification, if the licensee has reasonable grounds to believe that the form of identification has been altered or falsified or is being used to violate any law. A licensee who seizes a form of identification as authorized under this subdivision shall deliver it to a law enforcement agency within 24 hours of seizing it.

(C) Possession. It shall be a violation of this ordinance for any person under age 21 to have in his or her possession any tobacco, tobacco-related device, electronic delivery device, or nicotine or lobelia delivery product. This subdivision shall not apply to minors lawfully involved in a compliance check.

Section 6. Responsibility

All licensees are responsible for the actions of their employees regarding the sale, offer to sell, and furnishing of licensed products on the licensed premises. The sale, offer to sell, or furnishing of any licensed product by an employee shall be considered an act of the licensee.

Section 7. Compliance Checks and Inspections

All licensed premises shall be open to inspection by authorized County officials during regular business hours. From time to time, the County will conduct compliance checks to ensure compliance with all provisions of this ordinance. In accordance with state law, the county will conduct a compliance check that involves the participation of a person at least 17 years of age, but under the age of 21, to enter the licensed premises to attempt to purchase licensed products. Prior written consent from a parent or guardian is required for any person under the age of 18 to participate in a compliance check. Persons used for the purpose of compliance checks will be supervised by law enforcement or other designated personnel.

Section 8. Violations

(A) Notice. Upon discovery of a suspected violation, the alleged violator shall be issued, either personally or by mail:

- (1) A citation that sets forth the alleged violation; and
- (2) Notice of the administrative penalty including the dates of license suspension; and
- (3) Notice which shall inform the alleged violator of his/her right to be heard on the accusation.

(B) Hearings. The alleged violator shall have ten (10) calendar days from the date the citation was mailed or if the citation was issued personally, ten (10) calendar days from receipt, to provide a written request for a hearing before the hearing officer. If a person accused of violating this ordinance so requests, a hearing shall be scheduled, the time and place of which shall be published and provided to the accused violator. The requested hearing shall be held within thirty (30) days upon receipt of the written request for a hearing. If good cause is shown, the hearing officer may extend the time for the hearing for up to an additional thirty (30) days. The hearing officer must give reasonable notice for the hearing to the alleged violator and the public.

(C) Hearing Officer. The Aitkin County Board of Commissioners shall serve as the hearing officer.

(D) Decision. If the hearing officer determines that a violation of this ordinance did occur, that decision, along with the hearing officer's reasons for finding a violation and the penalty to be imposed under this ordinance, shall be recorded in writing, a copy of which shall be provided to the accused violator. Likewise, if the hearing officer finds that no violation occurred or finds grounds for not imposing any penalty, such findings shall be recorded in writing and a copy provided to the acquitted-violator.

(E) Appeals. All decisions of the hearing officer shall be final, except that any person or entity with the right to appeal may appeal the hearing officer's decision within thirty (30) days to the district court for the County in which the alleged violation occurred. The licensee, other aggrieved persons, any municipality, county or state and any officer, department or subdivision thereof shall have the right to appeal the hearing officer's decision. An appeal to the district court stays all proceedings in furtherance of the action appealed from, unless the hearing officer certifies that a stay would cause imminent peril to the public health, safety, and general welfare.

(F) Continued Violation. Each violation, and every day in which a violation occurs or continues, shall constitute a separate offense.

(G) Effect of Minnesota Statutes. Pursuant to Minnesota Statutes section 609.685, subdivision 4, in determining what law shall be followed the more stringent law shall be followed in all cases. A criminal prosecution is deemed to be more stringent than an administrative sanction in all cases.

Section 9. Administrative Penalties

(A) Licensees

- (1) First Violation. Any licensee found to have violated this ordinance, or whose employee shall have violated this ordinance, shall be charged an administrative penalty of \$300.00 for a first violation of this ordinance. Upon a first violation, proof the licensee has completed an

instructional program regarding the requirements of tobacco retail licensing and sales must be submitted to the Aitkin County Public Health Department within 10 calendar days.

(2) Second Violation. Penalties will increase if a second offense occurs at the same licensed premises within a 36-month period to \$600. In addition, for the second offense, the license shall be suspended for 7 calendar days, and proof the licensee and all staff have completed an instructional program regarding the requirements of tobacco retail licensing and sales must be submitted to the Aitkin County Public Health Department within 10 calendar days.

(3) Third and Subsequent Violation. Penalties will increase again for a third or subsequent offense at the same location within a 36-month period to \$1000. In addition, for the third offense, the license shall be suspended for 30 consecutive days and may be revoked. The licensee and all staff must complete an instructional program regarding the requirements of tobacco retail licensing and sales and proof of such training shall be submitted to the Aitkin County Public Health Department within 10 calendar days. Furthermore, for the fourth offense and subsequent offenses, the license shall be suspended for 90 calendar days and may be revoked.

(4) All penalties shall run consecutively.

(5) Dates of license suspension or revocation shall be determined by the County Auditor unless a hearing is requested. If a hearing is requested, the dates of license suspension or revocation shall be determined by the hearing officer.

(B) Employees of licensee

Employees of licensee found to be in violation of this ordinance will, within 10 calendar days, be required to provide proof of completion for an instructional program regarding the requirements of tobacco retail licensing and sales to the Aitkin County Public Health Department and may be charged an administrative fine of no more than \$50.

(C) Other individuals

Other individuals, other than individuals under the age of 21 regulated by Subd. E of this section, found to be in violation of this ordinance shall be charged an administrative penalty of no more than \$50.

(D) Misdemeanor

Nothing in this Section shall prohibit the County from seeking prosecution as a misdemeanor for a second violation of this ordinance within five years of a first violation or any Federal, State, County, or local law, statute, rule, or regulation.

(E) Persons under the age of 21.

(1) Persons under the age of 21 who use false identification to purchase or attempt to purchase licensed products may only be subject to non-criminal, non-monetary civil penalties or remedies such as tobacco-related education classes, diversion programs, community services, or another non-monetary, civil penalty that the legal and licensing authority determine to be appropriate. Law Enforcement, Court System, and Public Health

representatives may consult, as applicable, with interested persons, including, but not limited to, educators, parents, guardians, persons under the age of 21, public health officials, court personnel, and other interested parties to determine an appropriate remedy for persons under the age of 21 in the county in the best interest of the underage person.

- (2) Persons under the age of 21 who has in his or her possession any tobacco, tobacco-related devices, electronic delivery device, nicotine or lobelia delivery product may be subject to non-criminal, non-monetary civil penalties or remedies such as tobacco-related education classes, diversion programs, community services, another non-monetary, civil penalty or may be charged with an administrative penalty of no more than \$50, whichever the legal authority determines to be appropriate. Law Enforcement, Court System, and Public Health representatives may consult, as applicable, with interested persons, including, but not limited to, educators, parents, guardians, persons under the age of 21, public health officials, court personnel, and other interested parties to determine an appropriate remedy for persons under the age of 21 in the county and is in the best interest of the underage person.

(F) Payment of Penalty

The administrative penalty must be paid by a person and/or the licensee within 10 calendar days from mailing or personal delivery of the notice of violation unless a hearing is requested as provided in Section 8(B). If an administrative penalty is not paid and no hearing is requested within the time limits provided, the person or licensee will then have 10 calendar days to pay the fine plus a late fee established by the County Board. If payment is not received after the second notification deadline, this would constitute the basis for denial of license under Section 4(A) of this ordinance.

Section 10. Exceptions and Defenses

(A) Religious, spiritual, or cultural ceremonies or practices. Nothing in this ordinance shall prevent the providing of tobacco or tobacco-related devices to any person as part of an indigenous practice or a lawfully recognized religious, spiritual, or cultural ceremony as defined in Minnesota Statutes, section 609.685, subdivision 5.

(B) Reasonable reliance. It shall be an affirmative defense to the violation of this ordinance for a person to have a reasonably relied on proof of age as described by State law.

Section 11. Terms

Severability. The terms and provisions of this ordinance are severable. If any provision of this ordinance is, for any reason, held to be invalid, such decision shall not affect the validity of the remaining portion of this ordinance.

Section 12. Effective Date

Effective date. This ordinance shall be referred to as the Aitkin County Ordinance Regulating the Sale of Tobacco and Related Devices. This ordinance becomes effective on the date of its publication, or upon the publication of a summary of the ordinance as provided by Minn. Stat. § 375.51, subd. 3, as it may be amended from time to time, which meets the requirements of Minn. Stat. § 331A.01, subd. 10, as it may be amended from time to time.

Adopted by the Aitkin County Board of Commissioners this xxth day of xx, 2024.

Rev. 4/18/24



Board of County Commissioners Agenda Request

6A

Agenda Item #

Requested Meeting Date: 6-11-24

Title of Item: NEMNATP Presentation

<input checked="" type="checkbox"/> REGULAR AGENDA <input type="checkbox"/> CONSENT AGENDA <input type="checkbox"/> INFORMATION ONLY	Action Requested: <input type="checkbox"/> Approve/Deny Motion <input type="checkbox"/> Adopt Resolution (attach draft) <i>*provide copy of hearing notice that was published</i>	<input type="checkbox"/> Direction Requested <input checked="" type="checkbox"/> Discussion Item <input type="checkbox"/> Hold Public Hearing*
Submitted by: John Welle		Department: Highway
Presenter (Name and Title): John Welle, Aitkin County Engineer		Estimated Time Needed: 9:30-10:00 pre-arranged
Summary of Issue: Representatives of the MnDOT and ARDC will be present to review activities of the Northeast Minnesota Area Transportation Partnership.		
Alternatives, Options, Effects on Others/Comments:		
Recommended Action/Motion:		
Financial Impact: Is there a cost associated with this request? <input type="checkbox"/> Yes <input type="checkbox"/> No What is the total cost, with tax and shipping? \$ Is this budgeted? <input type="checkbox"/> Yes <input type="checkbox"/> No Please Explain:		



Northeast Minnesota Area Transportation Partnership

A full partnership in the planning, identification, prioritization, expenditure and effectiveness measurement on the use of federal transportation funds in Northeast Minnesota.



DISTRICT ONE ASSETS

Miles of roadway	1,554	Class one rest areas	9
Transit systems	5	Navigable river miles	17
Number of signals	81	2023 Population	357,248
Number of signs	35,722	Area (24% of MN)	19,466 mi ²
Airports	22	Border crossings	2
Counties	8	Bridges (state owned)	544
Cities over 5,000	7		

Role of Area Transportation Partnerships (ATPs)

The Area Transportation Partnerships (ATPs) were created by the Minnesota Department of Transportation (MnDOT) in the early 1990s to emphasize greater public involvement, enhance regional planning and increase cooperation development of Minnesota's State Transportation Improvement Program (STIP). In addition, the ATP provides management guidance for program administration throughout the year and recommends area program policy. There are eight ATPs throughout Minnesota that are closely aligned with the eight MnDOT districts.

Each year, every ATP develops an Area Transportation Improvement Program (ATIP). The ATIP lists the state, regional and local transportation priorities within each ATP boundary. The Northeast Minnesota ATP includes all of MnDOT District 1 and areas of Districts 2 and 3 in Koochiching, Itasca and Aitkin counties. The regional priorities listed in the ATIP are then recommended for inclusion in year four of Minnesota's STIP.

When developing the ATIP, the ATP considers the transportation priorities of the region's Regional Development Commissions (RDCs), Metropolitan Planning Organizations (MPOs) and MnDOT District Offices.

Counties:

Aitkin, Carlton, Cook, Itasca, Koochiching, Lake, Pine and St. Louis.

Tribal Governments:

Bois Forte Band, Fond du Lac Band, Grand Portage Band and Mille Lacs Band.





ATP Board Membership

ATP membership consists of the following voting members, which possess broad, multi-modal and multi-jurisdictional perspectives. Representation includes MnDOT, Regional Development Commissions, Metropolitan Planning Organizations, cities, counties, and tribal governments, plus area public transit providers and others with planning, engineering, elected office, modal experts and federal and state agency expertise. The ATP approves the regional ATIP and recommends it for inclusion in the statewide STIP.

ATP Voting Members

Agency		Appointer
Elected Officials	8	County boards in the eight-county region
Tribal Elected Official	1	Regional solicitation (Bois Forte Band, Fond du Lac Band, Grand Portage Band, Mille Lacs Band)
Air	1	Northern Aero Alliance
Rail	1	Lake and St. Louis Rail Counties Rail Authority (Itasca County Rail Authority as alternate agency)
Sea	1	Duluth Seaway Port Authority
Surface, State	3	MnDOT District One Administration
Surface, Counties	8	County boards in each of the eight-county region
Surface, Local	8	City councils with populations over 5,000 in the eight-county region
Surface, Tribal	4	Tribal Nations with a majority of the primary sector in the eight-county region
Surface, Forest Service	1	USDA Forest Service Office
Trails/Waterways	1	Minnesota Department of Natural Resources Northeast Region Office
Transit (Urban)	1	Duluth Transit Authority
Transit (Rural)	1	Rural transit providers in the ATP
Metropolitan Area Transportation	1	Duluth-Superior Metropolitan Interstate Council

ATP Advisory Members (Non-voting)

Agency		Appointer
Community Health Boards	3	Community Health Boards in the eight-county region
Economic Development Authority	1	Iron Range Economic Alliance, Duluth Area Chamber of Commerce, and APEX
Regional Development Commission	2	Arrowhead Regional Development Commission East Central Regional Development Commission





Funding

State Transportation Investment Plan (STIP)

The STIP is a comprehensive four-year schedule of state and local transportation projects eligible for federal highway and transit funding. The STIP must list all transportation projects that seek federal funding under Title 23 (highway) of the U.S. Code and Title 49 (transit) under the U.S. Code and all regionally significant projects requiring action by the federal transportation authorities.

MnDOT updates the STIP annually. MnDOT also prepares guidance to assist each region's ATP members when producing its annual Draft ATIP.

State agencies, State Aid eligible counties and cities with a population greater than 5,000 and tribal governments may apply directly for federal funding. Cities under 5,000 population, townships and quasi-government/non-profit agencies may be eligible for some federal programs but will require sponsorship of their application and project by a qualifying State Aid county or city.

Eligible Projects

Projects eligible for federal funding consideration include these project types:

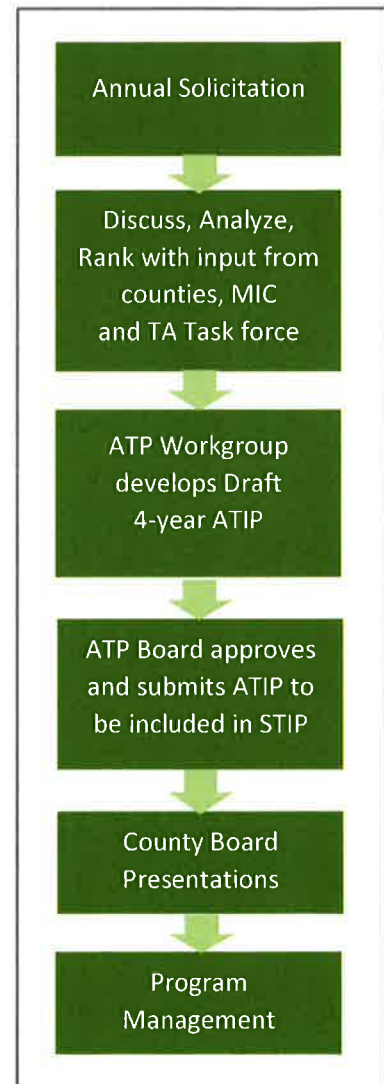
- **Roadways:** New alignment, expansion, reconstruction, reclamation, recondition and resurfacing
- **Bridges:** Replacement and rehabilitation
- **Safety:** Improvements designed to reduce the number and severity of crashes
- **Transportation Alternatives:** Bike trails/paths, sidewalks, pedestrian facilities, Scenic Byway corridor enhancements, Safe Routes to School improvements, etc.
- **Transit Capital:** Replacement and refurbishment of public transit buses





ATP Process

2023-2024 ATIP Development Process for 2028 Projects	
September	<ul style="list-style-type: none">TA Program solicitation begins. Information is published on www.nemnntp.org.
October	<ul style="list-style-type: none">TA Program workshop for applicantsTA Program LOI due November 1, 2023
November	<ul style="list-style-type: none">ATP project applications are sent out to eligible applicants. Counties collaborate to support equitable funding for rural projects. The MIC decides the projects in the Duluth MPO area.
January	<ul style="list-style-type: none">ATP and TA Program applications due January 12, 2024
February	<ul style="list-style-type: none">TA Program applications are scored by TA Program Task ForceATP project submissions are reviewed by ATPMIC reviews recommended ATIP and TA Program projects for Duluth area MPO projects
March	<ul style="list-style-type: none">The ATP Workgroup creates the draft ATIP
April	<ul style="list-style-type: none">ATP Board meeting on April 10, 2024County Board presentationsATP Board reviews and approves the draft ATIP
May	<ul style="list-style-type: none">County Board presentationsPublic comment period
June	<ul style="list-style-type: none">County Board presentationsPublic comment periodFinal STIP sent to St. Paul
July/August	<ul style="list-style-type: none">STIP approval by Commissioner of Transportation
September/October	<ul style="list-style-type: none">STIP approved by Federal Transportation Authorities





Northeast Minnesota ATP - FY 2028 Investments

Program and Funding Source	MnDOT: D1 State and Federal Funds	Local: Duluth MPO Federal Funds	Local: Rural Federal Funds
Performance Program – Bridge and Pavement	\$75,580,000	N/A	N/A
ATP Managed Program	N/A	\$1,794,000	\$6,006,000
Highway Safety Improvement Program Funds: Federal HSIP	\$1,800,000	\$2,300,000	
Transportation Alternatives Program Funds: Federal TA Program	N/A	\$1,600,000	
Carbon Reduction funds	\$1,350,000	\$810,000	
PROTECT funds		\$420,000	
	District 1 total: \$78,730,000		\$12,930,000
	<i>Federal Funds</i>	<i>State Funds</i>	
	\$44,480,000	\$34,250,000	

Resources and Contacts

Websites:

Northeast Minnesota ATP
www.nemnntp.org

MnDOT District 1
www.dot.state.mn.us/d1/

Arrowhead Regional
Development Commission
www.ardc.org

Contacts:

Bryan Anderson
MnDOT D1 Planning Director
218-725-2794
bryan.anderson@state.mn.us

Ron Chicka
Metropolitan Interstate Council (MIC)
Director
218-529-7506
rchicka@ardc.org

Andy Hubley
Arrowhead Regional Development
Commission Director
218-529-7512
ahubley@ardc.org



2024 District 1 Construction Program



Carryover Projects

Hwy 2/65 (SP 3104-62)

Location: At the intersection of Hwy 2 and Hwy 65

Description: Roundabout construction

Date: 2023, May to Sept 2024

Cost: \$6.1 million

Impact: Detour, lane shifts

Website:

mndot.gov/d1/projects/swanriverroundabout

Hwy 23 (SP 6910-103)

Location: At Gogebic Creek in Duluth in St. Louis County

Description: Culvert replacement

Date: 2023, May to Aug 2024

Cost: \$1.6 million

Impact: Bypass, lane closures

Website:

mndot.gov/d1/projects/hwy23-culvert

I-35, I-535, Hwy 53 (SP 6982-322)

Location: In Duluth

Description: Replace bridges and reconstruct the I-35, I-535, Hwy 53 interchange

Date: Fall 2020 to 2024

Cost: \$57 million

Impact: Closures, detours

Website:

mndot.gov/d1/projects/twin-ports-interchange

I-35 (SP 0980-156)

Location: On I-35 over Cty Rd 61 in Carlton County

Description: Bridge rehabilitation

Date: 2023, May to Sept 2024

Cost: \$3.6 million

Impact: Southbound closure, traffic directed to northbound

Website:

mndot.gov/d1/projects/atkinson-bridge

Hwy 61 (SP 3805-79)

Location: Silver Creek Bridge near Two Harbors in Lake County

Description: Bridge replacement

Date: 2022-2023, spring 2024

Cost: Funded in 2023

Impact: Lane closures

Website:

mndot.gov/d1/projects/hwy61-bridges

Hwy 61 (SP 1605-03)

Location: At the Pigeon River Bridge near Grand Portage in Cook County

Description: Bridge rehabilitation

Date: 2023, spring 2024

Cost: \$100,000

Impact: Lane closures

Website:

mndot.gov/d1/projects/hwy61-pigeon

Hwy 73 (SP 6929-21)

Location: On Hwy 73 at Cty Hwy 16 in St. Louis County

Description: Resurface bridge deck

Date: 2023, June 2024

Cost: Funded in 2023

Impact: Lane closures

Website:

mndot.gov/d1/projects/hwy73bridge

Hwy 135 (SP 6912-79)

Location: In Biwabik in St. Louis County

Description: Pavement repairs

Date: 2020-2023, May to June 2024

Cost: \$100,000

Impact: Detour, lane closures

Website:

mndot.gov/d1/projects/hwy135biwabik

Districtwide (SP 8821-350)

Location: Districtwide

Description: Sign replacement

Date: 2023, April to Sept 2024

Cost: \$2.3 million

Impact: Lane and shoulder closures

Total Carryover Projects: 9

New Projects

Hwy 2 (SP 6906-19)

Location: On Hwy 2 from Hwy 200 to Cty Rd 845 near Floodwood in St. Louis County

Description: Pavement resurfacing

Date: Aug to Oct 2024

Cost: \$9 million

Impact: Lane closures

Website: mn.gov/d1/projects/hwy-2-floodwood

2024 District 1 Construction Program



Hwy 23 (SP 5809-16)

Location: On Hwy 23 between Sandstone and Askov in Pine County

Description: Pavement resurfacing, intersection improvement

Date: May to Aug 2024

Cost: \$5.4 million

Impact: Lane closures, detours

Website:

mn.gov/d1/projects/hwy23-sandstone

Hwy 23 (SP 6910-116)

Location: In Duluth, on Hwy 23, from West 5th St to Perch Lake

Description: Pavement Replacement

Date: July to Aug 2024

Cost: \$2 million

Impact: Lane Closures, temporary signal

I-35 (SP 6982-336/6982-348)

Location: On I-35 in Duluth between Mesaba Avenue and 21st Ave E in St. Louis County

Description: Concrete pavement repair, bridge rehabilitation

Date: July to Sept 2024, 2025

Cost: \$3.1 million

Impact: Lane and ramp closures

Website: mn.gov/d1/projects/i-35-duluth-bridges

I-35 (SP 5880-199)

Location: On I-35 near Hinckley in Pine County

Description: Concrete pavement resurface, bridge replacements

Date: May to Oct 2024

Cost: \$27.9 million

Impact: Lane closures

Website:

mndot.gov/d1/projects/hinckley-bridge/

I-35/Hwy 73 (SP 8821-354)

Location: On I-35 near Willow River and Hwy 73 near Moose Lake

Description: Bituminous chip seal and repairs

Date: Summer 2024

Cost: \$1.5 million

Impact: Lane and ramp closures

Hwy 37 (SP 6947-57)

Location: At intersections of Hwy 37 and Cty Rd 5 in St. Louis County

Description: Intersection improvements

Date: July to Sept 2024

Cost: \$1.7 million

Impact: Lane shifts and closures

Website:

mn.gov/d1/projects/hwy37-cr5

Hwy 53 (SP 6918-102)

Location: On Hwy 53 in Virginia from 2nd Ave to north jct of Hwy 169 in St. Louis County

Description: Pavement resurfacing

Date: July to Sept 2024

Cost: \$5.5 million

Impact: Detour, lane closures, ramp closures

Website:

mn.gov/d1/projects/hwy53-virginia

Hwy 53 (SP 3608-58)

Location: At the intersection of Hwy 53 and Cty Rd 332 in Koochiching County

Description: Construct roundabout

Date: June to Oct 2024

Cost: \$3.6 million

Impact: Detour, lane closures

Hwy 61 (SP 6925-144)

Location: On Hwy 61 from Superior St to McQuade Rd in St. Louis County

Description: Pavement resurfacing

Date: May to July 2024

Cost: \$3.2 million

Impact: Lane closures

Website:

mn.gov/d1/projects/hwy61-expressway-resurfacing

Hwy 61 (SP 6926-57/3804-63)

Location: At 5 intersections on Hwy 61 between Duluth and Two Harbors in Lake and St. Louis County

Description: Construct reduced conflict intersections and left turn lanes

Date: July to Sept 2024

Cost: \$2.6 million

Impact: Lane closures

Website:

mndot.gov/d1/projects/hwy61

Hwy 135 (SP 6913-40)

Location: In Embarrass in St. Louis County

Description: Culvert replacement

Date: Fall 2024

Cost: \$500,000

Impact: Detour

2024 District 1 Construction Program

Hwy 169 (SP 6935-94)

Location: On Hwy 169 between Chisholm and Mountain Iron in St. Louis County

Description: Pavement resurfacing

Date: May to Oct 2024

Cost: \$13.4 million

Impact: Lane closures, connecting road detours

Website:

mn.gov/d1/projects/hwy169-chisholm-mtiron

Hwy 210 (SP 0910-35)

Location: At the intersection of Hwy 210 and Cty Rd 61 in Carlton County

Description: Construct reduced conflict intersection

Date: May to July 2024

Cost: \$750,000

Impact: Lane closures

Website:

mn.gov/d1/projects/hwy210-61

Districtwide (SP 8821-352)

Location: Districtwide

Description: Culvert replacement and repairs

Date: July to Oct 2024

Cost: \$1.7 million

Impact: Detour on Hwy 1, lane and shoulder closures

Total New Projects: 14

Local Led Projects

Hwy 2 (SP 6908-71)

Location: At intersection of Hwy 2 and Munger Shaw Rd in St. Louis County

Description: Construct Left Turn Lanes on Hwy 2

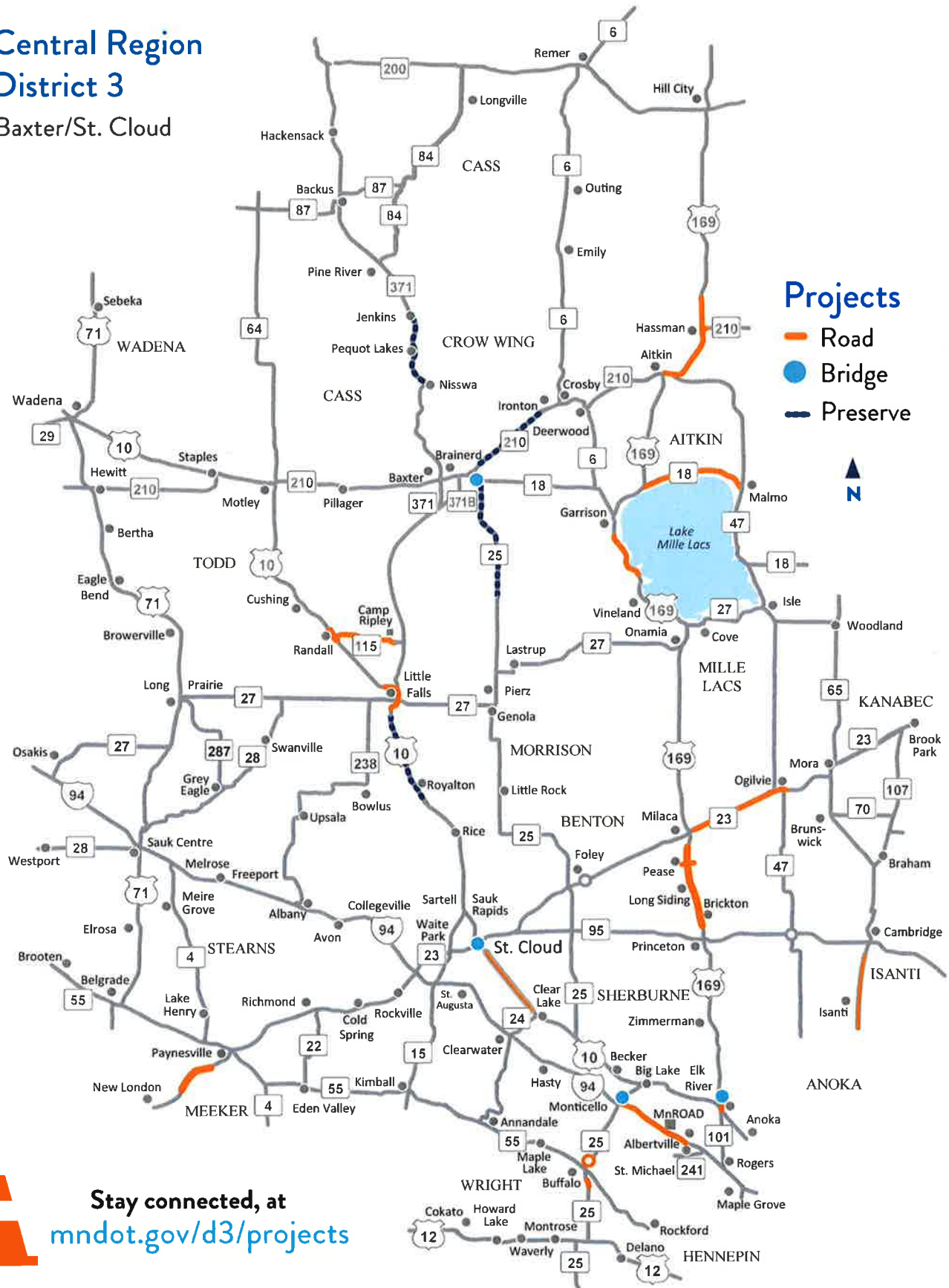
Date: Aug to Sept 2024

Cost: \$900,000

Impact: Detour, lane closures

Central Region District 3

Baxter/St. Cloud



Stay connected, at
mndot.gov/d3/projects

2024 Construction



Central Region

District 3 – Baxter/St. Cloud

Contact communications

LeAnn Goltz, 218-232-6753

Jenny Seelen, 218-820-6820



Stay connected

Current construction

mndot.gov/d3/projects/



Social stream X

[@MnDOTcentral](https://twitter.com/MnDOTcentral)

Facebook

facebook.com/groups/mndotcentral

Statewide roadwork

mndot.gov/roadwork

Current road conditions

511mn.org

Hwy 10—Randall

Description: Install J-turns to improve access and safety at Morrison CR 14 and Hwy 115 in Randall

Construct: Mid-Aug–late Oct

Impacts: Lane or shoulder closures, changes to access, follow signs

More details:

mndot.gov/d3/projects/randall/

Hwy 10—Little Falls

Description: Resurface (mill and pave) both directions from west of the Mississippi River at Morrison CR 52 to east of Little Falls at CR 35, includes Hwy 371 at Hwy 10

Construct: Late April–early July 2024

Impacts: Lane closures, weekdays, some overnight work for ramps

More details:

mndot.gov/d3/projects/littlefalls/

Hwy 10—Little Falls to south of Royaltown

Description: Micro surface each direction to preserve the highway from south of Morrison CR 35 to the Halfway Crossing south of Royaltown

Maintenance work: Summer 2024

Impacts: Lane closures, weekdays

Hwy 10 and 23—St. Cloud

Description: Reconstruct and improve the interchange area; includes road surface, bridges, utilities, drainage structures, pedestrian and motorist accesses; construct 4th St SE bridge over Hwy 10

Construct: April 2023–Nov 2024

Impacts: One lane each direction 24-7; access changes/detours

More details: mndot.gov/d3/stc/

Hwy 10—St. Cloud to Clear Lake

Description: Install high tension cable median barrier

Construct: Spring–early summer 2024

Impacts: Lane or shoulder closures at off-peak hours

Hwy 18—north Mille Lacs Lake

Description: Resurface (cold in-place recycle) 13 miles of road between Hwy 169 to Hwy 47 in Malmo, Aitkin County; repair or replace pipes

Construct: Mid-July–late Oct 2024

Impacts: Detour

More details:

mndot.gov/d3/projects/millelacs/h18/

Hwy 23 Gaps—Richmond to New London

Description: Expand to four lanes

Construct: North Gap—Paynesville to Richmond: 2022–2023

South Gap—Paynesville to New London: 2023–2024

Impacts: Detour

More details:

mndot.gov/d8/projects/hwy23southgap/

Hwy 23—Milaca to Ogilvie

Description: Resurface and improve 12 miles of road from Mille Lacs CR 2 in Milaca to Hwy 47 in east Ogilvie, includes shoulders, pipes and accesses

Construct: Mid-May–late Oct 2024

Impacts: Lane closures, alternate one-way traffic, flaggers, pilot car; detours for pipe work

More details:

mndot.gov/d3/projects/h23milacatoogilvie/

Hwy 25—Brainerd

Description: Replace bridge over BNSF railway; install multi-use trail

Construct: May 2023–June 2024

Impacts: Lane closures in 2024

More details:

mndot.gov/d3/projects/brainerd/h25bridge/

Hwy 25—south of Brainerd

Description: Resurface (mill and pave) to preserve the road surface south of Brainerd to the Morrison County line

Maintenance work: 2024

Impacts: Lane closures, alternate one-way traffic, flaggers, pilot car

Hwy 25—Monticello

Description: Improve access, update sidewalks, resurface S Broadway St/Wright CR 75 from Hwy 25 to CR 18 (County led)

Construct: April 2023–late June 2024

Impacts: Lane or sidewalk closures; access changes

More details:

mndot.gov/d3/projects/local/

Hwy 25—Monticello

Description: Resurface and update the Mississippi River bridge, includes drainage and sidewalks

Construct: Early July–late Oct 2024

Impacts: One lane each way, 24-7, over the bridge. Be prepared for significant delays, seek other routes

More details:

mndot.gov/d3/projects/monticello/

Hwy 25, I-94—Monticello

Description: Update signals; includes flashing yellow arrows in Monticello (City led)

Construct: Spring–June 2024

Impacts: Minimal

Hwy 25—Buffalo

Description: Construct roundabout at Wright CR 83 (County led)

Construct: Summer 2024

Impacts: Detour

More details: mndot.gov/d3/buffalo/

Hwy 25—Buffalo

Description: Reconstruct First St to Settlers Pkwy; includes city utilities, sidewalks and approaches (City led)

Construct: July 2023–Aug 2024

Impacts: Detour

More details: mndot.gov/d3/buffalo/

Hwy 65—Mora

Description: Add left-turn lane at N Ninth St near school (City led)

Construct: Fall 2023–early summer 2024

Impacts: Lane closures

More details:

mndot.gov/d3/projects/local/

Hwy 65—Isanti County

Description: Install high tension cable median barrier from Cambridge to the Anoka County line near East Bethel

Construct: Spring–summer 2024

Impacts: Lane or shoulder closures at off-peak hours

I-94 Gap—Albertville to Monticello

Description: Expand to three lanes in each direction from Albertville to Monticello, includes drainage and bridges

Construct: Fall 2024–fall 2026

Impacts: 2024: Lane closures at off-peak hours; 2025–2026: two lanes each direction, changes to access

More details:

mndot.gov/d3/projects/i94gap/

Hwy 115—Randall to Camp Ripley

Description: Resurface (mill and pave) from east of Hwy 10 in Randall to the Mississippi River bridge, Morrison County; replace four pipes, upgrade guardrail

Construct: Late May–early August 2024

Impacts: Lane closures, flaggers; detours for pipe work

More details:

mndot.gov/d3/projects/hwy115/

Hwy 169/210—Aitkin to north of Hassman

Description: Reconstruct 11 miles of road, widen shoulders and upgrade drainage from the Ripple River in Aitkin to the Mississippi River

Construct: June 2022–fall 2024

Impacts: Detours

More details:

mndot.gov/d3/projects/aitkin-hassman/

2024 Construction

Hwy 169—south of Garrison

Description: Resurface (mill and pave) seven miles of road between Crow Wing CR 26 to half-mile north of Ojibwe Dr; install left-turn lanes at Timber Trail Rd and Swing-A-Way; replace pipes and guardrail

Construct: Early May–mid-July

Impacts: Alternate one-way traffic on weekdays at off-peak times nightwork; detours for pipe work

More details:

mndot.gov/d3/projects/millelacslake/h169/

Hwy 169—Milaca to Princeton, includes Pease

Description: Between Milaca and Princeton—resurface both directions; includes shoulders, turn-lanes, pipes; Pease—install a J-turn to improve access and safety at Mille Lacs CR 8; includes pipes, sidewalks

Construct: Early July–mid-Oct

Impacts: Lane closures at off-peak hours; southbound Hwy 169 detour for pipe work; CR 8 detour for J-turn

More details:

mndot.gov/d3/projects/h169pease/

Hwy 169 Redefine—Elk River

Description: Convert three miles of Hwy 169 to a freeway between Hwy 10/101 and 197th Ave; includes four interchanges

Construct: April 2022–Nov 2024

Impacts: One lane each direction, 24/7; changes to access

More details:

mndot.gov/d3/elkriverfreeway/

Hwy 210—Brainerd to Ironton

Description: Micro surface each direction to preserve the roadway

Maintenance work: 2024

Impacts: Lane closures, alternate one-way traffic, flaggers, pilot car

Hwy 371—Nisswa to Jenkins

Description: Micro surface each direction to preserve the roadway

Maintenance work: 2024

Impacts: Lane closures, off-peak hours, weekdays



All state roads, bridges

MnDOT employees maintain our state bridges and roads year-round for you. Pay attention for work zones, workers and heavy moving equipment.

Crews may crack seal, micro surface or fill potholes, replace guardrail or barrier, repair ditch slopes and drainage, seal pipes, replace road signs, fix signal systems and more. Learn more about how to keep our workers safe at mndot.gov/workzone.



Transportation Alternatives Program (TA)

The Transportation Alternatives Solicitation is a competitive funding opportunity for local communities and regional agencies to fund projects for pedestrian and bicycle facilities, historic preservation, and Safe Routes to School projects. In Northeast Minnesota, applicants may apply for between \$100,000 and \$600,000 to cover 80% of their proposed project costs; state or local funding must provide a 20% match. The grant solicitation opens annually each October, with letters of intent due at the end of October and full applications due in early January. The next solicitation will occur this October and will be for FY 2029 projects.

Sponsors

MnDOT determined that state aid cities (i.e. cities with population of over 5,000 persons) and counties are qualified recipients for federal funds. The TA solicitation requires their participation as a sponsor and/or applicant. If an eligible applicant is not a state aid city or county, then the applicant will need a state aid city or county to be a sponsor on their project.

Statewide Program Objective Outcomes

- Promote Projects Identified through a Planning Process
- Support Safe Routes to School
- Serve a Transportation Purpose
- Ensure Project Delivery

Solicitation Timeline

- **October** – Announce TA solicitation. Open letter of intent period.
- **November** – Deadline for applicants to submit letters of intent.
- **November** – Deadline for RDO/MPO/district review of letters of intent. Recommendation to proceed forward with full application given to applicants.
- **November** – Official start of full application period.
- **January** – Deadline for applicants to submit full applications.
- **April** – Deadline for ATPs to select TA projects.
- **April** – Grant recipients announced

For more information, please visit:

<https://nemnatp.org/ta/> or <https://www.dot.state.mn.us/ta/>



Recent Grant Recipients

2024 (Programmed to Receive Funds in Fiscal Year 2028)

- **Community Connector Trail (Segment 1&2):** The City of Hermantown
- **Duluth Transit Authority:** The City of Duluth
- **Multi-Use Trail:** St. Louis County
- **40th Avenue West (CSAH 91 Trail):** St. Louis County

2023 (Programmed to Receive Funds in Fiscal Year 2027)

- **Deer River SRTS Phase II:** The City of Deer River
- **GGST Lutsen Segment Phase II:** Cook County
- **Arrowhead Road Sidewalk Construction:** St. Louis County
- **Campus Connector Segment 6:** The City of Duluth

2022 (Programmed to Receive Funds in Fiscal Year 2026)

- **Mesabi Trail Spur:** St. Louis County
- **Campus Connector Segment 4:** The City of Duluth
- **Campus Connector Segment 5:** The City of Duluth
- **Multimodal Trail Center:** The City of Silver Bay

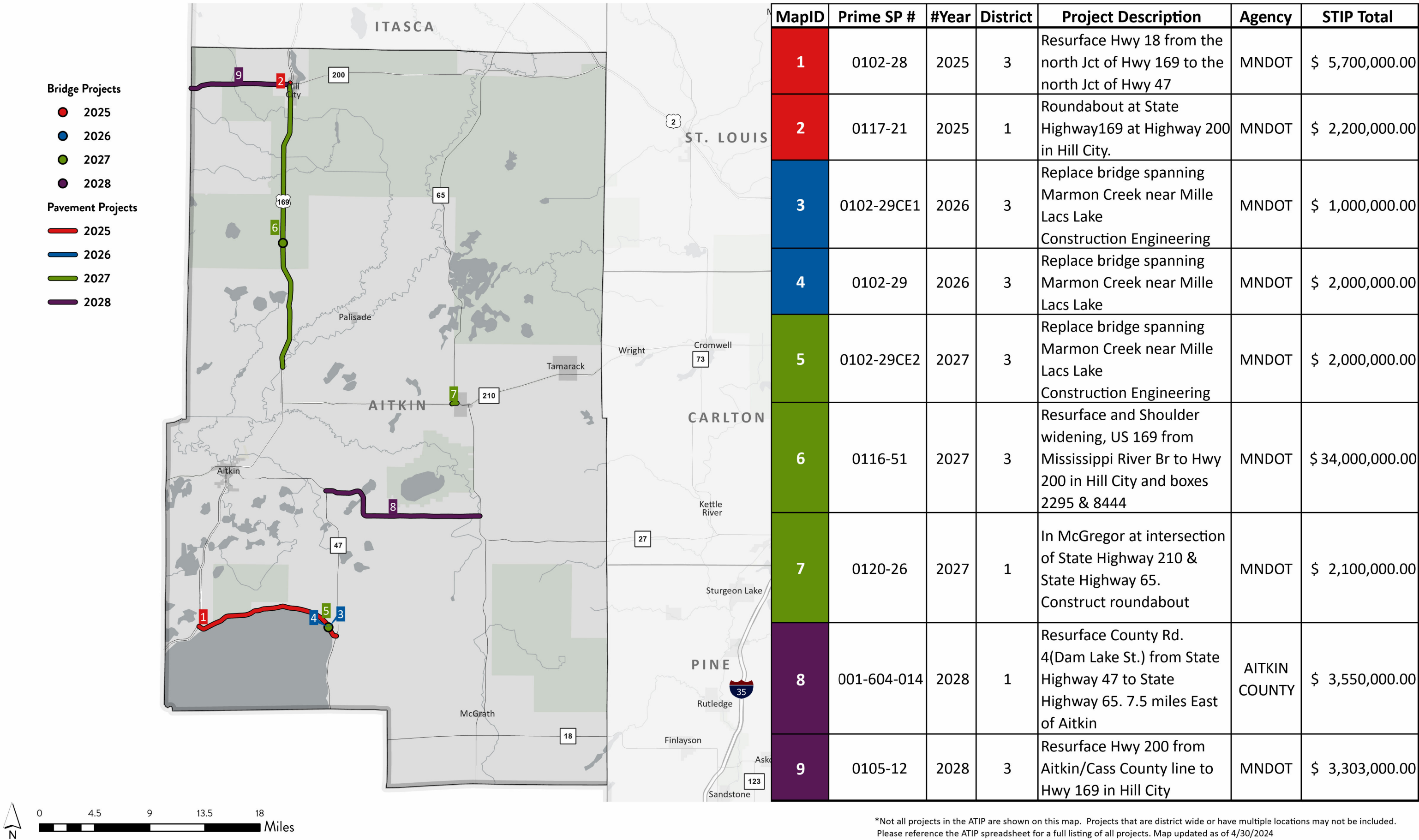
2021 (Programmed to Receive Funds in Fiscal Year 2025)

- **Multi-Use Trail:** The City of Grand Marais
- **TH 73 Trail Phase II:** The City of Moose Lake
- **Main Street (TH 135) Renewal Project:** The City of Biwabik
- **Highway 61 Trail Connection:** The City of Two Harbors

2020 (Programmed to Receive Funds in Fiscal Year 2024)

- **CSAH 55 (22nd Street) Multi-Use Path:** Carlton County
- **Gitchi-Gami State Trail – Two Harbors to Flood Bay Wayside:** MNDNR
- **James L. Oberstar Trail Segment:** Pine County

AITKIN COUNTY | ATIP PROJECTS 2025 - 2028





Aitkin County Board of Commissioners Committee Reports Forms



Committee	Freq	Scheduled	Representative
Association of MN Counties (AMC)			
Environment & Natural Resources Policy			Sample
General Government			Leiviska
Health & Human Services			HHS Director
Indian Affairs Task Force			Commissioner Laurie Westerlund
Public Safety Committee			Commissioner Laurie Westerlund
Transportation Policy			Kearney
Age-Friendly Changemakers			Kearney
Aitkin Airport Commission	Monthly	1st Wednesday	Wedel
Aquatic Invasive Species (AIS)	Monthly	3rd Thursday	Wedel and Sample
Aitkin County CARE Board	Monthly	3rd Thursday	Westerlund
Aitkin County Community Corrections	Quarterly	Varies	Wedel and Westerlund
Anoka County JPA Advisory Board	3x per year	1st Thursday in Feb, June and	Westerlund
Aitkin County Opioid Settlement Sub-committee	TBD	TBD	Sample
Aitkin County Water Planning Task Force	Bi-monthly	3rd Wednesday	Wedel
Aitkin Economic Development Administration	Quarterly	3rd Thursday	Wedel
Arrowhead Counties Association	8 or 9x yearly Sept. to May	1x a month, 3rd Wed.	Kearney, Alt. Westerlund
Arrowhead Economic Opportunity Agency	Bi-monthly (begin Feb.)	3rd Wednesday	Kearney, ALT. Leiviska
Arrowhead Regional Development Comm.	Quarterly	3rd Thursday	Kearney, ALT. Leiviska
ATV Committee	Monthly		Leiviska and Westerlund
Big Sandy Lake Management Plan	Monthly	2nd Wednesday	Sample Alt. Kearney
Brainerd 1 Watershed 1 Plan	Monthly	4th Tuesday	Wedel
Budget Committee	Monthly	1st Tuesday	Sample and Wedel
East Central Regional Library Board	Monthly	2nd Monday	Leiviska Alt. Sample
Economic Development	Monthly	4th Wednesday	Wedel and Sample
Emergency Management	As needed		Wedel
Environmental Assessment Worksheet	As needed		Kearney and Sample
Extension	4x year	Monday	Kearney Alt. Westerlund
Facilities	As needed		Wedel and Kearney
H&HS Advisory (Liaison)	Monthly except July	1st Wednesday	Wedel and Kearney
Historical Society (Liaison)	Monthly	4th Wednesday	Leiviska
Joint Powers Natural Resource Board	Odd Months	4th Monday	Sample and Land Commissioner
Lakes and Pines	Monthly	3rd Monday	Leiviska Alt. Kearney
Law Library	Quarterly	Set by Judge	Leiviska Alt. Kearney
MCIT			Westerlund, Seibert
McGregor Airport Commission	Monthly	Last Wednesday	Kearney
Mille Lacs Fisheries Input Group	8-10x yr		Westerlund
Mille Lacs Watershed	10x year	3rd Monday	Leiviska, Alt. Westerlund
Mississippi Grand Rapids 1W1P			Kearney
Mississippi Headwaters Board	Monthly	4th Friday	Kearney Alt. Sample
MN Rural Counties	8x year	Varies	Westerlund, Alt. Leiviska
Natural Resources Advisory Committee	8-10x yr	2nd Monday	Kearney and Sample
NE MN Office Job Training	As called		Leiviska
Northeast MN ATP	Quarterly	2nd Wednesday	Kearney (Leiviska, Alt.) and
Northeast MN Emergency Communications Board (ECB)	5-6x yr	4th Thursday	Leiviska (Sheriff Guida Alt.)
Northeast Waste Advisory Council	Quarterly	2nd Monday	Sample, Alt. Westerlund
Northern Counties Land Use Coordinating Board	Monthly	1st Thursday	Westerlund Alt. Kearney
Ordinance	As needed		Leiviska and Sample
Personnel/Insurance	As needed	2nd Tuesday	Leiviska and Wedel
Planning Commission	Monthly	3rd Monday	Kearney Alt. Westerlund
Rum 1W1P Policy Committee	Monthly	Unknown	Westerlund, Alt. Leiviska
Snake River 1W1P Policy			Leiviska Alt. Sample
Sobriety Court	Bi-Monthly	3rd Thursday	Wedel
Solid Waste Advisory	As needed		Wedel and Sample
Toward Zero Deaths	Monthly	2nd Wednesday	Wedel
Tri-County Community Health Services	Bi-Monthly	2nd Thursday	Westerlund



Board of County Commissioners Agenda Request

8A

Agenda Item #

Requested Meeting Date: June 11, 2024

Title of Item: Administrator Updates

<input checked="" type="checkbox"/> REGULAR AGENDA <input type="checkbox"/> CONSENT AGENDA <input type="checkbox"/> INFORMATION ONLY	Action Requested: <input type="checkbox"/> Approve/Deny Motion <input type="checkbox"/> Adopt Resolution (attach draft) <i>*provide copy of hearing notice that was published</i>	<input type="checkbox"/> Direction Requested <input checked="" type="checkbox"/> Discussion Item <input type="checkbox"/> Hold Public Hearing*
Submitted by: Jessica Seibert		Department: Administration
Presenter (Name and Title): Jessica Seibert, County Administrator		Estimated Time Needed: 5 minutes
Summary of Issue: Administrator Updates.		
Alternatives, Options, Effects on Others/Comments:		
Recommended Action/Motion: Discussion only.		
Financial Impact: Is there a cost associated with this request? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No What is the total cost, with tax and shipping? \$ Is this budgeted? <input type="checkbox"/> Yes <input type="checkbox"/> No <i>Please Explain:</i>		



Board of County Commissioners Agenda Request

8B

Agenda Item #

Requested Meeting Date: June 11, 2024

Title of Item: Closed Session - Labor Negotiations Strategy, MN Statute 13D.03

<input checked="" type="checkbox"/> REGULAR AGENDA <input type="checkbox"/> CONSENT AGENDA <input type="checkbox"/> INFORMATION ONLY	Action Requested: <input type="checkbox"/> Approve/Deny Motion <input type="checkbox"/> Adopt Resolution (attach draft) <i>*provide copy of hearing notice that was published</i>	<input type="checkbox"/> Direction Requested <input checked="" type="checkbox"/> Discussion Item <input type="checkbox"/> Hold Public Hearing*
Submitted by: Jessica Seibert		Department: Administration
Presenter (Name and Title): Jessica Seibert, County Administrator		Estimated Time Needed: 15 Min.
Summary of Issue: By a majority vote in a public meeting, the governing body of a public employer may decide to hold a closed meeting to consider strategy for labor negotiations. This includes negotiation strategies, or developments, discussion and review of labor negotiation proposals. (Minn. Stat. S 13D.03) Section 13D.01, subdivisions 1, 2, 4, 5 and Section 13D.02 of the Open Meeting Law do not apply to meetings held pursuant to the procedures in this section.		
Alternatives, Options, Effects on Others/Comments:		
Recommended Action/Motion:		
Financial Impact: <i>Is there a cost associated with this request?</i> <input type="checkbox"/> Yes <input type="checkbox"/> No <i>What is the total cost, with tax and shipping? \$</i> <i>Is this budgeted?</i> <input type="checkbox"/> Yes <input type="checkbox"/> No <i>Please Explain:</i>		

Legally binding agreements must have County Attorney approval prior to submission.