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**OFFICE OF THE REGISTRAR OF TITLES
LAKE COUNTY, MINNESOTA**

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**LORI EKSTROM
REGISTRAR OF TITLES**

BY *Lori Ekstrom* Dep



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**OFFICE OF THE COUNTY RECORDER
LAKE COUNTY, MINNESOTA**

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**LORI EKSTROM
LAKE COUNTY RECORDER**

BY *Lori Ekstrom* Dep

LAKE COUNTY ORDINANCE #20

LAKE COUNTY SMOKE-FREE PUBLIC PLACES AND PLACES OF WORK ORDINANCE

Effective February 13, 2018



Board of Commissioners

Lake County Service Center

616 Third Avenue

Two Harbors, MN 55616

Phone: 218-834-8320 Fax: 218-834-8360

Website: www.co.lake.mn.us

First District – Peter R. Walsh

Second District – Derrick (Rick) L. Goutermont

Third District – Richard (Rick) C. Hogenson

Fourth District – Jeremy M. Hurd

Fifth District – Rich Sve

LAKE COUNTY ORDINANCE #20

LAKE COUNTY SMOKE-FREE PUBLIC PLACES AND PLACES OF WORK ORDINANCE

The County Board of Lake County, Minnesota hereby ordains:

WHEREAS, in a 2006 Report of the United States Surgeon General, U.S. Surgeon General Carmona concluded that "exposure to secondhand smoke remains an alarming public health hazard" and that "more than 126 million nonsmokers are still exposed;" and

WHEREAS, numerous nationally recognized medical and scientific authorities, including the American Medical Association, the Surgeon General, the National Institute on Occupational Safety and Health, the National Cancer Institute, the Environmental Protection Agency, the National Academy of Sciences, the National Toxicology Program, and the World Health Organization have issued reports and health advisories addressing adverse effects of exposure to secondhand smoke; and

WHEREAS, tobacco smoke is a leading cause of disease in nonsmokers and a major source of indoor air pollution and secondhand smoke causes heart disease, lung cancer, respiratory infections, decreased respiratory function, and other health problems; and

WHEREAS, it is estimated that in the U.S., secondhand smoke causes about 46,000 (a range of 22,700 to 69,600) deaths per year from cardiac-related illnesses (including 700 to 1,240 deaths among Minnesotans), and 3,400 deaths per year from lung cancer; and

WHEREAS, it is estimated that between 24,300 and 71,900 low birth-weight or pre-term deliveries, about 202,300 episodes of childhood asthma (new cases and exacerbations), between 150,000 and 300,000 cases of lower respiratory illnesses in children, and about 789,700 cases of middle ear infections in children occur in the United States each year as a result of exposure to secondhand smoke; and

WHEREAS, there is no known safe level of exposure to secondhand smoke and neither the separation of smokers and nonsmokers nor the introduction of new ventilation systems can eliminate the health hazards it causes; and

WHEREAS, electronic delivery devices, more commonly referred to as electronic cigarettes or e-cigarettes, closely resemble and purposefully mimic the act of smoking, and they produce an aerosol or vapor of undetermined and potentially harmful substances, which may appear similar to the smoke emitted by conventional tobacco products; and

Laurel D. Buchanan
 Clerk of the Board of Commissioners
laurel.buchanan@co.lake.mn.us

WHEREAS, the use of electronic delivery devices in places where the use of combustible tobacco products is prohibited creates concern and confusion and leads to difficulties in enforcing smoking prohibitions; and

WHEREAS, the only way to completely protect workers and the public from the health threats of secondhand emissions from electronic cigarettes is to create 100% smoke-free workplaces and public spaces; and

WHEREAS, objective evidence does not support fears that restricting smoking in indoor areas will harm a community's economy, and many independent economic studies drawn from the experiences of hundreds of communities that have successfully eliminated smoking in workplaces and public places have shown that the elimination of smoking has no material economic impact on a community; and

WHEREAS, restricting smoking in places of work and public places can help to reduce youth exposure to secondhand smoke and model smoke-free behavior; and

WHEREAS, public health policies, ordinances, and other laws are part of the system by which people learn behaviors, guide youth, reduce health threats, and reinforce community norms that support the public's health; and

WHEREAS, the Lake County Board of Commissioners is also this County's Board of Health:
and

WHEREAS, a Board of Health has the power and duty to: (a) Adopt ordinances to regulate actual or potential threats to the public health; (b) define public health nuisances; and (c) provide for their prevention; and

WHEREAS, due public notice has been provided pursuant to Minn. Stat. § 375.51;

NOW, THEREFORE, BE IT RESOLVED, that the Lake County Board of Commissioners hereby adopts the "Lake County Smoke-Free Public Places and Places of Work Ordinance" as on file in the County Administrator's office on this 13th day of February, 2018:

SECTION I. TITLE

This Ordinance shall be known as the Lake County Smoke-Free Public Places and Places of Work Ordinance.

SECTION II. PURPOSE AND JURISDICTION

Subsection A.

The purpose of this Ordinance is to:

1. Protect the public health, welfare and safety of the people of Lake County from the adverse effects of secondhand smoke by better ensuring their ability to breathe safe and uncontaminated air;
2. Affirm that the right to breathe clean air has the priority over the desire to smoke; and
3. Protect vulnerable populations, including children, employees, the elderly, and those with chronic health conditions from the adverse effects of secondhand smoke pursuant to the powers granted under Minnesota Statutes, Chapters 145A and 375.

Subsection B.

Pursuant to Minn. Stat. § 145A.05, this Ordinance applies throughout all of Lake County, including the municipalities therein.

Subsection C.

Nothing in this Ordinance shall prevent other local levels of government from adopting more restrictive measures to protect citizens from secondhand smoke.

SECTION III. DEFINITIONS**Subsection A.**

"Electronic delivery device" means any product containing or delivering nicotine, lobelia, or any other substance intended for human consumption through the inhalation of aerosol or vapor from the product. The term 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.

Subsection B.

"Food establishment" means any establishment, however designated, engaged in the preparation of food or beverages for consumption either on or off the premises, or anywhere consumption of food occurs on the premises. This term includes any establishment that has an on-sale non-intoxicating malt liquor license, an on-sale intoxicating liquor license, an on-sale wine license, a strong beer liquor license, or any other liquor license issued by the State of Minnesota, the municipality within which it is located, or Lake County.

Subsection C.

"Indoor area" means 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. A standard window screen (0.011 gauge with an 18 by 16 mesh count) is not considered a wall.

Subsection D.

"Other person in charge" means the agent of the Proprietor authorized to provide administrative direction to, and general supervision of, the activities within a public place or place of work at any given time.

Subsection E.

"Place of work" means any indoor area at which two or more individuals perform any type of service for consideration of payment under any type of contractual relationship including, but not limited to, an employment relationship with or for a private corporation, partnership, individual, or government agency. This term includes any indoor area where two or more individuals gratuitously perform services for which individuals are ordinarily paid. Examples of a "place of work" include indoor areas of an office, a public conveyance, a factory, a warehouse, a hotel or motel, a vehicle used in whole or in part for work purposes, or any other location where services are performed under an employment relationship. Indoor areas of private clubs and rooms used for private meetings or social functions are

"places of work" if two or more persons acting under a contractual relationship provide cleaning, catering, food and beverage service, maintenance, or other support services in the location.

Subsection F.

"Proprietor" means the party who ultimately controls, governs or directs the activities within the public place or place of work, regardless of whether the party is owner or lessee of the public place or place of work. The term may apply to a corporation as well as an individual.

Subsection G.

"Public place" means any indoor area used by the general public or serving as a place of work, including, but not limited to, food establishments, retail stores, offices and other commercial establishments, public conveyances, schools and other educational facilities, hospitals, auditoriums, arenas, meeting rooms, and common areas of apartment buildings, condominiums or similar buildings.

Subsection H.

"Smoke" or "Smoking" means inhaling or exhaling burning, or carrying of any lighted or heated cigarette, cigar, pipe, or any other lighted or heated product, whether natural or synthetic, containing, made, or derived from nicotine, tobacco, marijuana or other plant, that is intended for inhalation. The terms includes carrying or using an activated electronic delivery device

SECTION IV. PROHIBITIONS

Subsection A.

Except as provided in subsection (B), no person shall smoke:

1. In public places and places of work;
2. Within ten (10) feet of entrances, exits, windows and ventilation intakes of public places and places of work; or
3. In outdoor dining or bar areas of food establishments. The proprietor may designate up to 50% of the outdoor seating capacity for smoking, provided this location is appropriately signed as a smoking area.

Subsection B.

The prohibitions of this section do not apply to:

1. **Scientific study participants.** Smoking by participants in peer reviewed scientific studies related to the health effects of smoking may be allowed in a separated room ventilated at a rate of 60 cubic feet per minute per person pursuant to a policy that is approved by the commissioner and is established by the administrator of the program to minimize exposure of nonsmokers to smoke.
2. **Traditional Native American ceremonies.** Smoking by a Native American as part of a traditional Native American spiritual or cultural ceremony is allowed. For purposes of this section, a Native American is a person who is a member of an Indian tribe as defined in Minn. Stat. § 260.755, subd. 12.

3. **Private places.** This Ordinance does not prohibit smoking in:
- a) private homes, private residences, or private automobiles when they are not in use as a place of employment, or
 - b) sleeping rooms of hotels and motels which are rented to guests and which are designated as smoking-permitted rooms by the proprietor or other person in charge.
4. **Heavy commercial vehicles.** Smoking in the cabs of motor vehicles registered under Minn. Stat. § 168.013, subd. 1e, with a total gross weight of 26,001 pounds or greater.
5. **Farm vehicles and construction equipment.** This Ordinance does not prohibit smoking in farm trucks, as defined in Minn. Stat. § 168.011, subd. 17; implements of husbandry, as defined in Minn. Stat. § 168A.01, subd. 8; and special mobile equipment, as defined in Minn. Stat. § 168.011, subd. 22. This subdivision applies to farm trucks, implements of husbandry, and special mobile equipment when being used for their intended purposes.
6. **Family farms.** This Ordinance does not prohibit smoking in the house, garage; barns, and other buildings on a family farm if the family farm:
- a) Is engaged in farming, as that term is defined in Minn. Stat. § 500.24, subd. 2, paragraph (a);
 - b) Meets the definition of family farm under Minn. Stat. § 500.24, subd. 2, paragraph (b), (c), (j), or (l); and
 - c) Employs two or fewer persons who are family members.
7. **Theatrical productions.** This Ordinance does not prohibit smoking by actors and actresses as part of a theatrical performance conducted in compliance with Minn. Stat. § 366.01. Notice of smoking in a performance shall be given to theater patrons in advance and shall be included in performance programs.

SECTION V. RESPONSIBILITIES OF PROPRIETORS

The proprietor or other person in charge of a public place or place of work where smoking is prohibited shall:

Subsection A. Post appropriate signage on or immediately inside of all outside entrances to the public place or place of work. Signs must be placed at an unobscured location, at a height that will be easily seen by persons entering the establishment, and using printed letters that are at least 0.5 inches (1.3 centimeters) in size.

Subsection B. Ensure that no ashtrays, lighters, matchbooks, smoking papers, pipes (including hookahs), or similar smoking paraphernalia are provided for use in any area where smoking is prohibited; and

Subsection C. Ask any person who smokes in an area where smoking is prohibited, to refrain from smoking and, if the person does not comply with this request, ask the person to leave and, if the person refuses to leave, contact the appropriate law enforcement authorities.

SECTION VI. PRIVATE PROHIBITIONS

Nothing in this Ordinance prevents the proprietor or other person in charge of any place, including, without limitation, any residence, motor vehicle, hotel, motel, or other lodging place, or any outdoor space, from prohibiting or further restricting smoking in any such place.

SECTION VII. RETALIATION PROHIBITED

No person or employer shall discharge, refuse to hire, penalize, discriminate against, or in any manner retaliate against any employee, applicant for employment or customer because the employee, applicant, or customer exercises any right to a smoke free environment provided by this Ordinance or other current law.

SECTION VIII. OTHER APPLICABLE LAWS

This Ordinance is intended to complement the Minnesota Clean Indoor Air Act, Minn. Stat. §§ 114.411 to 144.17, as amended from time to time. Nothing in this Ordinance authorizes smoking in any location where smoking is prohibited or restricted by other laws.

SECTION IX. VIOLATION AND PENALTIES

Subsection A. Smoking where prohibited.

It is a violation of this Ordinance for any person to smoke in an area where smoking is prohibited by this Ordinance or by a private policy established by the proprietor or other person in charge of the area.

Subsection B. Proprietors.

It is a violation of this Ordinance for the proprietor or other person in charge of any premises subject to this Ordinance to fail to comply with the requirements of SECTION V, or to retaliate against an employee, applicant for employment, or customer, as prohibited in SECTION VII.

Subsection C. Penalties.

A person who violates any provision of this Ordinance shall be guilty of a petty misdemeanor and subject of a fine of up to three hundred dollars (\$300.00) for the first offense. Any subsequent violation of any provision of this Ordinance shall be a misdemeanor. Each day of violation constitutes a separate offense.

Subsection D. Injunctive Relief.



In addition to the penalties provided in Subsection (C), the County Attorney may bring a civil action against a proprietor or other person in charge of public place or place of work to enjoin repeated or continuing violations of this Ordinance.

SECTION X. SEVERABILITY

If any portion of this Ordinance, or its application to any circumstances, is held invalid, the remaining provisions shall be considered severable, and shall be given effect to the maximum extent possible.

SECTION XI. EFFECTIVE DATE

This Ordinance shall take effect February 13, 2018.

ATTEST:  

Laurel Buchanan, Clerk of the Board Rich Sve, Chairman
 Lake County Board of Commissioners

RESOLUTION NO. 18021320
APPROVED AMENDMENTS TO LAKE COUNTY ORDINANCE #20, LAKE COUNTY SMOKE-FREE
PUBLIC PLACES AND PLACES OF WORK ORDINANCE

ADOPTED: February 13, 2018

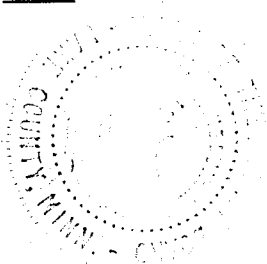
Commissioner Walsh moved the approval of the foregoing resolution and the same was declared adopted upon unanimous vote of all members present. Absent: None

STATE OF MINNESOTA }
 County of Lake } ss.
 Office of Clerk of the Board }

I, Laurel D. Buchanan, Clerk of the Lake County Board of Commissioners, do hereby certify that I have compared the foregoing with the original resolution filed in my office on the 13th day of February, 2018, and the same is a true and correct copy of the whole thereof.

WITNESS MY HAND AND SEAL OF MY OFFICE
at Two Harbors, Minnesota, this 15th day of January,
2018.


 Laurel D. Buchanan, Clerk of the Board



AFFIDAVIT OF PUBLICATION
STATE OF MINNESOTA)

)SS.
COUNTY OF LAKE)

A 1000

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Christine Mallory, being duly sworn, on oath says that he is the Editor or authorized agent or employee of the publisher of the newspaper known as the **North Shore Journal**, and has full knowledge of the facts which are stated below.

(A) The newspaper has complied with all the requirements constituting qualifications as a qualified newspaper, as provided by Minnesota Statute 331.A.02, 331.A.07, and other applicable laws, as amended.

(B) The printed

**OFFICIAL PROCEEDINGS OF A PUBLIC HEARING ON
AMENDING ORDINANCE NO. 20**

which is attached was cut from the columns of said newspaper, and was printed and published once each week, for 1 successive week; it was first published on Friday, the **23rd day of February, 2018**; and printed below is a copy of the lower case alphabet from A to Z, both inclusive, which is hereby acknowledged as being the size and type used in the composition and publication of the notice.

abcdefghijklmnopqrstuvwxyz
abcdefghijklmnopqrstuvwxyz

BY: *Christine Mallory*
Editor/Authorized Agent

Subscribed and sworn to before me on
This 2nd day of
March, 2018

Brandi Nopola
Notary Public

**OFFICIAL PROCEEDINGS
OF A PUBLIC HEARING ON
AMENDING ORDINANCE NO. 20
LAKE COUNTY, MINNESOTA**

Tuesday, January 16, 2018. Lake County Law Enforcement Center, 613 Third Avenue, Two Harbors, Minnesota. County Commissioners Present: District 1 Commissioner Peter R. Walsh, District 2 Commissioner Derrick (Rick) L. Goutermont, District 3 Commissioner Richard (Rick) C. Hogenson District 4 Commissioner, Jeremy M. Hurd, District 5 Commissioner Rich Sve. County Commissioners Absent: None. Also present: Acting Clerk of the Board, County Administrator Matthew Huddleston. Also absent: Clerk of the Board Laurel D. Buchanan

At 6:03 p.m., a public hearing was convened on proposed amendments to Lake County Ordinance # 20, Lake County Smoke-free Public Places and Places of Work. Lisa Hanson, Director of Health and Human Services, and Michelle Backes-Fogelberg, Public Health Supervisor, reviewed a summary of the proposed amendments which would:

- 1.) Extend the prohibitions on tobacco use in public and work places to include electronic delivery devices (e-cigarettes);
- 2.) More clearly define what constitutes an "indoor area";
- 3.) Eliminate the exception for tobacco products shops;
- 4.) Provide definitions for terms that were previously defined by statutes or rules that have been repealed; and
- 5.) Update statutory citations.

Commissioners asked questions about e-cigarette usage by our youth, how local businesses felt about proposed amendments and the number of counties and cities that currently have ordinances addressing e-cigarettes. Louise Anderson, Director of the Carlton, Cook, Lake, St. Louis Community Health Board spoke in favor of the amendments. She cited local anecdotal evidence along with regional data supporting the need for regulation of e-cigarettes. There were no other public comments made during the public hearing and no comments were received in writing in advance of the public hearing.

The public hearing was adjourned at 6:12 p.m.

ATTEST:
Matthew Huddleston
Acting Clerk of the Board
Rich Sve, Chairperson
Lake County Board of Commissioners

**Northshore Journal:
February 23, 2018**



LEGAL NOTICES

OFFICIAL PROCEEDINGS OF THE COUNTY BOARD LAKE COUNTY, MINNESOTA

Tuesday, February 13, 2018. Lake County Service Center, Split Rock River Room, 618 Third Avenue, Two Harbors, Minnesota. County Commissioners Present: District 1 Commissioner Peter R. Walsh, District 2 Commissioner Derrick (Rick) L. Commissioner, District 3 Commissioner Richard (Rick) C. Hogenson, District 4 Commissioner Jeremy M. Hurd, District 5 Commissioner Rich Sve. Absent: None. Also present: County Administrator Matthew Huddleston and Laurel D. Buchanan, Clerk of the Board. Meeting was called to order at 2:00 pm by Board Chair Rich Sve. Unless otherwise stated, all actions have been approved by unanimous yeas vote. Members of the public were present. Commissioner Sve led the audience in the recitation of the Pledge of Allegiance.

MOTION HURD, SECOND GOUTERMONT: 81 - Approve agenda. Absent: None

County Administrator Matthew Huddleston introduced proposed resolutions for a judgment bond related to broadband construction invoices, authorizing Lake County to execute the confession of judgment, and setting the date for the bond sale. (Bruce Kimmel, senior municipal advisor for Ruckelshaus and Associates, Inc., the county's financial advisor, provided a Pre-Sale Report for Lake County, Minnesota, \$4,650,000 General Obligation Judgment Bonds, Series 2018A. Mr. Kimmel discussed how the bonds are going to be sold in the market. The Bonds are being issued pursuant to Minnesota Statutes, Chapter 475. The Bonds will be general obligations of the County to which full faith, credit and taxing powers are pledged. The Bonds count against the County's overall debt limit for tax-supported debt, in which outstanding principal is limited to three percent (3%) of the County's estimated market value. Including this bond issue, the County has approximately \$45,000,000 in existing capacity for tax-supported debt. Because the County is expecting to issue less than \$10,000,000 in tax exempt debt during the calendar year, the County will be able to designate the Bonds as "bank qualified" obligations. Bank qualified status broadens the market for the Bonds, which can result in lower interest rates.

Ehers is recommending a disclosure attorney in addition to a bond attorney. The bond sale is structured to get as many competitive bids as possible. The bond sale is based on the amount due to MP Heavlev, LLC as of the end of March 2018, with an estimated closing date of March 29, 2018. There was discussion on timing of the sale of the broadband network and the timing of the new construction of the highway department facility. County Attorney Russ Conroy provided a definition of Confession of Judgment, that the County is admitting that it owes the money by contract and that it hasn't been paid yet. Deputy Auditor Ronni Radtke was present for any questions on the bond presentation.

Ehers will assist Lake County for the sale of the Bonds. The Board of Commissioners regularly scheduled meeting of the Committee of the Whole on 6:00 p.m. on March 20, 2018, will be noticed as a special meeting, for the purpose of considering proposals for and awarding the sale of the Bonds.

MOTION GOUTERMONT, SECOND HOGENSON: 82 - Authorize the Chair to execute the Confession of Judgment in the amount of \$4,625,643.22, acknowledging the amount remaining unpaid to MP Heavlev, past the terms of the broadband infrastructure contract. Absent: None

MOTION HURD, SECOND GOUTERMONT: 83 - Approve Resolution Providing for the Sale of General Obligation Judgment Bonds, Series 2018A, in the Approximate Aggregate Principal Amount of \$4,650,000. Absent: None

County Administrator Matthew Huddleston reviewed the proposed Agreement between Lake and Cook County for Shared Highway Engineer Services. Highway Engineer Krystan Foster stated that she supported the shared services agreement. Mr. Foster confirmed that Cook County approved the agreement and has appointed two commissioners to the Advisory Committee.

Mr. Huddleston reviewed the proposed apportionment resolution as proposed by Land Commissioner Nate Eide, who was present for any questions. Land Commissioner Nate Eide answered questions about the Environmental Assessment Worksheet (EAW) for Lake County Mountain Bikes and the request to Environmental Quality Board (EQB) that Lake County be the Responsible Governmental Unit (RGU) for the Split Rock Woods EAW.

Sergeant Nathan Stadler and Information Technology (IT) Director Boris Nachaszny were present for any questions on the request for Mobile Data Computers (MDCs) for operation in squad cars. Mr. Nachaszny updated the Board on what the request is regarding and about the timing of the request and that the investment is to be paid from e-9-1-1 funds.

One item was removed from the Consent Agenda for separate board approval.

MOTION WALSH, SECOND HURD: 84 - Approve amended consent agenda as follows:

- 1. Approve meeting minutes from a Public Hearing held on January 16, 2018, on proposed amendments to Lake County Ordinance No. 20.
2. Approve County Board of Commissioners' meeting minutes from January 23, 2018.
3. Approve meeting minutes from a Public Hearing held on February 6, 2018, on Lake County's submission of a Small Cities Development Program Application to the Minnesota Department of Employment and Economic Development (DEED), on behalf of the Lake County Housing Initiative.
4. Approve Health and Human Services claims payments in the following amounts:
a. Administrative payments \$ 17,190.35
b. Arrowhead Health Alliance payments \$ 12,156.23
c. Region II payments \$ 64,054.18
d. Special payments \$ 3,000.00
5. Approve the Amanda Fleck abatement to restore her pay 2017 homestead classification which was erroneously cancelled.
6. Approve the Dave Oetlander abatement to remove new construction value erroneously added to his pay 2017 valuation.
7. Authorize payment to City of Silver Bay for 2017 UT 1 portion of Silver Bay Fire Department in the amount of \$17,200.50.
8. Authorize payment in the amount of \$8,424.36 to Marine Repair Service (MRS 2017-052) for the Boston Whaler engine repair and for the parts, labor and installation of the electronics including navigation electronics, wiring and lighting.
9. Authorize transfer of Gravel Royalty dollars from Highway Department to the 2017 Tax Forfeir fund (acct# 85-950-0000-5490) in the amount of \$23,292.95.
10. Approve Resolution for Proposed Revision to Prospector's Loop ATV Trail System Trail Rules, and that Lake County, serving as the Responsible Governmental Unit (RGU), determines that the proposed re-route is not a substantial change to justify a new or revised Environmental Assessment Worksheet (EAW) for the Prospector's Loop Trail Project.
11. Accept quote and approve payment to Warren Johnson for \$6,477.50 to provide haul and place 92 swamp pads near Spruce Road for the Prospector Loop ATV trail. Funding provided through grant money.
12. Authorize County Auditor to transfer the balance of \$689.58 from the 2017 State Road Grant account to the 2018 State Road Grant Account (acct # 85-954-000-0000-5264).
13. Authorize Forestry Department to begin working four 10-hour shifts per week, beginning Monday, March 5, 2018, and ending Friday, November 2, 2018.
14. Approve the renewals of Consumption and Display Permit for Withurst Lodge & Campground, Finland, MN, and National Forest Lodge, Isabella, MN, for period April 1, 2018 through March 31, 2019.
15. Approve Local Economic Resolution in support of a Minnesota Department of Employment and Economic Development (DEED) Small Cities Development Program (SCDP) Project, resolving that the Chair of the Board of Commissioners and County Administrator, or their successors in office, are hereby authorized to execute such agreements, and amendments thereto, as are necessary to implement the project on behalf of the Applicant (Lake County). The application will request funds for owner-occupied housing and commercial rehabilitation in targeted areas of the City of Silver Bay.
16. Approve and authorize the Chair of the Board of Commissioners to sign the Citizen Participation Plan for the Minnesota Department of Employment and Economic Development (DEED) Small Cities Development Program (SCDP) Project for the Lake County application for the City of Silver Bay.
17. Approve the appointment of Susan Hillard as Chair and Marys Wisch as Vice Chair to the Lake County Health and Human Services Advisory Committee, effective January 1, 2018, for a one-year term.
18. Accept the resignation of Cane Larson from the Lake County Health and Human Services Advisory Committee, effective January 23, 2018.
19. Approve and authorize financial assistance for the Two Harbors Area Food Shelf in the amount of \$7,500.00 for calendar year 2018.
20. Authorize payment in the amount of \$18,075.48 to Baird Speth LLP, for INV. 737873-0325, in the matter of Rolf Beach of Contract, for services rendered through December 31, 2017.
21. Authorize transfer in the amount of \$8,786.87 from Solid Waste to Road & Bridge for 2017 interdepartment services.
22. Authorize Highway Department payment to City of Ely in the amount of \$8,333.26 for winter 2017-2018 salt-sand.
23. Authorize final payment to Knife River Materials for a SP 038-602-028 contract total of \$1,131,300.99.

- 24. Authorize second-half 2017 municipal maintenance distribution to City of Two Harbors in the amount of \$7,562.50.
25. Authorize second-half 2017 municipal maintenance distribution to City of Silver Bay in the amount of \$6,916.50.
26. Authorize Highway Engineer to sign USDA Forest Service property transfer agreement for CSAH 34 (Tonahawk Rd.) and CR 704 (McDougal Lake Rd.) Stony River bridge.
27. Approve remittance of 2018 Town Road Account distributions in accordance with Minnesota Statute 162.081, as follows:
a) \$118,384.37 for Silver Creek town roads
b) \$11,105.57 for Fall Lake town roads
c) \$8,316.55 for Stony River town roads
d) \$7,716.42 for Crystal Bay town roads
e) \$6,515.72 for Beaver Bay town roads
28. Authorize Highway Department purchase of sixteen Bridgestone M799 stock tires from Pomp's Tire Service, Inc. at a State CPV Contract T-740(5) total price of \$6,736.00 plus tax if applicable.
29. Authorize Highway Department purchase of sixteen hubs from Pomp's Tire Service, Inc. at a total price of \$2,944.00 plus tax if applicable.
30. Authorize payment in the amount of \$33,608.94 to Consolidated Telecommunications Company (CTC), invoice INV-3272, for January voice revenues and associated costs.
31. Authorize payment in the amount of \$38,103.47 to Consolidated Telecommunications Company (CTC), invoice INV-3270 for payrolls, camera for the Lake County Sheriff's project, mapping labor, January commissions, January circuit charge and misc. shipping expenses.
32. Authorize payment in the amount of \$5,380.36 to Coop Light and Power, invoice 9387, for right of way clearing.
33. Approve the application, and authorize the Board Chair to sign, the 2018 Minnesota Department of Natural Resources (DNR) Firewise Community Grant application.
34. Approve Resolution for Classification of Tax Forfeited Land as follows:
WHEREAS, certain parcels of land in Lake County have been considered for sale described as follows:

Table with columns: PARCEL ID, Acres, Section, Township, Range, Description, Township. Rows include parcels like 20-2808-09770, 20-8010-23070, 22-1440-22960, etc.

WHEREAS, M.S. 282.01 calls for classification of said parcels to conservation or non-conservation:

NOW, THEREFORE, BE IT RESOLVED, that the classifications of said parcels of land are hereby declared to be non-conservation.

- 35. Authorize payment in the amount of \$13,686.18 payment to Mid-America Business Systems of Minneapolis for annual software maintenance and support services.
36. Authorize \$101,110.00 investment for Mobile Data Computers (MDCs) which are suggested Panasonic brand laptops and communication accessories necessary for operation in squad cars. The supplier is Baycom of Green Bay, WI using the State of Minnesota state-contract pricing discounts with Panasonic. The order is for twenty (20) MDC's, sixteen for Lake County Sheriff's Office vehicles, two for Two Harbors Police Department vehicles and two for Silver Bay Police Department vehicles. The investment is to be paid from e-9-1-1 funds (funding source with payment split by agency) as part of the update to Computer Automated Dispatch (CAD) and associated systems referred to as "Zurcher CAD", which is being done simultaneously by Lake, Cook, Koochiching, Carlton, Pine Counties and all associated local government departments within those counties.
37. Record Motion 11, from County Board of Commissioners' meeting minutes of January 9, 2018, that had set the Interim Appointee for 2017 salary and 2018 annual salary.

38. Approve apportionment resolution authorizing County Auditor to transfer \$292,199.85 from 950 Forestry fund to Resource Development fund for apportionment. The portion going to Resource Fund, UT #1, and UT #2 will stay in the Resource Development fund to help pay for the Clair A. Nelson Memorial Forest. Break down of amounts follows:

Table showing apportionment breakdown: Resource Development Fund (150,536.79), Recreation Fund (58,439.93), Revenue Fund (all to stay in Resource Development fund) (58,439.98), School District (0), etc.

Absent: None.

MOTION GOUTERMONT, SECOND HOGENSON: 85 - Authorize payment to Finland Fire Department for the rental of Finland Rescue Hall for 2018 in the amount of \$8,000.00. Yes: Goutermont, Hogenson, Hurd, Sve, Nay. None: Abetain, Walsh. Absent: None

MOTION HURD, SECOND WALSH: 86 - Approve the change in employment status of Andrew Ives, Appraiser, due to completion of probation period effective February 6, 2018. Absent: None

MOTION HOGENSON, SECOND GOUTERMONT: 87 - Approve the probationary appointment of Jill Paton to Environmental Services Specialist at the Step 1 rate of \$17.79 per hour effective February 14, 2018. Absent: None

MOTION WALSH, SECOND HURD: 88 - Approve the resignation of Rebecca Muotka, Human Services Professional, effective February 9, 2018. Absent: None

MOTION HURD, SECOND GOUTERMONT: 89 - Approve the filling of one full-time Human Services Professional position. Absent: None

MOTION WALSH, SECOND HOGENSON: 89 - Approve the Maintenance Department request to fill two 67-day temporary Grounds Maintenance worker positions at \$10.50 per hour. Absent: None

MOTION HURD, SECOND HOGENSON: 11 - Approve the Highway Department request to fill the following 67-day temporary positions:

Table with columns: Position, Rate. Rows include Truck Driver (3 positions, \$15.50 per hour), Mower Operator (5 positions, \$12.50 per hour), Laborer (2 positions, \$10.00 per hour), etc.

MOTION WALSH, SECOND GOUTERMONT: 12 - Approve the trial appointment of Craig Alfness, Information Technology Specialist, to Senior Information Technology Specialist, at the Step 7 rate of \$23.16 per hour effective February 14, 2018. Absent: None

MOTION HURD, SECOND GOUTERMONT: 13 - Approve the recruitment for one full-time Information Technology Specialist. Absent: None

MOTION HURD, SECOND HOGENSON: 14 - Set the County Sheriff 2018 salary at \$95,000. Absent: None

MOTION HURD, SECOND HOGENSON: 15 - Set the County Auditor 2018 salary at \$76,500. Absent: None

MOTION GOUTERMONT, SECOND WALSH: 16 - Set the Interim County Recorder 2017 salary at \$58,654 and the 2018 annual salary at \$60,860. Absent: None

MOTION HURD, SECOND WALSH: 17 - Approve and authorize the Chair to sign the Agreement between Lake and Cook County for Shared Highway Engineer Services, effective February 14, 2018 through December 31, 2019. Absent: None

MOTION WALSH, SECOND HOGENSON: 18 - Approve the additional compensation for Krystan Foster, County Engineer, in the amount of \$10,000 annually, while acting in the capacity of Cook County Engineer under the Agreement between Lake and Cook County for Shared Highway Engineer Services. Absent: None

MOTION GOUTERMONT, SECOND WALSH: 19 - Bring back to the table this previously tabled item: Lake County Health and Human Services (LCHHS) proposed amendments to Lake County Ordinance #20, Lake County Smoke-Free Public Places and Places of Work Ordinance, that was tabled on January 23, 2018. Absent: None

MOTION GOUTERMONT, SECOND HOGENSON: 20 - Approve the Lake County Health and Human Services (LCHHS) amendments to Lake County Ordinance #20, Lake County Smoke-Free Public Places and Places of Work Ordinance. In summary, the amendments:

- 1. Extend the prohibitions on tobacco use in public and work places to include electronic delivery devices (e-cigarettes); and
2. More clearly define what constitutes an "indoor area"; and
3. Eliminate the exception for tobacco products shops; and
4. Provide definitions for terms that were previously defined by statutes or rules that have been repealed; and
5. Update statutory citations.

Absent: None

MOTION HURD, SECOND GOUTERMONT: 21 - Approve resolution authorizing signatures and submission of the grant application to the Minnesota Department of Natural Resources for the Federal Recreational Trail Program (FRTP), in which Lake County agrees to be the fiscal agent on behalf of the Trails of Finland Snowmobile / ATV, also known as Sawtooth Mountain Trails. Absent: None

MOTION HURD, SECOND HOGENSON: 22 - Approve and authorize the Chair to sign the Memorandum of Understanding between Lake County and AFSCME Council 5. Absent: None

MOTION HOGENSON, SECOND HURD: 23 - Approve the final appointment of Kriss Okie, Human Services Technician, to Human Services Professional, at the Step 1 rate of \$24.53 per hour effective February 14, 2018. Absent: None

MOTION HURD, SECOND GOUTERMONT: 24 - Adjourn County Board of Commissioners' meeting at 3:18 pm. Absent: None

From the Board of Commissioners' meeting agenda:
- Meeting of the Committee of the Whole at 6:00 p.m. on Tuesday, February 20, 2018, to be held in the Law Enforcement Center, 613 Third Avenue, Two Harbors, Minnesota.
- Regular meeting at 2:00 p.m. on Tuesday, February 27, 2018, to be held in the Split Rock River Room located on the main floor of the Lake County Service Center, 618 Third Avenue, Two Harbors, Minnesota.

ATTES:
Laurel D. Buchanan
Clerk of the Board
Rich Sve, Chairperson
Lake County Board of Commissioners
Northshore Journal: March 9, 2018

NOTICE ANNUAL MEETING ELECTION OF OFFICERS

Notice is hereby given to the qualified voters of Town of Alden, County of St. Louis, and State of Minnesota, that the Annual Election of Town Officers and Annual Township Meeting will be held on Tuesday, March 13, 2018.

The election poll hours will be open from 5:00 p.m. to 8:00 p.m., at which time the voters will elect:

- One (1) Supervisor..... 3 year term
One (1) Clerk..... 2 year term

The Annual meeting will commence at 8:15 p.m. to conduct all necessary business prescribed by law.

The Annual Election and Meeting will be held at the following location:

Alden Town Hall
7404 Laine Road

If you have questions, please contact:

Alex Deaton
Alden Township Clerk
216.595.0550

Northshore Journal: March 9, 2018

AFFIDAVIT OF PUBLICATION

STATE OF

COUNTY OF

Christine Mallory, being duly sworn that he is the Editor or authorized agent of the publisher of the newspaper known as the North Shore Journal, and has full facts which are stated below.

(A) The newspaper has complied with all requirements constituting qualifications as a newspaper, as provided by Minnesota Statute 331.A.07, and other applicable laws, and

(B) The printed

OFFICIAL PROCEEDINGS OF THE COUNTY BOARD FEBRUARY 13, 2018

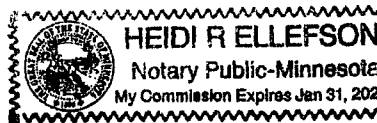
which is attached was cut from the columns of the newspaper, and was printed and published one week, for 1 successive week; it was first published on Friday, the 9th day of March, 2018; and is a copy of the lower case alphabet font, size and type used in the composition and

abcdefghijklmnopqrstuvwxyz
abcdefghijklmnopqrstuvwxyz

BY: Christine Mallory
Editor/Authorized Agent

Subscribed and sworn to before me on This 5th day of April, 2018

Heidi Ellefson
Notary Public



North Shore Journal

LEGAL OFFICIAL PROCEEDINGS OF THE COUNTY BOARD LAKE COUNTY, MINNESOTA

Tuesday, February 13, 2018. Lake County Service Center, Split Rock River Room, 816 Third Avenue, Two Harbors, Minnesota. County Commissioners Present: District 1 Commissioner Peter R. Walsh, District 2 Commissioner Derrick (Rick) L. Goutermont, District 3 Commissioner Richard (Rick) C. Hogenson, District 4 Commissioner Jeremy M. Hurd, District 5 Commissioner Rich Sve. Absent: None. Also present: County Administrator Matthew Huddleston and Laurel D. Buchanan, Clerk of the Board. Meeting was called to order at 2:00 pm by Board Chair Rich Sve. Unless otherwise stated, all actions have been approved by unanimous yeas and nays. Members of the public were present. Commissioner Sve led the audience in the recitation of the Pledge of Allegiance.

MOTION HURD, SECOND GOUTERMONT: 01 - Approve agenda. Absent: None

County Administrator Matthew Huddleston introduced proposed resolutions for a judgment bond related to broadband construction invoices, authorizing Lake County to execute the confession of judgement, and setting the date for the bond sale. Bruce Kimmel, senior municipal advisor from Ehlers and Associates, Inc., the county's financial advisor, provided a Pre-Sale Report for Lake County, Minnesota, \$4,660,000 General Obligation Judgment Bonds, Series 2018A. Mr. Kimmel discussed how the bonds are going to be sold in the market. The Bonds are being issued pursuant to Minnesota Statutes, Chapter 475. The Bonds will be general obligations of the County for which its full faith, credit and taxing powers are pledged. The Bonds count against the County's overall debt limit for tax-supported debt, in which outstanding principal is limited to three percent (3%) of the County's estimated market value. Including this Bond issue, the County has approximately \$46,000,000 in remaining debt capacity for tax-supported debt. Because the County is expecting to issue less than \$10,000,000 in tax exempt debt during the calendar year, the County will be able to designate the Bonds as "bank qualified" obligations. Bank qualified status broadens the market for the Bonds, which can result in lower interest rates.

Ehlers is recommending a disclosure attorney in addition to a bond attorney. The bond sale is structured to get as many competitive bids as possible. The bond sale is based on the amount due to MP Nexlevel, LLC as of the end of March 2018, with an estimated closing date of March 29, 2018. There was discussion on timing of the sale of the broadband network and the timing of the new construction of the highway department facility. County Attorney Russ Conrow provided a definition of Confession of Judgment, that the county is admitting that it owes the money by contract and that it hasn't been paid yet. Deputy Auditor Ronni Radle was present for any questions on the bond presentation.

Ehlers will assist Lake County for the sale of the Bonds. The Board of Commissioners regularly scheduled meeting of the Committee of the Whole on 6:00 p.m. on March 20, 2018, will be noticed as a special meeting, for the purpose of considering proposals for and awarding the sale of the Bonds.

MOTION GOUTERMONT, SECOND HOGENSON: 02 - Authorize the Chair to execute the Confession of Judgment in the amount of \$4,525,643.22, acknowledging the amount remaining unpaid to MP Nexlevel, past the terms of the broadband infrastructure contracts. Absent: None

MOTION HURD, SECOND GOUTERMONT: 03 - Approve Resolution Providing for the Sale of General Obligation Judgment Bonds, Series 2018A, in the Approximate Aggregate Principal Amount of \$4,660,000. Absent: None

County Administrator Matthew Huddleston reviewed the proposed Agreement between Lake and Cook County for Shared Highway Engineer Services. Highway Engineer Krysten Foster stated that she supported the shared services agreement. Ms. Foster confirmed that Cook County approved the agreement and has appointed two commissioners to the Advisory Committee.

Mr. Huddleston reviewed the proposed apportionment resolution as proposed by Land Commissioner Nate Eide, who was present for any questions. Land Commissioner Nate Eide answered questions about the Environmental Assessment Worksheet (EAW) for Lake County Mountain Bike Trail (Split Rock Wilds) and the request to Environmental Quality Board (EQB) that Lake County be the Responsible Governmental Unit (RGU) for the Split Rock Wilds EAW.

Sergeant Nathan Stadler and Information Technology (I.T.) Director Boris Naschansky were present for any questions on the request for Mobile Data Computers (MDCs) for operation in squad cars. Mr. Naschansky updated the Board on what the request is regarding and about the timing of the request and that the investment is to be paid from e-9-1-1 funds.

One item was removed from the Consent Agenda for separate board approval.

MOTION WALSH, SECOND HURD: 04 - Approve amended consent agenda as follows: 1. Approve meeting minutes from a Public Hearing held on January 16, 2018, on proposed amendments to Lake County Ordinance No. 20.

LEGAL

- 24. Authorize second-half 2017 m...
25. Authorize second-half 2017 m...
26. Authorize Highway Engineer (704 (McDougal Lake Rd.) Stony R...
27. Approve remittance of 2018 T...
a) \$18,384.37 for Silver Creek
b) \$11,105.57 for Fall Lake to...
c) \$8,316.65 for Stony River to...
d) \$7,716.42 for Crystal Bay to...
e) \$6,915.72 for Beaver Bay to...
28. Authorize Highway Department CPV Contract T-740(5) total price...
29. Authorize Highway Department if applicable.
30. Authorize payment in the amount of January voice revenues and asso...
31. Authorize payment in the amount of payroll, cameras for the Lake Co shipping expenses.
32. Authorize payment in the amount of...
33. Approve the application, and a Firewise Community Grant applica...
34. Approve Resolution for Classifi WHEREAS, certain parcels of land

Table with 3 columns: PARCEL ID, Acres, Section. Rows include 20-5908-09270, 20-6010-32070, 20-6010-32130, 22-7440-02060, 23-7680-17090, 25-5211-02440, 25-5211-10500, 25-5511-12850, 26-5644-00010, 28-6382-22010, 29-5309-06500, 29-5353-02045.

- WHEREAS, M.S. 282.01 calls for C...
NOW, THEREFORE, BE IT RESO...
35. Authorize payment in the amount of ware maintenance and support ser...
36. Authorize \$101,110.00 investm communication accessories neces Minnesota state contract pricing di Office vehicles, two for Two Harbo ment is to be paid from e-9-1-1 fun mated Dispatch (CAD) and associa Koochiching, Carlton, Pine Countie
37. Rescind Motion 11, from Cou Appointed Recorder 2017 salary a...
38. Approve apportionment resolu Development fund for apportionme