Aitkin County Board of Commissioners Request for County Board Action/Agenda Item Cover Sheet



To: Chairperson, Aitkin County Board of Commissioners Date: <u>6-3-13</u>
Via: Patrick Wussow, County Administrator
From: Patrick Wussow, County Administrator
Title of Item:
Public Hearing - Large Assembly, High Lifter Quadna Mud Natiionals
Requested Meeting Date: Estimated Presentation Time:
Presenter: Patrick Wussow, County Administrator
Type of Action Requested (check all that apply)
For info only, no action requested Approve under Consent Agenda
For discussion with possible action Adopt Ordinance Revision
Let/Award Bid or Quote (attach copy of basic bid/quote specs or summary of complex specs, each bid/quote received & bid/quote
comparison)Approve/adopt proposal by motionApprove/adopt proposal by resolution (attach draft resolution)
Authorize filling vacant staff position
Request to schedule public hearing or sale Other (please list)
Request by member of the public to be heard
Item should be addressed in closed session under MN Statute
Fiscal Impact (check all that apply)
Is this item in the current approved budget? Yes No(attach explanation)
What type of expenditure is this? Operating Capital Other (attach explanation)
Revenue line account # that funds this item is:
Expenditure line account # for this item is:
Staffing Impact (Any yes answer requires a review by Human Resources Manager before going to the board)
Duties of a department employee(s) may be materially affectedYesNo
Applicable job description(s) may require revisionYes No Item may impact a bargaining unit agreement or county work policyYes No
Item may change the department's authorized staffing levelYes NoHR Review
Supporting Attachment(s)
Memorandum Summary of Item
Copy of applicable county policy and/or ordinance (excerpts acceptable)
Copy of applicable state/federal statute/regulation (excerpts acceptable)
Copy of applicable contract and/or agreement
Original bid spec or quote request (excluding complex construction projects)
Bids/quotes received (excluding complex construction projects, provide comparison worksheet)
Bid/quote comparison worksheet
X Draft County Board resolution
Plat approval check-list and supporting documents
Copy of previous minutes related to this issue
X Other supporting document(s) (please list)

Provide (1) copy of supporting documentation <u>NO LATER THAN Wednesday at Noon</u> to make the Board's agenda for the following Tuesday. (If your packet contains colored copies, please provide (4) paper copies of supporting documentation as we do not have a color printer or copier.) Items <u>WILL NOT</u> be placed on the Board agenda unless complete documentation is provided for the Board packets.

Kirk Peysar Aitkin County Auditor

209 Second Street Northwest Room 202 Aitkin, Minnesota 56431 218.927.7354

AITKIN COUNTY BOARD NOTICE OF HEARING

Notice is hereby given that a public hearing will be held by the Aitkin County Board of Commissioners, in the Courthouse Annex, Aitkin, Minnesota, at 10:00a.m. on the 11th day of June, 2013, for the purpose of hearing all those who wish to be heard on the request for an assembly permit by High Lifter Productions, Inc., Shreveport, LA, for an event to be held June 20th – 23rd, 2013, at the Quadna Mountain facility located in the Town of Hill Lake, Aitkin County, Minnesota.

By Order of the Aitkin County Board.

Kirk Peysar Aitkin County Auditor

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

ADOPTED June 11, 2013

By Commissioner: xx

061113-0xx

Large Assembly - High Lifter Quadna Mud Nationals

BE IT RESOLVED) , the Aitkin	County Bo	ard of Co	mmissioners	agree to	approve	the following	Application fo
Large Assembly:								

ATV/SxS Event (High Lifter Quadna Mud Nationals) – City of Hill City and Hill Lake Township This is scheduled to take place June 20th – 23rd, 2013 from 8:00 a.m. to 10:00 p.m. daily.

Commissioner xx moved the adoption of the resolution and it was declared adopted upon the following vote

FIVE MEMBERS PRESENT

All Members Voting Yes

STATE OF MINNESOTA)
County of Aitkin) ss.
Office of County Auditor,)

I, Kirk Peysar, Auditor, of the County of Aitkin, do hereby certify that I have compared the foregoing with the original resolution filed in my office on the 11th day of June A.D., 2013, and that the same is a true and correct copy of the whole thereof.

WITNESS MY HAND AND SEAL OF OFFICE at Aitkin, Minnesota, this 11th day of June A.D., 2013

KIRK PEYSAR, County Auditor	
BY	, Deputy

KIRK PEYSAR AITKIN COUNTY AUDITOR 209 2ND STREET NW - ROOM 202 ATTKIN, MINNESOTA 56431 218-927-7354 Fax: 218-927-7324

APPLICATION FOR LARGE ASSEMBLY LICENSE

NAME OF ORGANIZATION: High Lifter Products, Inc.	
ADDRESS OF ORGANIZATION: 780 Professional Drive N., Shrevepor	<u>rt, LA 7</u> 1105
PERSON MAKING APPLICATION: Tracie D. Engi. Event Coordinator	
ADDRESS & PHONE NUMBER: Address above / 318-213-6044	
INSURANCE COMPANY & POLICY NUMBER: LLoyds of London - Policy #MK	L00573
DATES/TIME OF EXHIBITION: June 20th-23rd, 2013 8am - 10 pm	daily
TYPE OF PROGRAM: ATV/SxS Event	
Applicant agrees to defend, hold harmless, and pay on behalf of the County of Aitkin a officials and employees, any demands, claims or suits arising out of actions of applican permit.	nd their it under the
SIGNATURE OF APPLICANT: Masiw D. Ing 5/7	1/2013 Date
CITY RECOMMENDATION: Authorized Signature	1-22-13 Date
TOWNSHIP CHANGER RECOMMENDATION: FOR HOLL 5/	19/13
Authorized Signature	Date
ENVIRONMENTAL RECOMMENDATION	Date
COUNTY SHERIFF RECOMMENDATION:)2
Authorized Signature	Date
COUNTY ATTORNEY RECOMMENDATION:	
Authorized Signature	Date

Hilly 30
All applications for permit must be received a minimum of former (14) days prior to the event or placement of structure.

A plan for conducting the proposed assembly which shall include, at a minimum, the following elements:

1.) The determination by the applicant of the maximum number of people which shall be assembled or admitted to the location.

Number of people expected 4,000

2.) A fence or barrier completely enclosing the proposed location of sufficient height and strength to prevent people in excess of the maximum permissible number from gaining access to the assembly grounds, which shall have sufficient entrances and exits to allow easy movement into and out of the assembly grounds. This requirement may be waived if the County Board finds that a fence will not be necessary for crowd control.

Fence height		
Number of entrances/exits	3	12

3.) Portable water, meeting all federal, state and local requirements for sanitary quality, sufficient to provide drinking water for the maximum number of people to be assembled at the rate of at least one gallon per person per day.

Portable water requirements are met. Circle one. YES NO

4.) Separate enclosed toilets for males and females, meeting all state and local specifications, conveniently located throughout the grounds, sufficient to provide facilities for the maximum number of people to be assembled in accordance with the Minnesota State Board of Health Regulations and standards.

Requirements met. Circle one. YES NO Toilets provided

By: Goble Portable Toilets, Aitkin, MN

Portable-John Rental, Bemidgi, MN
5.) A sanitary method of disposing of solid waste in compliance with state and local laws and regulations, sufficient to dispose of the solid waste production of the maximum number of people assembled at the rate of at least 2.5 lbs of solid waste per person per day, together with a plan for collecting and holding all such waste at least once each day of the assembly's continuance, and sufficient trash containers and personnel to perform such tasks.

AITKIN COUNTY LARGE ASSEMBLY PERMIT

High Lifter Quadna Mud Nationals June 20 – 23, 2013 400 Quadna Mountain Road Hill City, MN

An application for an Aitkin County Large Assembly Permit is being submitted for the above named ATV event. This is an ATV/UTV riding event where participants will bring their ATV/UTV to the Quadna Mountain Park & Resort to ride the park trails, look at manufacturer displays, watch organized Mud Bog and Obstacle Course competitions and be entertained in the evenings with movies and a concert. Some will camp in RVs and tents and some will stay off-site at area hotels. There will be vendors present selling various products and services.

Attendees may also ride the adjoining state trail system if they choose. Riders will be advised by signage (verbiage provided by ATVAM), distribution of the Minnesota Dept. of Natural Resources Off Highway Vehicle Regulations for 2012-2013 and a dedicated vendor booth for use by the DNR &/or Aitkin County Land Department's Land Commissioner as to the requirements and restrictions of riding the state trails. If possible, there will also be a booth for purchasing a state trail permit, for those coming from other areas who wish to ride the trail system. If it is not possible, riders will be made aware of where they can purchase a trail pass in the Hill City area. Information about the trails and permit requirements have been made available on the event website www.quadnamudnationals for a minimum of 45 days.

The following addresses the license requirements for the permit per the Aitkin County Ordinance regulating assemblage of large numbers of people at shows or exhibitions:

- 1.03 This permit is being requested by High Lifter Products, Inc. located at 780 Professional Drive North, Shreveport, Louisiana. The name of the event is the Quadna Mud Nationals, an ATV/RUV event to be held at Quadna Mountain Park, owned by Mark Warnert and Brian Bauerly and located at 400 Quadna Mountain Road, Hill City, MN.
- 1.06 See attached Schedule of Events.
- **2.01** A public hearing to review the application is scheduled for June 11, 2013.
- **2.03** A check from High Lifter Products, Inc. was forwarded to the Aitkin County Auditor on or about May 7, 2013.

An insurance certificate naming Aitkin County as additionally insured on our General Liability as required and the required surety bond with revised rider issued for \$10,000 from Western Surety Company has been forwarded to the Aitkin County Administrator's Office.

- a. The proposed event will be held at Quadna Mountain Park, 400 Quadna Road, Hill City, MN. The owners of the property are Mr. Mark Warnert and Mr. Brian Bauerly.
- **b.** The nature of this assembly is to promote ATV riding in an organized environment through competitions and related activities, and bring public awareness to the products and services offered by the vendors present.
- c. This is a 4 day event. The event will open at 8 am on Thursday, June 20, 2013 and will close at Noon, on Sunday, June 23, 2013.
- **d.** This permit is requested on an attendance of 4,000 people. Based on past first time events of this nature in other locations, the estimated expected attendance is 1,800 2,000, however, in case it exceeds this amount due to the amount of interest shown, we are preparing for 4,000.
- e. 2. Access There will be 3 gates that everyone must pass through in order to gain entry to or exit the park. These gates will be manned by security and staff members beginning 8 am Thursday, June 20 and remaining open 24 hrs a day until the event closes on Sunday, June 23 to control admission. Because of the placement of the gates, there is not an adequate way to fence it off, however through signage and the presence of personnel, no one will be permitted to enter without obtaining a pass.
 - 3. Water A water sample from the well on-site was tested by county officials and found to meet all federal, state and local requirements for sanitary quality. This well is capable of an output of 200 gallons per minute/12,000 gallons per hour, which by far exceeds the requirement for the maximum number to be assembled (4,000) at a rate of one gallon per person per day.
 - **4. Toilet Facilities** With the proposed attendance of 4,000, High Lifter Products has contracted Goble Portable Toilets in Aitkin, MN and Port-Able John Rental & Service in Bemidgi, MN to provide and service 80 portable toilet units that will be distributed throughout the vendor area, at each gate, at competition event locations and throughout the camping areas in pairs. Arrangements have also been made for additional units to be delivered during the event if the need arises.
 - **5. Solid Waste** The park provides two 30 yard waste disposal containers, and another two 30-yd solid waste disposal containers will be obtained from Waste Management in Cohasset, MN, as well as 15-20 50 gallon drums to be used as trash cans. One large container will be located in the vendor area and the others in the main camping areas. Garbage cans will be located throughout the vendor and camping areas for convenience, as well as at each gate location. A schedule for emptying the trash cans twice a day throughout the event by High Lifter staff is in place. Arrangements are also in place for the local ATV club to assist in cleanup at the close of the event on Sunday, June 23, 2013.
 - **6. Lighting** Lighting will be provided in the vendor area and any scheduled night events such as the concert, by four (4) large stationary stadium-type lights positioned high on light poles as well as 4 stadium lights stationary on the back side of the chalet that faces the hills and the bowl area. They will sufficiently illuminate the entire vendor area and surrounding parking and Chalet areas. In addition, the concert will have stage lighting that will provide additional lighting in that specific area surrounding the stage.

- 7. Event Safety & Security High Lifter takes security at their events extremely seriously. While we hope there will not be a need for them, High Lifter will have security in place on-site should the need arise. There will be a minimum of 4 security personnel at all times. These will consist of two off-duty Minnesota law enforcement officers as well as two cadets from the Hibbing Community College Law Enforcement Academy. During peak times when the potential for possible problems may increase, such as 6 pm Friday evening thru 6 am Saturday morning, we will increase this by two officers on duty, for a total of 6. If the need arises, we will have 2 additional officers on stand-by. These officers will be given a ATV/UTV for officers to patrol the park in an effort to be proactive in preventing any problems. Each will be equipped with a Motorola radio in which they can communicate with each other and the entire High Lifter staff, if necessary. In addition to the hired security staff, High Lifter will have its staff of 27 at the park. High Lifter employees are experienced in these types of events and acts as additional "eyes & ears" for any potential problems and will react and/or alert security as they see fit. High Lifter is also bringing 3 additional individuals who they work closely with at the same type of event they host in Texas that has an average of 14,000 attend each year. One is a Texas deputy sheriff as well as a licensed paramedic who will act as a backup to either security or EMS should the need arise. He has worked in the security/EMS position at these types of events for the past 9 years, and brings experience in crowd control/management. The other two gentlemen from Texas are key members of the park management. They bring experience in traffic control and logistical problem solving. A plan is in place to have a oneway traffic pattern throughout the park to prevent the traffic entering the event from backing up on public Hwy 169. Should the traffic become backed up, we will immediately form two lines of traffic beginning at the north side of Airport Road. Traffic exiting the event will be directed by signage and personnel to exit via the south end of Airport Road back onto Hwy 169. Because the main gate and exit gate will remain open throughout the event, security will never be without members of the High Lifter staff to offer assistance should it become necessary. In the event of inclement weather, a plan is in place to offer safety to those in attendance. Quadna Mountain Park is equipped with an outside sound system strong enough to be heard to the back corners of the park. An announcement would be made over the loudspeaker alerting patrons of storm warnings. They would then be directed to seek shelter in either the chalet or the resort lodge. The basement of the Chalet and the hallways & basement of the Quadna Mountain Lodge would adequately hold those seeking shelter.
- **8. Fire Protection** All camping areas are located off of one or more major roadways within the park where fire or rescue vehicles can access efficiently. The larger camping areas will be marked so that a path will be provided around the camping area to allow for emergency vehicles. The smaller areas are located directly on a path or gravel road. The local Hill City Fire Department has been notified of the dates of the event so that they will be on standby should they be needed.
- **9. Telephone Communication** Due to modern technology wherein most individuals carry a cell phone on their person as a routine practice, having landline phone service is essentially ineffective. We will, however, have signs posted throughout the park providing riders with a primary and secondary number to call in case of an emergency. Those numbers will be monitored by members of our staff around the clock. Campgrounds will also be numbered and

marked with signage that corresponds with the map provided in the program to make locating someone in need easier should they need assistance in some way.

- 10. Medical Services An RN. licensed in the State of Minnesota and 2 EMS will be on-site during the event as well as the paramedic from Texas, who can offer assistance should the need arise. An ambulance from Grand Rapids will be on-call should it become necessary to transport someone to the hospital in Grand Rapids. This was approved by county officials during a conference call on 5/15/2013.
- 11. Parking Both camping, ATV and automobile parking has been provided for during this event. Not all patrons will camp at the park, many will stay in area hotels and locals will commute back and forth to the park each day from their homes. There are designated automobile parking areas for those that are coming without an ATV and are not camping. Based on the formula provided by the ordinance of 1 space for every 4 people and using 240 sq ft per automobile, there is enough parking in Auto Parking areas 1 & 2 to accommodate 246 cars/984 people. Camping areas have been numbered on all maps, 1 - 18. The combined space available for camping is a minimum of 509,651.25 sqft. Using a formula of 600 sq ft per camper, Quadna Mountain Park would accommodate 849.4 RVs. Using the same formula in the Ordinance of 1 space per 4 people, there is camping available for 3,398 people. See attached breakdown of each area.
- 12. Noise The main area where a concentration of people may gather is centrally located on the property and nothing is scheduled in the planned event that should generate unreasonable noise as to disturb the surrounding property owners.
- 13. Food Concessions There will be food concessions available during the event. At this time, one food vendor has agreed to participate in the event. Mr. Cory Harris, owner of Harris Concessions from Coon Rapids, MN (763-498-3276) will be present selling food items. Should any additional food vendors participate, they will be directed to contact Ms. Michelle Leitinger of the Aitkin County Environmental Services Department.

The statements contained herein this application for permit of Large Assembly for Aitkin County, Minnesota are true and correct to the best of my knowledge.

5 31 2013

Tracie D. Engi, Event Coordinator

High Lifter Products, Inc.

W. Brad Herriage

Louisiana Notary Public

License # 68769

CERTIFICATE OF LIABILITY INSURANCE

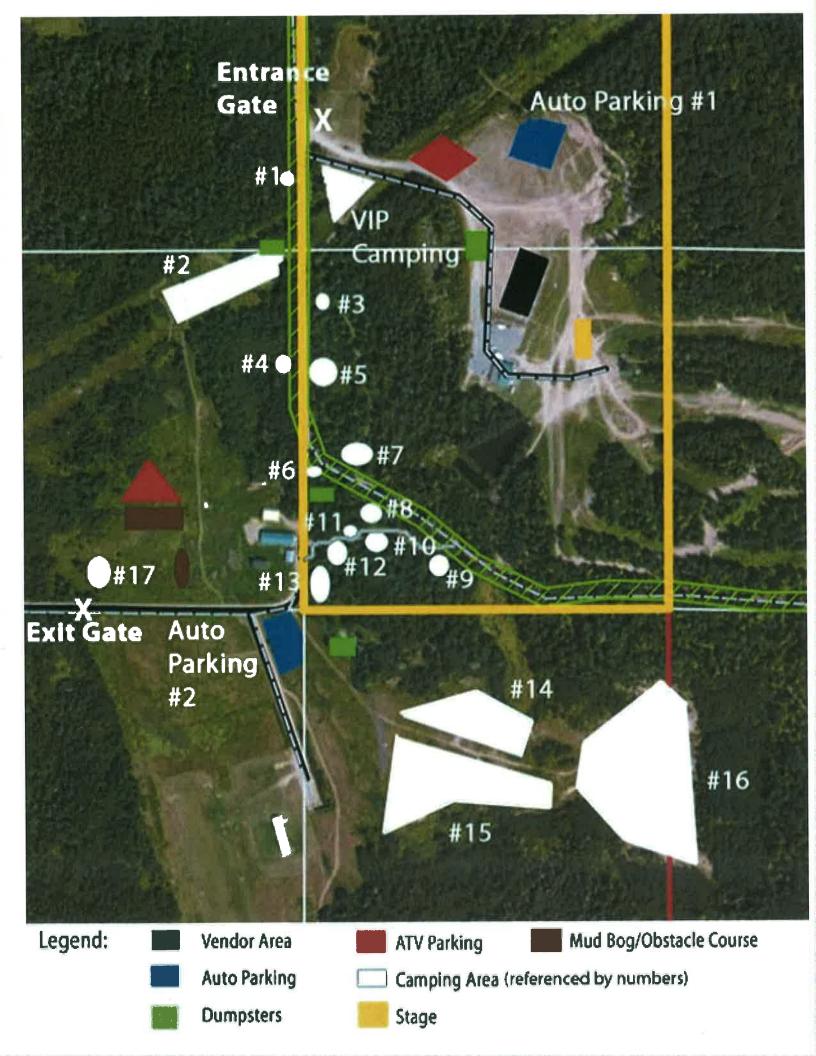
HIGHL-3

OP ID: RR

DATE (MM/DID/YYYY) 06/04/2013 THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER. IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s). Phone: 903 693 7109 CONTACT Ronnle R. Rhodes, CIC Risk & Benefit Solutions P O Box 52747 Shreveport, LA 71135 PHONE (A/C, No. Ext): 318-629-8104 Fax: FAX (A/C, No): 318-798-5507 ADDRESS: rrhodes@rbsins.com ERIC B COPPLE INSURER(S) AFFORDING COVERAGE NAIC# INSURER A : LLOYDS OF LONDON INSURED High Lifter Products Inc. INSURER B : 780 Professional Drive North Shreveport, LA 71105 INSURER C : INSURER D INSURER E INSURER F : COVERAGES CERTIFICATE NUMBER: REVISION NUMBER: THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS. ADDL SUBR TYPE OF INSURANCE POLICY EFF POLICY EXP POLICY NUMBER INSR WVD GENERAL LIABILITY EACH OCCURRENCE 1,000,000 A X COMMERCIAL GENERAL LIABILITY DAMAGE TO RENTED PREMISES (Ea occurrence) Х X MKL00573 EVENT 03/15/2013 03/15/2014 100,000 \$ CLAIMS-MADE X OCCUR EXCLUDED MED EXP (Any one person) \$ PERSONAL & ADV INJURY 1,000,000 GENERAL AGGREGATE 2,000,000 GEN'L AGGREGATE LIMIT APPLIES PER: 2,000,000 PRODUCTS - COMP/OP AGG POLICY PRO-\$ AUTOMOBILE LIABILITY OMBINED SINGLE LIMIT (Ea accident) ANY ALITO BODILY INJURY (Per person) ALL OWNED AUTOS SCHEDULED AUTOS NON-OWNED AUTOS \$ BODILY INJURY (Per accident) HIRED AUTOS PROPERTY DAMAGE (Per accident) \$ UMBRELLA LIAB OCCUR EACH OCCURRENCE \$ EXCESS LIAB CLAIMS-MADE AGGREGATE \$ DED RETENTION \$
WORKERS COMPENSATION AND EMPLOYERS' LIABILITY WC STATU-TORY LIMITS ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) ER NIA E.L. EACH ACCIDENT \$ If yes, describe under DESCRIPTION OF OPERATIONS below EL DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required) Certidfiotae Holder is an Additonal Insured. ATV Mud Bog Event at Quanda Mountain Park 400 Quanda Mountain Road Hill City, MN 55748 6/20/13 to CERTIFICATE HOLDER CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. Aitkin County AUTHORIZED REPRESENTATIVE All The Compage Comments

Quadna Planning Layout





Western Surety Company

LICENSE AND PERMIT BOND

	WID LEWMILL B	IOND	
KNOW ALL PERSONS BY THESE PRESENT	S:	Bond No	71412092
That we, High Lifter Products, Inc.		.Doita 140.	
of Shreveport			
of <u>Shreveport</u> and WESTERN SURETY COMPANY, a corpor Minnesota	ation duly licensed	siana to do - 1	, as Principal,
Minness		The Bottery D	damess in the State
County of Aitkin	as Sur	ety, are held an	d firmly bound unto the
County of Aitkin	, State of Minnes	ota ;	as Obligee, in the penal
lawful money of the United States 4.1		DOLLARS (
our legal representatives,	firmly by these pres	ents.	n and truly to be made,
THE CONDITION OF THE ABOVE OBLIC	JATION IS SUCH,	That whereas, t	the Principal bas t
licensed _Oversize/Overweight		The state of the s	we rincipal has been
N-Marie Control			
NOW THEREBODE 14.1			by the Obligee.
NOW THEREFORE, if the Principal shall with the laws and ordinances, including all an applied for, then this obligation to be void, May 7th , 2014, unl	otherwise to rema	ain in full for inuation Certific	the license or permit ree and effect until cate.
This bond may be terminated at any time by U.S. Mail 10, the Obligee and to the Principal expiration of the number of the principal experience of the number of the principal experience of the princi	ng of said notice, this ny liability for any er of years this bond of premiums which s m year to year or pe the amount set for	s bond shall ipso acts or omissi shall continue in shall be payable	e Surety, and at the ofacto terminate and ions of the Principal of force, the number of
	HIGH LIFT	ER PRODUCTS,	INC. Principal Principal
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	By	LT. 6	melt
om 532-12-2011		Paul T. Bruflat,	Senior Vice President

STATE OF SOUTH DAKOTA COUNTY OF MINNEHAHA

ACKNOWLEDGMENT OF SURETY (Corporate Officer)

officer.	men miletin for fue	purposes therein co	ontained, I	, 2013 , before me, the undersigned , who acknowledged himself to be the al that he as such officer, being authorized so to do, e. by signing the name of the corporation by himself	l officer, foresaid xecuted
	S. PETRIK NOTARY PUBLIC SOUTH DAKOTA	have hereunto set n	ıy hand an	nd official seal. Solution Dotary Public — South Dakota	as such
STATE OF COUNTY OF On this	day o	}ss		ACKNOWLEDGMENT OF PRINCIPAL (Individual or Partners) , before me personally appropriately the foregoing instrument and acknowledged	peared
thathe My commission	executed the same expires	,	a who exec	cuted the foregoing instrument and acknowledged Notary Public	to me
	day of			ACKNOWLEDGMENT OF PRINCIPAL (Corporate Officer) ,, before me personally appe	
ofsuch officer being	a uthorized so to orporation by hims	o be the		, before me personally appertunction, and that he/signstrument for the purposes therein contained by signstrument for the purpose of the p	
Western Surety Company	License or Permit No. LICENSE AND PERMIT BOND As	of State of Name of Applicant		Filed ', Approved this day of _,	

Western Surety Company

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS:

That WESTERN SURETY COMPANY, a corporation organized and existing under the laws of the State of South Dakota, and authorized and licensed to do business in the States of Alabama, Alaska, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, District of Columbia, Florida, Georgia, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, Wyoming, and the United States of America, does hereby make, constitute and appoint

	Paul T. Bruf	lat	natitute and appo	int		ls President	
State of	South Dako	ta	of		Sioux Fal	ls	
as Attorney-in-	Fact, with full power	and authority	its regularly	elected	Vice	President	_
its behalf as Su	urety and as its act a	nd deed, the fo	ollowing bond:	upon him to	sign, execute,	President acknowledge and deliver for a	and o
	THE TOTAL OF THE THE	HT COUNTY	OF AITKIN				
bond with bond	number 714120						
or <u>HIGH LIF</u>	TER PRODUCTS,	TNC					-
as Principal in t	he penalty amount n	ot to exceed:	\$10,000.00				
Western Sure adopted and now in Section 7. A the Company by Directors may authorise who shall it	ety Company further cer in force, to-wit: Il bonds, policies, undert the President, Secretar horize. The President,	tifies that the fol akings, Powers or ry, any Assistan any Vice Presid	lowing is a true and of Attorney, or other t Secretary, Treast dent, Secretary, any	exact copy of some control of the co	he corporation sl e President, or etary, or the Tre	by-laws of Western Surety Compainal be executed in the corporate naby such other officers as the Boasurer may appoint Attorneys-in-F	ame of
corporate seal may	be printed by facsimile.	gs, Powers of A	Attorney or other of	oligations of the	corporation. Ti	he signature of any such officer a	for the nd the
In Witness	Whereof, the said	WESTERN	CLIDETY COM	744.04		presents to be executed fMay	
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	L. Nels	on, Assistant Se	cretary	Ву	1 and	- Limber	
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OUNTY OF MIN	NEHAHA J					EAST AND A	5
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10. beina by me	duly sworn acknow	روان الماد حادمان			7100000		
d Assistant Sec	cretary, respectively,	of the said W	ESTERN SURF	TY COMPAN	Attorney as	Vice President Medged said instrument to be	
luntary act and	deed of said Corpora	ition.		THE COME AN	r, and acknow	riedged said instrument to be	the
£ .	S. PETRIK	3,000				C7V921	
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My Commi n F1975-1-2012	ssion ExpiresAugust 11,	, 2016				Notary Pub	AIG:
0 + 10/0-1-20/2						_	MENN.



It is hereby mutually agreed and understood by and between the Principal and Western Surety Company, that instead of as originally written:

The Licensing Description has been changed to read:

To operate a large assembly from June 20-23,2013 at 400 Quadna Mountain Road (and adjacent area), Hill City, MN. For the purposes of High Lifter Quadna Mud Nationals.

No further changes other than above.

Nothing herein contained sha	ll be held to va	ary, alter, waive	or extend a	any of the ter	rms, limits
conditions of the Bond	, except as he	reinabove set fort	h.		
Unis Rider becames effective on twelve and one primite o'clock a.m.,	the 24th	day of May		, _2	013, at
				410000	
Attached to antiforming part of	' <u>Bond</u> IRΕΤΥ CO	MPANY of	Sioux Fa	ulla South	Dakota
issued by Will FERN SU	, WEI 1 00	WIT TIVE OF	Sioux 10	ms, south	Danou,
HIGH LIFTER PRODUCTS, INC.					
·					
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Signed this 24th day of	_мау				

By Paul T. Bruflat, Septor Vice President

AITKIN COUNTY ENVIRONMENTAL SERVICES 209 2nd St NW, Room 100

Aitkin, MN 56431 TELEPHONE: (218) 927-7266



Water Test Report

Aitkin County Environmental Services Water Lab STATE LABORATORY ID: 027-001-276

First Name

Brian

Sample Number:

2013031

Last Name

Bauerly (QMP)

Sample Report ID#: 2013031-1

Address

700 Airport Road

City/State

Hill City, MN

Date Collected: 5/6/13

Time Collected: 8:15 AM

Collected By: John McManigle

Date Received: 5/6/13

Time Received: 8:50 AM

Sample Source: Kitchen Faucet Temperature Received: 37.5°F

Date Bacteria Tested: 5/6/13

Time Bacteria Tested: 4:30 PM

4:30 PM

Date Bacteria Read: 5/7/13 Date Nitrate Tested: 5/7/13

Time Bacteria Read: Time Nitrate Tested:

3:20 PM

TEST

RESULT

PUBLIC HEALTH LIMIT

Coliform Results

ABSENT **ABSENT**

ABSENT **ABSENT**

E Coli Results Nitrate Nitroge

< 1.0mg/l

< 10.0 mg/l (less than)

Results approved by Michelle Leitinger

Special Comments:

Michelle Leitinger, R.S.

mulelle Leituge

Bacteria subcontracted to Certified Lab 027-035-135 NO NO3 subcontracted to Certified Lab 027-035-135 NO

Samples not received on ice will have the nitrate-nitrogen results estimated. Results are for this received sample only. Bacteria and nitrate-nitrogen tested per SM 9223B 20th Ed. and SM 4500-NO3 D 20th Ed. This lab certified by the MDH utilizing NELAC Standard 2003 practices.

This report must not be reproduced except in full without written approval from this laboratory

Thursday, June 20th, 2013

8 am — Gates open to the public

4 pm — Bad 2 Da' Bone Show-n-Shine

Friday, June 21st, 2013

11 am — Polaris Obstacle Course

6 pm — 10 pm Poker Run

Saturday, June 22nd, 2013

11 am — EPI Mud Bog

7 pm — Awards Ceremony

8 pm — The Johnny Holm Band on stage

Sunday, June 23rd, 2013

Open Riding

Display Booth Move-Out begins



Camping Area Sizes

VIP 13,084.5 sq ft – this will be used by vendors only

- 1. 1,750 sq ft
- 2. 44,763 sq ft
- 3. 15,314 sq ft
- 4. 2.368 sq ft
- 5. 14,948 sq ft
- 6. 1,152 sq ft
- 7. 9,610 sq ft
- 8. 336 sq ft
- 9. 4,914.75 sq ft
- 10. 22,368 sq ft
- 11. 4,420 sq ft
- 12. 1,696.3 sq ft
- 13. 20.809.4 sq ft
- 14. 49,904 sq ft
- 15. 94,436 sq ft
- 16. 169,928 sq ft
- 17. 37,849.3 sq ft

Total = 509,651.25 sq ft

509,651.25 sq ft divided by 600 sq ft per camper = 849.4 camp sites

849.4 sites multiplied by 4 people per site = 3,398

2012 Minnesota Statutes

394.26 PUBLIC HEARINGS.

Subdivision 1.[Repealed, <u>1974 c 571 s 51</u>]

- Subd. 1a. When required. In addition to public hearings required by section 375.51 prior to the adoption by ordinance of any comprehensive plan or amendments thereto or of any official control or amendment thereto, public hearings shall be held before any conditional use permit, interim use permit, variance, or proposal for a subdivision is approved or denied by the responsible authority, and in circumstances where a public hearing is otherwise required by sections 394.21 to 394.37. Such public hearings may be continued from time to time and additional hearings may be held.
- Subd. 2. **Notice.** Notice of the time, place, and purpose of any public hearing shall be given by publication in a newspaper of general circulation in the town, municipality, or other area concerned, and in the official newspaper of the county, at least ten days before the hearing, except that notice of public hearings in connection with the adoption by ordinance of any comprehensive plan or amendments thereto or adoption or amendment of any official controls shall be given in the manner provided by section 375.51, subdivision 2. In addition to the requirements of section 375.51, subdivision 2, written notice of public hearings on all official controls and amendments thereto shall be sent to the governing bodies of all towns and all municipalities located within the county. Written notice of public hearings regarding the application of official controls to specific properties, including but not limited to conditional uses, variances, interim uses, zoning regulations, and subdivision regulations, shall be sent to all property owners of record within 500 feet of the affected property in incorporated areas. In unincorporated areas, the written notice shall be sent to property owners as follows:
 - (a) in the case of variances, to owners of record within 500 feet of the affected property;
- (b) in the case of conditional uses and interim uses, to owners of record within one-quarter mile of the affected property or to the ten properties nearest to the affected property, whichever would provide notice to the greatest number of owners;
- (c) in the case of all other official controls, including but not limited to zoning regulations and subdivision regulations, to owners of record within one-half mile of the affected property.

Written notice shall also be given to the affected board of town supervisors, and the municipal council of any municipality within two miles of the affected property.

Subd. 3.[Repealed, 1974 c 571 s 51]

Subd. 3a. **Who runs hearing.** The board may assign responsibility to conduct public hearings for one or more purposes to the planning commission, board of adjustment or any official or employee of the county, except as provided in section <u>375.51</u>.

History: <u>1959 c 559 s 6</u>; <u>1963 c 692 s 4</u>; <u>1974 c 571 s 20</u>-22; <u>1976 c 177 s 1</u>; <u>1980 c 477 s 1</u>; <u>2008 c 331 s 4</u>

COUNTY OF AITKIN

AN ORDINANCE REGULATING ASSEMBLAGE OF LARGE NUMBERS OF PEOPLE AT SHOWS OR EXHIBITIONS OF ANY NATURE

PREAMBLE

WHEREAS, pursuant to the authority vested in it by Minn. Stat. 375.40 the Aitkin County Board of Commissioners desires to regulate the assemblage of shows or exhibitions of any nature whether such shows or exhibitions are conducted indoors or outdoors; and

WHEREAS, the purpose of this ordinance is to protect the health, safety and welfare of all persons in Aitkin County, residents and visitors alike, who will partake in or be affected by such assemblage;

NOW THEREFORE, the Aitkin County Board of Commissioners hereby ordains:

Section 1. LICENSE REQUIREMENT

- 1.01 No person shall permit, maintain, promote, conduct, advertise, act as an entrepreneur, undertake, organize, manage, or sell or give tickets to an actual or anticipated assembly of 100 or more persons for an exhibition or show of any nature, whether on public or private property, unless a license to hold such assembly has first been secured in accordance with the provisions of this ordinance.
- 1.02 A license to hold an assembly issued under the provisions of this ordinance shall permit any person to engage in any lawful activity in connection with the holding of the licensed assembly.
- 1.03 As used in this ordinance, "person" means any individual human being, partnership, corporation, firm, company, association, society or group; and "assembly" means a company or group of persons gathered together at any location at any time for any purpose.
- 1.04 A separate license shall be required for each event up to one week duration and each location at which 100 or more persons assemble or can reasonably be anticipated to assemble.
- 1.05 A license shall permit the assembly of only the maximum number of persons stated in the license. It is understood that the County Board may impose restrictions on the maximum number of persons which will be assembled in the license issued if such restrictions are deemed necessary to protect the health, safety and welfare of those persons who will be in attendance and/or other residents of Aitkin County. The licensee shall not sell tickets to nor permit to assemble at the license location more than the maximum permissible number of persons stated in the license.
- 1.06 No performance or other activity in connection with the licensed show or exhibition shall occur between the hours of 1 a.m. to 6 a.m.

Section 2. LICENSE APPLICATION AND CONDITIONS FOR ISSUING LICENSE

- 2.01 License applications may be obtained from and must be submitted to the Aitkin County Auditor at least thirty (30) days before the assembly is scheduled to occur. Applications for assemblages of 100 to 499 persons shall be placed on the County Board's agenda and heard in the normal course of business. Applications for assemblages of 500 persons or more shall require that the Aitkin County Board of Commissioners shall conduct a public hearing and notices thereof shall be given in compliance with Minnesota Statutes, Section 394.26.
- 2.02 Upon receipt of license application, the Aitkin County Auditor shall forward a copy of the same to the Clerk of the Town Board of the township in which the assembly is scheduled to occur for such Town Board's review.
- 2.03 Every license application shall be accompanied by a fee pursuant to the following schedule:

100 - 499 persons \$ 100.00 500 or more persons \$ 250.00

Every application for such assembly shall be accompanied by a bond, either in cash or underwritten by a surety company licensed to do business in Minnesota, in the following amounts:

100 - 499 persons \$ 5,000.00 500 or more persons \$10,000.00

Said bond will be conditioned that there will be no damage to any County highway, street or other public property arising out of or as a result of the licensed assembly and that the licensee will promptly and fully repay or repair any damages so done, and that all provisions of this ordinance and conditions imposed by the County Board in the issuance of such license are fully complied with by the licensee.

- 2.04 The application shall contain a statement made upon oath or affirmation that the statements contained therein are true and correct to the best knowledge of the applicant and shall be signed by the individual making application and said signature shall be properly certified by a notary public. In the case of a corporation, a partnership, or an unincorporated association, society, or group, the application shall be signed and acknowledged by an authorized officer, partner or member of said corporation, partnership or association, society or group.
 - 2.05 The application shall contain and disclose:
- (a) The address and legal description of all property upon which the assembly is to be held, together with the name, residence, and mailing address of the record owners of all such property;
 - (b) The nature or purpose of the assembly:
- (c) The total number of days and/or hours during which the assembly is to last:
 - (d) The maximum number of tickets to be sold, if any;

- (e) A plan for conducting the proposed assembly which shall include, at a minimum, the following elements:
- 1. The determination by the applicant of the maximum number of people which shall be assembled or admitted to the location.
- 2. A fence or barrier completely enclosing the proposed location sufficient height and strength to prevent people in excess of the maximum permissible number from gaining access to the assembly grounds, which shall have sufficient entrances and exits to allow easy movement into and out of the assembly grounds. This requirement may be waived if the County Board finds that a fence will not be necessary for crowd control.
- 3. Portable water, meeting all federal, state and local requirements for sanitary quality, sufficient to provide drinking water for the maximum number of people to be assembled at the rate of at least one gallon per person per day.
 - 4. Separate enclosed toilets for males and females, meeting all state and local specifications, conveniently located throughout the grounds, sufficient to provide facilities for the maximum number of people to be assembled in accordance with the Minnesota State Board of Health Regulations and standards.
 - 5. A sanitary method of disposing of solid waste in compliance with state and local laws and regulations, sufficient to dispose of the solid waste production of the maximum number of people assembled at the rate of at least 2.5 lbs. of solid waste per person per day, together with a plan for collecting and holding all such waste at least once each day of the assembly's continuance, and sufficient trash containers and personnel to perform such tasks.
 - 6. If the assembly is to continue during hours of darkness, illumination sufficient to light the entire area of the assembly, but not to shine unreasonably beyond the boundaries of the enclosed location of the assembly.
- 7. Security and traffic controls which will meet the requirements of local authorities and the Minnesota Department of Public Safety. Such controls shall include, but not be limited to, regularly employed off-duty Minnesota law enforcement officers, or other security officers whose qualifications are deemed to be sufficient by the County Board, sufficient to provide adequate security for the maximum number of people to be assembled for the purpose of viewing the show or exhibition.
- 8. Fire protection sufficient to meet all applicable state and local laws and regulations which are in effect, or may be set forth by the County Board in granting a license under this ordinance. Such fire protection shall include, but not be limited to, extinguishing devices, fire lanes and escapes, and sufficient emergency personnel to efficiently operate the required equipment.
- 9. Telephones connected to outside lines for public use, at the rate of at least one separate line for each 1000 or fraction thereof people to be assembled, and at least one telephone connected to a separate outside line which shall be available for emergency use at all times.

10. Physicians and nurses licensed to practice in Minnesota, according to the following schedule:

100 to 499 persons 1 licensed practical nurse (LPN)

and, 1 properly equipped ambulance

500 to 4999 persons 1 registered nurse (RN)

and, 1 properly equipped ambulance

*5000 or more persons 1 physician

and, 1 registered nurse (RN)

and, 1 properly equipped ambulance

together with an enclosed, covered structure where adequate medical treatment may be rendered, containing separately enclosed treatment rooms for each physician.

*in increments of 5,000 persons or fractions thereof above 5,000 persons requires said personnel for each increment.

- 11. A parking area inside the assembly ground sufficient to provide parking space from the maximum number of people to be assembled, at the rate of at least one parking space for every four persons.
- 12. All reasonable necessary precautions to ensure that the sound of the assembly will not carry unreasonably beyond the enclosed boundaries of the location of the assembly.
- 13. If the assembly is anticipated to continue for four (4) or more hours, facilities or plans for the provision of food to the maximum number of people to be assembled in compliance with all federal, state and local laws, ordinances, and regulations to ensure sanitary quality.

Section 3. ADDITIONAL LICENSE CONDITIONS

- 3.01 No License granted pursuant to this ordinance shall become effective until the licensee has submitted to the Aitkin County Auditor certificate of insurance, naming Aitkin County as an additional insured under the policy acquired, indicating that the licensee has obtained comprehensive general liability insurance covering any injury or damage caused by or resulting from the conducting of the assembly licensed under this ordinance, in the minimum amount of Two Hundred Thousand Dollars (\$200,000.00) for injuries to, damages to and/or death of any one person and Six Hundred Thousand Dollars (\$600,000.00) for total injuries and/or damages arising from any one occurrence. The Board has the authority to require higher liability limits.
- 3.02 As a condition of the granting of a license under this ordinance, the licensee agrees to allow representatives of the Aitkin County Sheriff's Office and /or any other County officials access to the property at which the licensed assembly will occur to determine if the provisions of this ordinance and/or the license conditions are or may be properly complied with. This right of access shall continue for 24 hours following the end of the licensed activity.

3.03 It is understood that the County may impose any additional conditions in the license necessary to protect the health, safety and welfare of those persons who will be in attendance and/or other residents of Aitkin County.

Section 4. REVOCATION

- 4.01 Any license granted under this ordinance may be revoked by the County Board at any time prior to the assembly for which a license has been granted, if:
 - (a) any of the conditions necessary for the issuing of or contained in the license are not complied with; or
 - (b) any condition previously met ceases to be complied with; or
 - (c) any other provision of this ordinance is violated.
- 4.02 If during the course of the show or exhibition for which a license has been granted hereunder it appears in the judgment of the Aitkin County Sheriff that there exists an imminent danger of outbreak of, violence, riot or other calamity threatening the physical health or safety of those in attendance at the assembly and/or the residents of the community in which the assembly is held, the Sheriff shall be empowered to take whatever action he deems appropriate to protect said persons, including temporarily suspending the license granted if he deems such action necessary. Any such suspension by the Sheriff shall be effective immediately and a hearing shall be held before the County Board at the earliest opportunity. In the event the County Board deems such suspension improper, the license shall be reinstated or the license application fee refunded, whichever action the licensee requests.

Section 5. OPERATION

- 5.01 The licensee or his agents shall maintain the assembly premises and facilities in a clean, orderly and sanitary condition at all times.
- 5.02 No animals or household pets, not normally residing or directly involved in the show or exhibition or the policing thereof, shall be permitted on any of the grounds or facilities, and no animals or pets shall be permitted to run loose.
- 5.03 No fires of any kind shall be permitted on the premises or facilities except in grills or at locations designated in the plan/license for that purpose.
- 5.04 No person shall engage in any conduct which violates a federal, state, county, or local law, ordinance, or regulation.

Section 6. EXCEPTIONS

6.01 This ordinance shall not apply to any regularly established, permanent place of worship, stadium, arena, auditorium, resort, conference center, work place, coliseum, or other similar permanently established place of assembly.

- 6.02 This ordinance shall not apply to any shows or exhibitions held within the incorporated limits of a city.
- 6.03 The provisions of this ordinance shall not apply to any show or exhibition held in connection with the Aitkin County Fair.

Section 7. ENFORCEMENT

- 7.01 The provisions of this ordinance may be enforced by injunction in any court of competent jurisdiction.
- 7.02 The holding of an assembly in violation of any provision or condition contained in this legislation shall be deemed a public nuisance and may be abated as such.
- 7.03 Any person, corporation, partnership, or unincorporated association, society or group which violates any provision of this ordinance shall be guilty of misdemeanor and shall be punished by a fine not to exceed Seven Hundred Dollars (\$700.00) or by imprisonment for not more than ninety (90) days, or both. Each separate day of violation shall be considered a separate offense. In the event a violation of this ordinance occurs by action of a corporation, a partnership, or an unincorporated association, society or group, the respective officers, partners, or members of said corporation, partnership, association, society or group shall be subject to prosecution under this section in accordance with the provisions of Minn. Stat. Section 609.05.
- 7.04 Any person who violates any provision of this ordinance or any condition upon which he/she is granted a license shall be personally responsible for damages to public or private property arising out of or in connection with said violation and shall be subject to any civil relief that may be reasonable and proper. In the event a corporation, a partnership, or an unincorporated association, society or group violates any provision of this ordinance or any condition upon which a license is granted, the officers, partners, or members of said corporation, partnership, association, society or group shall be subject to the penalties set forth in this section.

Section 8. VARIANCE & APPEAL

8.01 The County Board may grant a variance from the requirements of this ordinance in any particular case where the applicant can show that strict compliance with this ordinance would cause exceptional and undue hardship by reason of the special nature of the proposed assembly or by reason of the fact that the circumstances make the requirements of this ordinance unnecessary; provided that such variance may be granted without detriment to the public health, safety, or welfare and without impairing the intent and purpose of these regulations. Economic considerations alone shall not constitute a hardship if reasonable alternatives exist under the terms of this ordinance. The County Board may impose conditions in the granting of variances to insure compliance, protect adjacent properties and the public interest.

8.02 Any person, or any department or unit of local government, or of the State of Minnesota may appeal any decision of the County Board, pursuant to this ordinance, to the District Court having jurisdiction by the same persons, departments, boards or commissions or units of government.

Section 9. SEVERABILITY

The provisions of this ordinance shall be severable and should any Court of competent jurisdiction adjudge any provision of this ordinance to be invalid, such judgment shall not affect any other provisions of this ordinance not specifically included in said judgment.

Section 10. APPLICABILITY OF OTHER LAWS. ORDINANCES AND REGULATIONS

- 10.1 The provisions of this ordinance are cumulative to all other laws, ordinances and regulations heretofore passed or which may be passed hereafter by the State of Minnesota and the County of Aitkin.
- 10.2 Nothing contained in this ordinance shall be construed to waive or otherwise satisfy the obligations or restrictions imposed by State statute or County ordinance or regulation concerning the sale of nonintoxicating malt liquor or intoxicating liquor.

Section 11. <u>EFFECTIVE DATE</u>

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

Date of Publication of Notice of Intent to Enact:	AITKIN COUNTY BOARD OF COMMISSIONERS
	By Merle Peterson, Chairperson
Date(s) of Public Hearing:	Date of Signature 7/26/94
Date of Enactment:	Attest Alice Ootgler Alice Dotzler County Auditor
Date of Publication:	County Auditor Date of Signature