

ORDINANCE REGULATING THE SALE OF TOBACCO AND RELATED DEVICES AND PRODUCTS

The County Board of Morrison County hereby ordains:

SECTION 1: PURPOSE

The purpose of this Ordinance is to regulate the sale, possession, and use of tobacco, tobacco-related devices, electronic delivery devices, and nicotine or lobelia delivery products (licensed products) for the purpose of enforcing and furthering existing laws, to protect minors against the serious effects associated with the illegal use of licensed products, and 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. § 144.391, and to protect the general health and welfare of citizens of Morrison County.

SECTION 2: DEFINITIONS

- A. COUNTY BOARD shall refer to the Morrison County Board of Commissioners.
- B. CHILD-RESISTANT PACKAGING means 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 describes in Code of Federal Regulations, Title 16, Section 1700.20, as in effect on January 1, 2015.
- C. CIGAR means any roll of tobacco that is wrapped in tobacco leaf or in any substance containing tobacco, with or without a tip or mouthpiece, which in not a cigarette.
- D. COMPLIANCE CHECKS means the system the county uses to investigate and ensure that those establishments authorized to sell licensed products are following and complying with the requirements of this Ordinance. Compliance checks involve the use of minors, as is authorized by this Ordinance, who attempt to purchase licensed products for educational, research and training purposes as authorized by state and federal laws.
- E. ELECTRONIC DELIVERY DEVICES means any product containing or delivering nicotine, lobelia, or any other substance intended for human consumption that can be used by a person to simulate smoking in the delivery of nicotine or any other substance through inhalation of aerosol or vapor from the product. Electronic delivery devices includes any component part of a product, whether or not marketed or sold separately. Electronic delivery devices does not include any product that has been approved or certified by the United States Food and Drug Administration for sale as a tobacco-cessation product, as a tobacco-dependence product, or for other medical purposes, and is marketed and sold for such an approved purpose.
- F. 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% of the combined

surface area of the vertical planes constituting the perimeter of the area. A wall includes and retractable divider, garage door, or other physical barrier, whether temporary or permanent. A standard (0.011 gauges window, with an 18 by 16 mesh count) window screen is not considered a wall.

- G. INTERFERE WITH AN INSPECTION OR COMPLIANCE CHECK means any action intended to interrupt or impede a legally mandated enforcement action testing compliance with Minn. Stat. §§ 609.685-.6855 or other provisions of this Ordinance. Prohibited actions include but are not limited to:
1. Being physically threatening or abusive to any individual involved in the compliance check.
 2. Engaging in offensive, obscene, abusive or threatening language or conduct toward any person involved in a compliance check.
 3. Destroying a driver's license or other identification given by an individual involved in the compliance check to a person selling tobacco or tobacco devices.
- H. LICENSED PRODUCTS means tobacco, tobacco-related devices, electronic delivery devices, and nicotine or lobelia delivery products.
- I. LOOSIES means a single or individually packaged cigar or cigarette, or any other licensed product that has been removed from its intended retail packaging and offered for sale. Loosies does not include individual cigars with a retail price, after any discounts are applied and before any sales taxes are imposed, of at least two dollars and ten cents (\$2.10) per cigar.
- J. MINOR means an individual under the age of 18 years.
- K. MOVEABLE PLACE OF BUSINESS means any retail establishment whose physical location is not permanent, including, but not limited to, any form of business operated from a kiosk, other transportable structure, or a motorized or non-motorized vehicle.
- L. NICOTINE OR LOBELIA DELIVERY PRODUCTS means any product containing or delivering nicotine or lobelia intended for human consumption, or any part of such product, which is not tobacco or an electronic delivery device as defined in this Section. Nicotine or lobelia delivery products does not include any products that has been approved or otherwise certified for legal sale by the United States Food and Drug Administration for tobacco use cessation or for other medical purposes and is being marketed and sold solely for that approved purpose.
- M. RETAIL ESTABLISHMENT means any place of business where licensed products are available for sale to the general public. This includes, but is not limited to, grocery stores, gas stations, convenience stores, bars, and restaurants.
- N. SALE means any transfer of goods for money, trade, barter, or other consideration.
- O. SELF-SERVICE MERCHANDISING means open displays of licensed products in any manner where any person shall have access to the licensed products without the assistance or intervention of the licensee or the licensee's employee. The assistance or intervention shall entail the actual physical exchange of the licensed product between the customer and the licensee or employee. Self-service merchandising shall not include vending machines.

- P. SMOKING means inhaling or exhaling smoke from any lighted or heated cigar, cigarette, pipe, or any other tobacco or plant product, or inhaling or exhaling vapor aerosol from an electronic delivery device. Smoking includes being in possession of a lighted or heated cigar, cigarette, pipe, or any other lighted or heated tobacco or plant product intended for inhalation, or an electronic delivery device that is turned or otherwise activated.
- Q. TOBACCO or TOBACCO PRODUCTS means 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 tobacco; shorts, refuse scraps, clippings, cuttings, and sweepings of tobacco; and any other forms of tobacco. Tobacco excludes any product that has been approved by the United States Food and Drug Administration for sale as a tobacco-cessation product, as a tobacco-dependence product, or for other medical purposes, and is being marketed and sold for such approved purpose.
- R. TOBACCO-RELATED DEVICES means any pipe, rolling papers, or any other device designed or intended to be used in the manner that enables the chewing, sniffing, smoking or inhalations of vapors of tobacco or tobacco products. Tobacco-related devices includes accessories or components of tobacco-related devices which may be marketed or sold separately.
- S. TOBACCO HEARING BOARD means a three member board that hears challenges to alleged violations of this Ordinance. The Tobacco Hearing Board will be comprised of the County Administrator, the Chair of the County Board, and the Public Health Director. If the licensee requesting the hearing is from the same district as the Chair, the Vice-Chair of the Board will serve in place of the Chair.
- T. VENDING MACHINES means any mechanical, electric or electronic, or other type of device which dispenses licensed products upon the insertion of money, tokens, or other form of payment directly into the machine by the person seeking to purchase the licensed product.

SECTION 3: LICENSE

- A. No person shall sell or offer to sell any licensed product without first having obtained a license to do so from the County Board.
- B. The fee for a license shall be set by the County Board. All licenses shall expire on the 31st day of January each year, regardless of the date of issuance. No license will be issued until the proper license fee is paid in full. This annual fee may be adjusted as the Board deems appropriate.
- C. Applications shall be made through Morrison County Public Health. Licenses shall be approved and issued by the County Board. An application for a license to sell licensed products shall be made on a form provided by Morrison County Public Health. The

applicant must submit the full name of the applicant, the applicant's residential and business addresses and telephone numbers, the name of the business for which the license is sought, and any additional information Morrison County deems necessary. Upon receipt of a completed application, Morrison County Public Health shall forward the application to the County Board for action at its next regularly scheduled Board meeting. If Morrison County Public Health determines the application is incomplete, the application shall be returned to the applicant with notice of the information necessary to make the application complete.

- D. The County Board may either approve or deny the license, or it may delay action for a reasonable period of time as necessary to complete any investigation of the application of the applicant it deems necessary. If the County Board approves the license, Morrison County Public Health shall issue the license to the applicant. If the County Board denies the license, notice of the denial shall be given to the applicant along with notice of the applicant's right to appeal the Board's decision.
- E. All licensees under this Ordinance 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 any license to another location or person shall be valid.
- F. No license shall be issued to a moveable place of business. Only fixed location businesses shall be eligible to be licensed under this Ordinance.
- G. Tobacco licenses shall be posted and displayed on the licensed premises in plain view of the general public.
- H. The renewal of a license under this Ordinance shall be handled in the same manner as the original application. The request for a renewal shall be made at least 30 days but no more than 60 days before the expiration of the current license.
- I. The issuance of a license 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. This Ordinance shall not apply to any city or town in Morrison County which licenses and regulates the sale of licensed products within its own jurisdiction in conformance with the requirements of Minn. Stat. ch. 461.
- K. Individuals employed by a person licensed under this Ordinance must be at least 16 years of age to sell licensed products.
- L. Smoking shall not be permitted and no person shall smoke within the indoor area of any establishment licensed under this Ordinance. Smoking for the purpose of sampling licensed products is prohibited.

SECTION 4: BASIS FOR DENIAL OF LICENSE

- A. The County Board may deny issuance or renewal of a license or revoke a license already issued for any of the following reasons:
1. The applicant is under 18 years of age.
 2. The applicant has been convicted within the past five years of any violation of federal, state, or local law, ordinance provision or regulation relating to licensed products.
 3. The applicant had a license to sell licensed products suspended or revoked within the preceding twelve (12) months of the date of application.
 4. The applicant fails to provide information required on the application form or provides false or misleading information.
 5. The applicant is prohibited by federal, state or local law or regulation from holding such a license.
 6. The applicant is delinquent in payment of federal, state, or local taxes, fines and fees.
 7. The applicant, or employee or agent of the applicant, has interfered with a compliance check.
 8. The applicant has failed to pay an administrative penalty imposed pursuant Section 8.
- B. However, except as may otherwise be provided by law, the existence of any particular ground for denial does not mean that the County Board must deny the license.
- C. 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 Ordinance.

SECTION 5: PROHIBITED ACTS

- A. No person shall sell or offer to sell any license product:
1. By means of self-service merchandising. This does not apply to retail stores which derive at least 90% of their revenue from the sale of licensed products and where retailer ensures that not person younger than 18 years of age is present, or permitted to enter, at any time.
 2. By means of any type of vending machine.
 3. To any person under the age of 18 years.
 4. By means of loosies as defined in Section 2.
 5. Containing opium, morphine, jimson weed, bella donna, 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. It is not the intention of this provision to ban the sale of lawfully manufactured cigarettes or other tobacco products.
 6. By any other means, to any other person, or in any other manner or form prohibited by federal, state, or local law, ordinance provision, or other regulation.

B. Unless otherwise provided, it shall be a violation of this Ordinance:

1. For any minor to have in their possession any license product. This shall not apply to minors lawfully involved in compliance checks.
2. For any minor to smoke, chew, sniff, vape, or otherwise use any licensed product.
3. For any minor to purchase or attempt to purchase or otherwise obtain any licensed product, and it shall be a violation of this Ordinance for any person to purchase or otherwise obtain such items of behalf of a minor. It shall further be a violation for any person to coerce or attempt to coerce a minor to illegally purchase or otherwise obtain or use any licensed product. This shall not apply to minors lawfully involved in a compliance check.
4. For any minor to attempt to disguise their 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.
5. 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.
6. To sell, offer for sale, or otherwise distribute a package containing five (5) or fewer cigars for a sales price, after any discounts are applied and before sales taxes are imposed, of less than two dollars and ten cents (\$2.10) per cigar contained within. In addition, no person shall sell, offer for sale, or otherwise distribute cigars in a package containing six (6) or more cigars for a sale price, after any discounts are applied and before sales taxes are imposed, of less than twelve dollars and sixty cents (\$12.60) per package.
7. To interfere with a compliance check.

Each violation, and every day in which a violation occurs or continues, shall constitute a separate offense.

SECTION 6: COMPLIANCE CHECKS AND INSPECTIONS

All licensed premises shall be open to inspection by authorized County officials during regular business hours. From time to time, but at a minimum of once per year, the County shall conduct compliance checks by engaging, with the written consent of their parents or guardians, minors over the age of 15 years but less than 18 years to enter the licensed premises to attempt to purchase licensed products. Minors used for the purpose of compliance checks shall not be guilty of unlawful possession when those items are obtained as part of the compliance check. No minor used in compliance checks shall attempt to use false identification misrepresenting the minors age, and all minor's lawfully engaged in compliance check shall answer all questions about the minor's age asked by the licensee or his or her employee and shall produce any identification for which they are asked. Nothing in this Section shall prohibit compliance checks authorized by state or federal laws for educational research, or training purposes, or required for the enforcement of a particular state or federal law.

SECTION 7: RESPONSIBILITY

Any person licensed under this Ordinance shall be responsible for the actions of their employees in regard to the sale of licensed products, and the sale of an item by an employee shall be considered a sale by the license holder. Nothing in this Section shall be construed as prohibiting the County from also subjecting the clerk or other employee to whatever penalties are appropriate under this Ordinance, state or federal law or other applicable law or regulation.

SECTION 8: VIOLATIONS AND PENALTIES

A. Administrative Penalties

1. If a licensee, employee, or agent of the licensee, violates the provisions of this Ordinance or and state law relating to the sale of licensed products, the licensee shall be charged an administrative penalty of no less than \$75.00 for the first violation, no less than \$200.00 for the second violation within 24 months after the initial violation, and not less than \$250.00 for a third or subsequent violation within 24 months after the initial violation. In addition, the licensee's authority to sell shall be suspended for no less than seven (7) days upon a third or subsequent violation. After the fourth violation the license will be revoked.
2. Other individuals, other than minors regulated by Paragraph A (3) of this Section, found to be in violation of this Ordinance shall be charged an administrative penalty of \$50.00 .
3. Minors found in unlawful possession of or who unlawfully purchase or attempt to purchase licensed products may be subject to an administrative fine, or may be subject to tobacco-related education classes, diversion programs, community service, or another penalty the County believes will be appropriate and effective. The administrative fine or other penalty may be established by ordinance, upon the consultation with law enforcement, courts, educators, parents, children, and other interested parties and may be amended from time to time.
4. The administrative penalty must be paid by a person and/or the licensee within fourteen (14) days from mailing or ten (10) days from personal delivery of the notice of violation unless a hearing is requested as provided in Paragraph B of this Section.

B. Notice and Hearings

1. No license shall be suspended nor other penalty take effect until the person has received notice, either by being served personally or by mail, of the alleged violation and has had an opportunity for hearing. The request for a hearing must be made in writing to Morrison County Public Health within fourteen (14) days from mailing or ten (10) days from personal delivery of the notice of violation. If a person or the licensee fails to request a hearing within the time limits, the person or licensee's right to a hearing will be terminated and they will be required to pay the administrative penalty imposed in Paragraph A of this Section.

2. If a hearing is requested, it shall be held within three (3) weeks of receipt of the request.
3. The hearing shall be held before the Tobacco Hearing Board.
4. The accused shall have the right to hear evidence concerning the accusation, cross exam witnesses, and offer evidence in their own defense.

C. Decision

1. All decisions will require a majority vote of the Tobacco Hearing Board members.
2. If the Tobacco Hearing Board determines that a violation of the Ordinance occurred, that decision, along with the statement of the facts supporting the violation and the penalty imposed, shall be recorded in writing and a copy shall be provided to the violator. A Tobacco Hearing Board will have the authority to determine the deadline for payment of the administrative penalty and/or the days in which the license is suspended.
3. If the Tobacco Hearing Board determines that no violation occurred or that no penalty shall be imposed, such findings shall be recorded in writing and a copy provided to the accused individual.

D. Appeal

Appeals of any decision made by the Tobacco Hearing Board shall be filed in Morrison County District Court. Such appeals must be filed within 10 days if personally served or within 14 days of the date the Tobacco Hearing Board's decision was mailed.

E. Late Payment or Failure to Pay

If the person does not pay the administrative penalty, nor do they request a hearing within the time limits provided in this Section, a second notification of violation will be sent. That person will then have 10 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. In the alternative, a person's failure to pay may result in criminal prosecution as provided by Section 9.

F. Misdemeanor Prosecution

Nothing in this Section shall prevent the State of Minnesota or Morrison County from seeking criminal prosecution of individuals who violate laws relating to the sale of licensed products.

SECTION 9: CRIMINAL PENALTY

A violation of any portion of this Ordinance constitutes a misdemeanor offense punishable according to the laws of the State of Minnesota. Nothing in this Ordinance shall prevent or preclude Morrison County from seeking criminal prosecution of individuals who violate laws relating to the sale of licensed products.

SECTION 9: CRIMINAL PENALTY

A violation of any portion of this Ordinance constitutes a misdemeanor offense punishable according to the laws of the State of Minnesota. Nothing in this Ordinance shall prevent or preclude Morrison County from seeking criminal prosecution of individuals who violate laws relating to the sale of licensed products.

SECTION 10: EXCEPTIONS AND DEFENSES

Nothing in this Ordinance shall prevent the providing tobacco or tobacco-related devices to a minor as a part of a lawfully recognized religious, spiritual, or cultural ceremony. It shall be an affirmative defense to the violation of this Ordinance for a person to have reasonably relied on proof of age as described in state law.

SECTION 11: SEVERABILITY

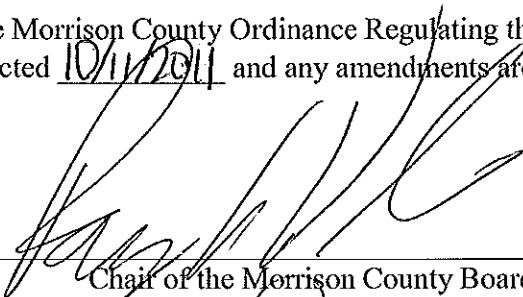
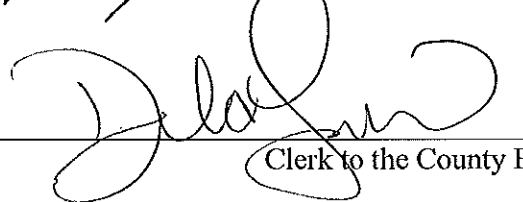
If any portion of this Ordinance is found unconstitutional or otherwise invalid by a court of competent jurisdiction, that finding shall not serve as invalidation or affect the validity and enforceability of any other provision of this Ordinance.

SECTION 12: EFFECTIVE DATE

This Ordinance shall be in full force and effect from and after its passage and publication according to law.

SECTION 13: REPEALER

The Morrison County Ordinance Regulating the Sale of Tobacco and Tobacco Related Devices enacted 10/1/2011 and any amendments are hereby repealed.

 _____ Chair of the Morrison County Board of Commissioners	<u>9/13/14</u> Date
 _____ Clerk to the County Board	<u>9/13/14</u> Date

AFFIDAVIT OF PUBLICATION

STATE OF MINNESOTA) ss
COUNTY OF MORRISON

Charlene Vold being duly sworn on an oath, states or affirms that he/she is the Publisher's Designated Agent of the newspaper(s) known as:

Morrison County Record

with the known office of issue being located in the county of:

MORRISON

with additional circulation in the counties of:
BENTON CROW-WING STEARNS
TODD

and has full knowledge of the facts stated below:

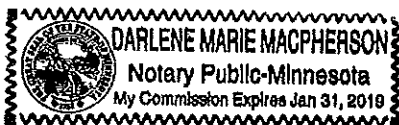
- (A) The newspaper has complied with all of the requirements constituting qualification as a qualified newspaper as provided by Minn. Stat. §331A.02.
- (B) This Public Notice was printed and published in said newspaper(s) once each week, for 1 successive week(s); the first insertion being on 08/28/2016 and the last insertion being on 08/28/2016.

MORTGAGE FORECLOSURE NOTICES
Pursuant to Minnesota Stat. §580.033 relating to the publication of mortgage foreclosure notices: The newspaper complies with the conditions described in §580.033, subd. 1, clause (1) or (2). If the newspaper's known office of issue is located in a county adjoining the county where the mortgaged premises or some part of the mortgaged premises described in the notice are located, a substantial portion of the newspaper's circulation is in the latter county.

By: Charlene Vold
Designated Agent

Subscribed and sworn to or affirmed before me on 08/28/2016 by Charlene Vold.

Darlene M MacPherson
Notary Public



Rate Information:

(1) Lowest classified rate paid by commercial users for comparable space:
\$10.55 per column inch

Ad ID 589407

NOTICE OF PUBLIC HEARING

TO HEAR INPUT ON THE
UPDATED ORDINANCE
REGULATING THE SALE OF
TOBACCO AND RELATED
DEVICES AND PRODUCTS

Notice is hereby given that the Morrison County Board of Commissioners will hold a public hearing to consider a revised Morrison County Ordinance Regulating the Sale of Tobacco and Related Devices and Products on September 13, 2016 at 9:00 AM In The County Board Room of the Morrison County Government Center, Little Falls, MN 56345.

A short summary of the changes are update to comply with recent Minnesota Statute changes requiring licenses for e-cigarette sales, prohibition of e-cigarette sales to minors or from moveable places of business, and child-resistant packaging for e-cigarette liquids. Other updates are not permitting the following: smoking for the purpose of sampling tobacco products, looses, and tobacco products containing illegal drugs. Copies of the full document may be viewed online at the Morrison County or requested at the Morrison County Public Health Office.

PUBLISH: August 28, 2016
(589407)

AFFIDAVIT OF PUBLICATION

STATE OF MINNESOTA) ss
COUNTY OF MORRISON

Charlene Vold being duly sworn on an oath, states or affirms that he/she is the Publisher's Designated Agent of the newspaper(s) known as:

Morrison County Record

with the known office of issue being located in the county of:

MORRISON

with additional circulation in the counties of:
BENTON CROW-WING STEARNS
TODD

and has full knowledge of the facts stated below:

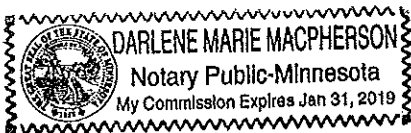
- (A) The newspaper has complied with all of the requirements constituting qualification as a qualified newspaper as provided by Minn. Stat. §331A.02.
- (B) This Public Notice was printed and published in said newspaper(s) once each week, for 1 successive week(s); the first insertion being on 10/02/2016 and the last insertion being on 10/02/2016.

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By: Charlene Vold
Designated Agent

Subscribed and sworn to or affirmed before me on 10/02/2016 by Charlene Vold.

Darlene M MacPherson
Notary Public



Rate Information:

(1) Lowest classified rate paid by commercial users for comparable space:
\$10.85 per column inch

Ad ID 603821

MORRISON COUNTY BOARD OF COMMISSIONERS SUMMARY OF MINUTES FOR SEPTEMBER 13, 2016

The meeting was held in the County Board Room, Government Center, Little Falls MN, and was called to order at 9:00 a.m. by Chairman Winscher.

Members present: Commissioners Randy Winscher, Duane Johnson, Mike Wilson, Jeff Jelinski, and Kevin Maurer.

Staff present: Deb Gruber, Deb Lowe, Brad Vold, Tabitha Maher, Steve Backowski, Amy Kowalzek, Katy Kirchner, Joe Byrne, Brian Middendorf, Shawn Larsen, Brett Fellbaum, Victoria Ingram, Glen Erickson.

Others present: Tyler Jensen, Mark Slupe, Rachael Buckalew, Carol Anderson, Herb Broschowski, Chuck Storkamp, Pat Boone, Jerry Chandler, Anthony Wenzel, Judy Wenzel, Perry Burros-Lemke, Dennis Lemke, Bob Koll, and Mary Warner.

A motion was made by Commissioner Johnson, seconded by Commissioner Jelinski and carried unanimously to approve the Morrison County Board of Commissioner Minutes for August 23, 2016.

A motion was made by Commissioner Maurer, seconded by Commissioner Wilson and carried unanimously to adopt the agenda as presented.

A motion was made by Commissioner Jelinski, seconded by Commissioner Wilson and carried unanimously to approve the updated Ordinance Regulating the Sale of Tobacco and Tobacco Related Devices.

A motion was made by Commissioner Maurer, seconded by Commissioner Johnson and carried unanimously to approve the 2016 New Owner Establishment License to John Belchacek, District #1, 2 Tall Tavern, Cushing, MN.

A motion was made by Commissioner Maurer, seconded by Commissioner Johnson and carried unanimously to approve the transfer of liquor license (On, Off & Sunday) from the Hitchin Rail, Inc to 2 Tall Tavern, Inc (John Brichacek).

A motion was made by Commissioner Maurer, seconded by Commissioner Johnson and carried unanimously to approve 2016 Tobacco License in Morrison County: 2 Tall Tavern, John Brichacek, 31723 Azure Rd., Cushing, MN.

A motion was made by Commissioner Johnson, seconded by Commissioner Wilson and carried unanimously to approve 2016 New Owner Establishment License to Marilyn and Bob Girtz, District #1, Tall Pines Retreats, Cushing, MN.

A motion was made by Commissioner Wilson, seconded by Commissioner Johnson and carried unanimously to approve the Order for Lake Shamaineau District which includes Levy Structure for commercial properties and one assessment per parcel (no longer per owner).

A motion was made by Commissioner Maurer, seconded by Commissioner Johnson and carried unanimously to authorize the Resolution #2016-073 Toward Zero Death Federally funded overtime grant.

A motion was made by Commissioner Maurer and seconded by Commissioner Jelinski and carried 4-1 with Commissioner Winscher opposing to consider the After the Fact Interim Use Permit request for

Anthony & Judith Wenzel to continue a kennel; including conditions, with a revision for #3: changing permit validity from 5 years to 15 years from date of issuance; S 1/2 of NE 1/4, Section 3, Township 130, Range 30, Darling Township; per recommendation from the Morrison County Planning Commission on August 22, 2016.

A motion was made by Commissioner Maurer, seconded by Commissioner Jelinski and carried unanimously to authorize the MnCCC Joint Powers Agreement and Bylaws.

A motion was made by Commissioner Johnson, seconded by Commissioner Maurer and carried unanimously to approve Resolution #2016-071 Declaring a State of Emergency for Camp Ripley in Morrison County.

A motion was made by Commissioner Johnson, seconded by Commissioner Wilson and carried unanimously to approve the Abstract of Tax Abatements dated September 13, 2016 as attached to these minutes.

A motion was made by Commissioner Maurer, seconded by Commissioner Johnson and carried unanimously to approve an exempt permit to the Big Lake Sportsman Club to hold a raffle on November 26, 2016 at the Stone Hill Bar and Grill.

A motion was made by Commissioner Johnson, seconded by Commissioner Maurer to approve the Commissioners Expense Reports as presented. Motion carried on a roll call vote with all Commissioners voting "aye".

A motion was made by Commissioner Jelinski, seconded by Commissioner Wilson and carried unanimously to authorize signing of the Resolution#2016-072 Cooperative Agreement between MnDNR and Morrison County for a Veteran's trail project.

A motion was made by Commissioner Winscher, seconded by Commissioner Maurer and carried unanimously to appoint Duane Johnson, Mike Wilson, and Nicole Kern as the MACCAC Delegates for Community Corrections.

A motion was made by Commissioner Johnson, seconded by Commissioner Wilson and carried unanimously to adjourn the meeting at 11:14 a.m.

THIS IS A SUMMARY OF THE COUNTY BOARD MINUTES. A COPY OF THE FULL TEXT IS AVAILABLE AT THE COUNTY ADMINISTRATOR'S OFFICE

PUBLISH: October 2, 2016 (603821)