

**OFFICIAL PROCEEDINGS**  
**OF THE**  
**BOARD OF COUNTY COMMISSIONERS**  
**OF ST. LOUIS COUNTY, MINNESOTA**

**JANUARY, 2003**

**ANNUAL SESSION**

**OFFICIAL PROCEEDINGS OF THE MEETING**  
**OF THE BOARD OF COUNTY COMMISSIONERS**  
**OF THE COUNTY OF ST. LOUIS, MINNESOTA,**  
**HELD ON JANUARY 7, 2003**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 7th day of January, 2003, at 9:35 A.M. in the forenoon in the County Board Room, Courthouse, Duluth, Minnesota, in annual session, it being the first Tuesday after the first Monday in January, the date set by statute for such session. Upon a roll call by the Clerk, the following members were present: Commissioners Dennis Fink, Joanne Fay, William J. Kron, Mike Forsman, Peg Sweeney, Keith Nelson, and Steve Raukar - 7. Absent: None.

Gordon D. McFaul, County Auditor, began the meeting by asking for nominations for Chair of the County Board for 2003. Commissioner Fay nominated Commissioner Fink for Chair. No other nominations were received. Commissioner Kron, supported by Commissioner Fay, moved to declare a unanimous ballot for Commissioner Fink for Chair of the County Board for 2003; seven yeas - zero nays.

Chair Fink made a presentation to Commissioner Forsman for his service as Chair of the County Board in 2002. Chair Fink briefly outlined challenges facing the Board in the coming year and his vision as Chair.

Commissioner Kron thanked outgoing Chair Forsman for his work and congratulated Commissioner Fink on his election as Chair, emphasizing the selection was not a liberal/conservative issue.

Chair Fink then asked for nominations for Vice Chair of the Board for 2003. Commissioner Fay nominated Commissioner Nelson. Commissioner Forsman nominated Commissioner Raukar. After brief discussion, Chair Fink asked for a paper ballot to select the Vice Chair. Commissioner Sweeney, supported by Commissioner Forsman, moved to have Commissioners sign their ballots so each vote would be known; seven yeas - zero nays. Vote totals for Vice Chair were: Commissioner Raukar - 5, Commissioners Fink, Kron, Forsman, Sweeney and Raukar; Commissioner Nelson - 2, Commissioners Fay and Nelson.

Vice Chair Raukar said difficult issues will be faced in the next year and he pledged to work diligently with the Board to achieve their goals.

Chair Fink appointed the following as Chairs of the Standing Committees of the County Board: Commissioner Sweeney - Health and Social Services; Commissioner Forsman - Environment and Natural Resources; Commissioner Nelson - Public Works and Transportation; Commissioner Fay - Finance and Budget; Commissioner Kron - Central Management and Intergovernmental; Commissioner Raukar - Public Safety and Corrections. Chair Fink asked Commissioner Kron to continue to serve as Chair of the Economic Development Committee, established in 2002. Chair Fink also said he will establish in the near future a committee consisting of three commissioners to examine written County

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

2

policies to determine what changes may be needed.

Commissioner Raukar, supported by Commissioner Sweeney, moved to approve a County Board meeting schedule for 2003, with Commissioner Sweeney requesting that the April 15, 2003, meeting be held at the Emergency Management Center at Pike Lake. Commissioner Fay, supported by Commissioner Nelson, then moved to amend the schedule by deleting the third meeting each month and inserting two-day County Board Workshops. After lengthy discussion, Commissioner Raukar, supported by Commissioner Forsman, moved to amend the amendment motion by deleting references to Board Workshops and adding meetings in February, March, and November so each month would have three meetings except January (four meetings) and August (two meetings). The Pike Lake meeting was moved to April 8, 2003. The amended amendment was then approved: seven yeas - zero nays. After further discussion, the amended Board Meeting Schedule was approved; five yeas - two nays, Commissioners Kron and Sweeney. Resolution No. 5.

Commissioner Fay, supported by Commissioner Forsman, moved to adopt a schedule for the Committee of the Whole for 2003 coinciding with the adopted Board Meeting Schedule: seven yeas - zero nays. Resolution No. 6.

Commissioner Kron, supported by Commissioner Raukar, moved to appoint Commissioner Fink and Nelson as representatives to the Arrowhead Counties Association (ad hoc); seven yeas - zero nays. Resolution No. 7.

Commissioner Fay, supported by Commissioner Nelson, moved to appoint Commissioners Nelson, Kron and Fay as representatives and Commissioner Fink as alternate to Arrowhead Regional Corrections. Commissioner Raukar, supported by Commissioner Sweeney, moved to amend the motion by appointing Commissioners Sweeney, Kron and Raukar as representatives and Commissioner Nelson as alternate; five yeas - two nays, Commissioners Fay and Nelson. The resolution to appoint Commissioners Sweeney, Kron and Raukar as representatives and Commissioner Nelson as alternate to ARC was then approved; five yeas - two nays, Commissioners Fay and Nelson. Resolution No. 8.

Commissioner Raukar, supported by Commissioner Sweeney, moved to appoint Commissioner Sweeney as representative and Commissioner Fay as alternate to the Metropolitan Interstate Committee (ARDC); seven yeas - zero nays. Resolution No. 9.

Commissioner Nelson, supported by Commissioner Fay, moved to appoint Commissioner Forsman as representative to the Trunk Highway 53 Corridor Study (ARDC); seven yeas - zero nays. Resolution No. 10.

Commissioner Kron, supported by Commissioner Forsman, moved to appoint Commissioner Nelson as a delegate the Association of Minnesota Counties; seven yeas - zero nays. Resolution No. 11.

Commissioner Forsman, supported by Commissioner Kron, moved to appoint Commissioner Nelson as representative to Children-Partners-Local Youth In Government; seven yeas - zero nays. Resolution No. 12.

Commissioner Kron, supported by Commissioner Sweeney, moved to appoint Commissioner Sweeney as representative to the Community Health Services Board for a three-year term; seven yeas - zero nays. Resolution No. 13.

Commissioner Kron, supported by Commissioner Raukar, moved to appoint Commissioner Fay as representative and Commissioner Fink as alternate to the Duluth Area Family Services Collaborative; seven yeas - zero nays. Resolution No. 14.

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

3

Commissioner Raukar, supported by Commissioner Forsman, moved to appoint Commissioner Nelson (or his designee) as representative on the East Range Family Service Collaborative; seven yeas - zero nays. Resolution No. 15.

Commissioner Fay, supported by Commissioner Forsman, moved to appoint Commissioner Fink and Commissioner Kron as representatives on the St. Louis County Canvassing Board for any Special Elections held in 2003; seven yeas - zero nays. Resolution No. 16.

Commissioner Kron, supported by Commissioner Raukar, moved to appoint Commissioner Forsman as representative and Commissioner Fay as alternate to the St. Louis County Grievance Board; seven yeas - zero nays. Resolution No. 17.

Commissioner Forsman, supported by Commissioner Raukar, moved to appoint Commissioner Nelson to serve on the St. Louis County Housing and Redevelopment Authority; seven yeas - zero nays. Resolution No. 18.

Commissioner Forsman, supported by Commissioner Fay, moved to appoint Commissioner Nelson as representative to the Iron Range Off-Road Vehicle Recreation Area Advisory Board; seven yeas - zero nays. Resolution No. 19.

Commissioner Sweeney, supported by Commissioner Kron, moved to appoint Commissioner Forsman as representative and Commissioner Nelson as alternate to the Job Training Partnership Act; seven yeas - zero nays. Resolution No. 20.

Commissioner Kron, supported by Commissioner Nelson, moved to appoint Commissioner Fay as representative to the Lake Superior Public Access - Joint Powers Board (City of Duluth, St. Louis County, Lakewood and Duluth Townships); seven yeas - zero nays. Resolution No. 21.

Commissioner Fay, supported by Commissioner Raukar, moved to appoint Commissioner Fink as an alternate to the Lake Superior Public Access - Joint Powers Board; seven yeas - zero nays. Resolution No. 22.

Commissioner Kron, supported by Commissioner Raukar, moved to appoint Commissioner Nelson as representative to Laurentian Resource Conservation and Development Council (RC & D); seven yeas - zero nays. Resolution No. 23.

Commissioner Raukar, supported by Commissioner Kron, moved to appoint Commissioner Sweeney as representative to the Duluth Law Library Board; seven yeas - zero nays. Resolution No. 24.

Commissioner Nelson, supported by Commissioner Sweeney, moved to appoint Commissioner Raukar as representative to the Hibbing Law Library Board; seven yeas - zero nays. Resolution No. 25.

Commissioner Raukar, supported by Commissioner Sweeney, moved to appoint Commissioner Nelson as representative to the Virginia Law Library Board; seven yeas - zero nays. Resolution No. 26.

Commissioner Nelson, supported by Commissioner Fay, moved to appoint Commissioner Fay, Commissioner Fink as representatives and Commissioner Raukar as alternate to the Metropolitan Inter-County Association (MICA). Commissioner Fink, citing his duties on the AMC Board, asked that he be replaced by Commissioner Kron. The makers agreed to the substitution. Commissioner Sweeney, supported by Commissioner Raukar, moved to amend the motion by replacing Commissioner Fay with Commissioner Sweeney. The amendment failed; three yeas - four nays, Commissioners Fay, Forsman, Nelson and Chair Fink. The original motion appointing Commissioners Fay, Kron and Raukar

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

4

(alternate) was then approved; six yeas - one nay, Commissioner Sweeney. Resolution No. 27.

Commissioner Fay, supported by Commissioner Nelson, moved to appoint Commissioner Fay as representative on the Minnesota Care Regional Coordinating Board (County Board recommends and Governor appoints). Noting that Commissioner Sweeney is Chair of Health and Social Services, Commissioner Raukar, supported by Commissioner Sweeney, moved to amend the motion by appointing Commissioner Sweeney as representative; five yeas - two nays, Commissioners Fay and Nelson. The motion to appoint Commissioner Sweeney as representative was then approved; six yeas - one nay, Commissioner Fay. Resolution No. 28.

Commissioner Forsman, supported by Commissioner Kron, moved to appoint Commissioner Nelson as representative and Commissioner Forsman as alternate to the 9-1-1 Emergency System User Board - North St. Louis County; seven yeas - zero nays. Resolution No. 29.

Commissioner Raukar, supported by Commissioner Kron, moved to appoint Commissioner Fay as representative and Commissioner Sweeney as alternate to the 9-1-1 Emergency System User Board - South St. Louis County; seven yeas - zero nays. Resolution No. 30.

Commissioner Kron, supported by Commissioner Raukar, moved to appoint Commissioner Nelson as representative to the Northeast Minnesota Housing Consortium (HOME Consortium); seven yeas - zero nays. Resolution No. 31.

Commissioner Raukar, supported by Commissioner Sweeney, moved to appoint Commissioner Nelson as alternate to the Northern Counties Land Use Coordinating Board; seven yeas - zero nays. Resolution No. 32.

Commissioner Sweeney, supported by Commissioner Forsman, moved to appoint Commissioner Fink and Commissioner Kron as representatives and Commissioner Fay as alternate to the Northwest Airlines Tax Increment Financing District Board; seven yeas - zero nays. Resolution No. 33.

Commissioner Fay, supported by Commissioner Kron, moved to appoint Commissioner Fink as representative and Commissioner Nelson as alternate to the Planning Commission; seven yeas - zero nays. Resolution No. 34.

Commissioner Raukar, supported by Commissioner Kron, moved to appoint Commissioner Fay and Commissioner Nelson to the St. Louis County Promotional Bureau; seven yeas - zero nays. Resolution No. 35.

Commissioner Nelson, supported by Commissioner Fay, moved to appoint Commissioner Fay, Commissioner Kron, and Commissioner Nelson as representatives and Commissioner Forsman as alternate to the St. Louis/Lake Counties Regional Railroad Authority. Commissioner Forsman asked for a friendly amendment - accepted by the makers - to name Commissioner Raukar as the alternate. Commissioner Sweeney, supported by Commissioner Raukar, moved to amend the motion by appointing Commissioner Kron, Commissioner Sweeney, and Commissioner Raukar as representatives and Commissioner Forsman as alternate. The amendment failed; three yeas - four nays, Commissioners Fay, Forsman, Nelson and Chair Fink. The original motion appointing Commissioner Fay, Commissioner Kron, and Commissioner Nelson as representatives and Commissioner Raukar as alternate was then approved; four yeas - three nays, Commissioners Kron, Sweeney, and Raukar. Resolution No. 36.

Commissioner Kron, supported by Commissioner Forsman, moved to appoint Commissioner Sweeney and Commissioner Nelson as representatives on the Social Services Advisory Board; seven yeas - zero nays. Resolution No. 37.

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

5

Commissioner Nelson, supported by Commissioner Fay, moved to appoint Commissioner Nelson as representative to the Makinen Volunteer Fire Department Board; seven yeas - zero nays. Resolution No. 38.

Commissioner Sweeney, supported by Commissioner Fay, moved to award bids for legal publications for 2003 to the Duluth News Tribune (legal notices, board proceedings, two notices of expiration of redemption and the first publication of the financial statement) and the Gilbert Herald (second publication of the financial statement and two publications of the delinquent tax list). The following persons addressed the issue:

Dick Florey, Director of Purchasing, explained the bid process and said an error in bid calculations by the Duluth News Tribune originally caused their bid to be rejected in favor of the Mesabi Daily News. However, a legal opinion from the County Attorney's Office advised that the calculation error should not disqualify the Duluth News Tribune bid. Therefore, the Purchasing Department was recommending award of the bids to the Duluth News Tribune and Gilbert Herald.

Gordon D. McFaul, County Auditor, in response to a Commissioner question, said the legal newspaper is where most County publications are placed, although other newspapers are also used for certain advertising.

Scott Asbach, Publisher of the Mesabi Daily News, said his newspaper followed the bid instructions to the letter and should be awarded the contract for legal publications.

Bruno Giovannoni, Advertising Manager for the Duluth News Tribune, said even though there was a calculation error, the Duluth News Tribune was still the lowest bidder in any case.

Commissioner Raukar, supported by Commissioner Nelson, moved to amend the motion by rejecting all bids. Alan Mitchell, County Attorney, advised that Minnesota Statutes require selection of a legal newspaper(s) at the annual meeting and it would be inappropriate to reject all bids. Commissioner Raukar then withdrew his motion.

Commissioner Nelson, supported by Commissioner Raukar, moved to amend the original motion by rejecting the Duluth News Tribune bid and awarding the contract to the Mesabi Daily News. After brief discussion, Commissioner Kron requested a roll call vote on the amendment. The amendment failed: three yeas - four nays, Commissioners Fay, Kron, Sweeney and Chair Fink. The original motion awarding bids for legal publications to the Duluth News Tribune and Gilbert Herald was then approved; six yeas - one nay, Commissioner Nelson. Resolution No. 39.

Commissioner Nelson asked that future bid processes be clarified to ensure fair and competitive bidding.

The following Board and Contract Files were created as a result of documents received at this Board meeting:

Communications received by the St. Louis County Board for the year 2003.--57992

Letters from the County Administrator for the year 2003 to the County Board regarding items on the Committee of the Whole and County Board Meeting Agendas.--57993

County Auditor submitting applications for license to sell tobacco products for the year 2003.--57994

County Attorney submitting Workers' Compensation Reports for year 2003.--57995

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

6

Paper ballots used to select the Vice Chair of the St. Louis County Board for the year 2003--57996

Upon motion of Commissioner Raukar, supported by Commissioner Sweeney, Resolutions No. 1 through 5, as submitted to this Board on the Consent Agenda were unanimously adopted as follows:

**BY COMMISSIONER RAUKAR:**

RESOLVED, that pursuant to St. Louis County Ordinance No. 51, the applications for license to sell tobacco products, at retail, on file in the office of the County Auditor, identified as County Board File No. 57994, are hereby approved and the County Auditor is authorized to issue the licenses as follows; RESOLVED FURTHER, that if named licenseholders sell their licensed business, the County Board, at its discretion, may, after an investigation, transfer the license to a new owner, but without pro-rated refund to the licenseholders:

Renee Padget, d/b/a N-C Shops, City of Aurora, Tobacco Products License No. T0399;

Dean Esala/Selena Dertinger-Esala, d/b/a Wayside Café, Greenwood Township, Tobacco Products License No. T03133.

Adopted January 7, 2003. No. 1

RESOLVED, that pursuant to St. Louis County Ordinance No. 51, the application for license to sell tobacco products, at retail, on file in the office of the County Auditor, identified as County Board File No. 57994, is hereby approved and the County Auditor is authorized to issue the license as follows; RESOLVED FURTHER, that if named licenseholder sells their licensed business, the County Board, at its discretion, may, after an investigation, transfer the license to a new owner, but without pro-rated refund to the licenseholder:

The following licenseholder was issued a tobacco violation citation on the date as stated:

Joly, Inc., d/b/a Keyboard Lounge, City of Proctor, Tobacco Products License No. T0377, September 30, 1998.

Adopted January 7, 2003. No. 2

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, as set forth by the County Attorney, dated December 13, 2002, on file in the office of the County Auditor, identified as County Board File No. 57995, is hereby received and ratified as payable from Fund 52, Department 12.

Adopted January 7, 2003. No. 3

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, as set forth by the County Attorney, dated December 27, 2002, on file in the office of the County Auditor, identified as County Board File No. 57995, is hereby received and ratified as payable from Fund 52, Department 12.

Adopted January 7, 2003. No. 4

**BY COMMISSIONER RAUKAR:**

RESOLVED, that the St. Louis County Board of Commissioners will meet in 2003 commencing at 9:30 A.M. on Tuesdays according to the following schedule:

January:	7th, 14th, 21st - Duluth Courthouse 28th - Virginia Courthouse
February:	11th, 18th - Duluth Courthouse 25th - Hibbing City Hall Council Chambers
March:	11th, 18th - Duluth Courthouse

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

7

April: 25th - Morse Town Hall, Ely  
1st - Duluth Courthouse  
8th - Emergency Management Facility at Pike Lake  
22nd - Virginia Courthouse  
(29th is fifth Tuesday)

May: 6th, 13th - Duluth Courthouse  
27th - Hibbing City Hall Council Chambers

June: 3rd, 10th - Duluth Courthouse  
24th - Semers Park Pavilion, Ely

July: 1st, 8th - Duluth Courthouse  
22nd - Hibbing City Hall Council Chambers  
(29th is fifth Tuesday)

August: 5th - Duluth Courthouse  
12th - Lake Eshquagama 4-H Camp  
(August 19th and 26th - no meetings)

September: 2nd, 9th - Duluth Courthouse  
23rd - Morse Town Hall, Ely  
(30th is fifth Tuesday)

October: 7th, 14th - Duluth Courthouse  
28th - Virginia Courthouse

November: 4th, 18th - Duluth Courthouse  
25th - Hibbing City Hall Council Chambers

December: 2nd, 16th - Duluth Courthouse  
23rd - Morse Town Hall, Ely  
(30th is fifth Tuesday)

NOTE: The following Tuesdays were eliminated for the reasons indicated:  
February 4th - Duluth Days at the Minnesota Legislature  
March 4th - NACo Conference  
July 15th - NACo Conference  
November 11th - Veterans' Day Holiday  
December 9th - AMC Conference

Yeas - Commissioners Fay, Forsman, Nelson, Raukar, and Chair Fink - 5

Nays - Commissioners Kron and Sweeney - 2

Adopted January 7, 2003. No. 5

**BY COMMISSIONER FAY:**

WHEREAS, the following are the Standing Committees of the St. Louis County Board with Chairs as appointed by the Chair of the County Board:

Health and Social Services Committee  
Chair - Commissioner Peg Sweeney

Environment and Natural Resources Committee  
Chair - Commissioner Mike Forsman

Public Works and Transportation Committee  
Chair - Commissioner Keith Nelson

Finance and Budget Committee  
Chair - Commissioner Joanne Fay

Central Management and Inter-Governmental Committee  
Chair - Commissioner Bill Kron

Public Safety and Corrections Committee  
Chair - Commissioner Steve Raukar

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

8

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners will meet in 2003 as a Committee of the Whole immediately following the County Board meeting on Tuesdays, according to the following schedule:

January:	7th, 14th, 21st - Duluth Courthouse 28th - Virginia Courthouse
February:	11th, 18th - Duluth Courthouse 25th - Hibbing City Hall Council Chambers
March:	11th, 18th - Duluth Courthouse 25th - Morse Town Hall, Ely
April:	1st - Duluth Courthouse 8th - Emergency Management Facility at Pike Lake 22nd - Virginia Courthouse (29th is fifth Tuesday)
May:	6th, 13th - Duluth Courthouse 27th - Hibbing City Hall Council Chambers
June:	3rd, 10th - Duluth Courthouse 24th - Semers Park Pavilion, Ely
July:	1st, 8th - Duluth Courthouse 22nd - Hibbing City Hall Council Chambers (29th is fifth Tuesday)
August:	5th - Duluth Courthouse 12th - Lake Eshquagama 4-H Camp (August 19th and 26th - no meetings)
September:	2nd, 9th - Duluth Courthouse 23rd - Morse Town Hall, Ely (30th is fifth Tuesday)
October:	7th, 14th - Duluth Courthouse 28th - Virginia Courthouse
November:	4th, 18th - Duluth Courthouse 25th - Hibbing City Hall Council Chambers
December:	2nd, 16th - Duluth Courthouse 23rd - Morse Town Hall, Ely (30th is fifth Tuesday)

NOTE: The following Tuesdays were eliminated for the reasons indicated:  
February 4th - Duluth Days at the Minnesota Legislature  
March 4th - NACo Conference  
July 15th - NACo Conference  
November 11th - Veterans' Day Holiday  
December 9th - AMC Conference

Unanimously adopted. January 7, 2003. No. 6

**BY COMMISSIONER KRON:**

RESOLVED, that the St. Louis County Board hereby appoints the following as their representatives on the Arrowhead Counties Association (ad hoc) for one-year terms expiring on December 31, 2003:

Commissioner Dennis Fink  
Commissioner Keith Nelson

Unanimously adopted. January 7, 2003. No. 7

**BY COMMISSIONER RAUKAR:**

RESOLVED, that the St. Louis County Board hereby appoints three (3) Commissioners as

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

9

representatives to Arrowhead Regional Corrections for one year terms which will expire on December 31, 2003:

Commissioner Peg Sweeney  
Commissioner Bill Kron  
Commissioner Steve Raukar  
Commissioner Keith Nelson (alternate)

Yeas - Commissioners Kron, Forsman, Sweeney, Raukar, and Chair Fink - 5

Nays - Commissioners Fay and Nelson - 2

Adopted January 7, 2003. No. 8

RESOLVED, that the St. Louis County Board hereby appoints the following as their representative on the Arrowhead Regional Development Commission Metropolitan Interstate Committee for a one-year term expiring December 31, 2003:

Commissioner Peg Sweeney  
Commissioner Joanne Fay (alternate)

Unanimously adopted. January 7, 2003. No. 9

**BY COMMISSIONER NELSON:**

RESOLVED, that the St. Louis County Board hereby appoints the following as their representative on the Trunk Highway 53 Corridor Study (ARDC):

Commissioner Mike Forsman

Unanimously adopted. January 7, 2003. No. 10

**BY COMMISSIONER KRON:**

RESOLVED, that the St. Louis County Board hereby appoints Commissioner Keith Nelson to serve as a representative to the Association of Minnesota Counties.

Unanimously adopted. January 7, 2003. No. 11

**BY COMMISSIONER FORSMAN:**

RESOLVED, that the St. Louis County Board hereby appoints the following as their representative to the Children-Partners-Local Youth in Government:

Commissioner Keith Nelson

Unanimously adopted. January 7, 2003. No. 12

**BY COMMISSIONER KRON:**

RESOLVED, that the St. Louis County Board hereby appoints one Commissioner as their representative to the Community Health Services Board for a three year term expiring on December 31, 2005:

Commissioner Peg Sweeney

Unanimously adopted. January 7, 2003. No. 13

RESOLVED, that the St. Louis County Board hereby appoints one Commissioner as their representative to the Governing Board of the Duluth Area Family Services Collaborative for a one-year term expiring on December 31, 2003:

Commissioner Joanne Fay  
Commissioner Dennis Fink (alternate)

Unanimously adopted. January 7, 2003. No. 14

**BY COMMISSIONER RAUKAR:**

RESOLVED, that the St. Louis County Board hereby appoints one Commissioner as their representative to the Governing Board of the East Range Family Service Collaborative for a one-year term expiring on December 31, 2003:

Commissioner Keith Nelson

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

10

Unanimously adopted. January 7, 2003. No. 15

**BY COMMISSIONER FAY:**

RESOLVED, that Commissioner Dennis Fink and Commissioner Bill Kron are hereby appointed to the St. Louis County Election Canvassing Board for elections to be held in the year 2003.

Unanimously adopted. January 7, 2003. No. 16

**BY COMMISSIONER KRON:**

RESOLVED, that the St. Louis County Board hereby appoints one Commissioner as their representative to the St. Louis County Grievance Board for a one year term which will expire on December 31, 2003:

Commissioner Mike Forsman

Commissioner Joanne Fay (alternate)

Unanimously adopted. January 7, 2003. No. 17

**BY COMMISSIONER FORSMAN:**

RESOLVED, that the St. Louis County Board hereby appoints Commissioner Keith Nelson to serve as a representative on the St. Louis County Housing and Redevelopment Authority Board.

Unanimously adopted. January 7, 2003. No. 18

RESOLVED, that the St. Louis County Board hereby appoints one Commissioner as their representative to the Iron Range Off-Road Vehicle Recreation Area Advisory Board:

Commissioner Keith Nelson

Unanimously adopted. January 7, 2003. No. 19

**BY COMMISSIONER SWEENEY:**

RESOLVED, that the St. Louis County Board hereby appoints one Commissioner as their representative on the Job Training Partnership Act for a one-year term expiring December 31, 2003:

Commissioner Mike Forsman

Commissioner Keith Nelson (alternate)

Unanimously adopted. January 7, 2003. No. 20

**BY COMMISSIONER KRON:**

RESOLVED, that the St. Louis County Board hereby appoints one Commissioner as their representative on the Lake Superior Public Access - Joint Powers Board for a two-year term expiring December 31, 2004:

Commissioner Joanne Fay

Unanimously adopted. January 7, 2003. No. 21

**BY COMMISSIONER FAY:**

RESOLVED, that the St. Louis County Board hereby appoints one Commissioner to serve as alternate representative on the Lake Superior Public Access - Joint Powers Board for a two-year term expiring December 31, 2004:

Commissioner Dennis Fink

Unanimously adopted. January 7, 2003. No. 22

**BY COMMISSIONER KRON:**

RESOLVED, that the St. Louis County Board hereby appoints one Commissioner as their representative on the Laurentian Resource Conservation and Development Council:

Commissioner Keith Nelson

Unanimously adopted. January 7, 2003. No. 23

**BY COMMISSIONER RAUKAR:**

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

11

RESOLVED, that the St. Louis County Board hereby appoints one Commissioner as their representative on the Duluth Law Library Board for a one-year term expiring December 31, 2003:

Commissioner Peg Sweeney

Unanimously adopted. January 7, 2003. No. 24

**BY COMMISSIONER NELSON:**

RESOLVED, that the St. Louis County Board hereby appoints one Commissioner as their representative on the Hibbing Law Library Board for a one-year term expiring December 31, 2003:

Commissioner Steve Raukar

Unanimously adopted. January 7, 2003. No. 25

**BY COMMISSIONER RAUKAR:**

RESOLVED, that the St. Louis County Board hereby appoints one Commissioner as their representative on the Virginia Law Library Board for a one-year term expiring December 31, 2003:

Commissioner Keith Nelson

Unanimously adopted. January 7, 2003. No. 26

**BY COMMISSIONER NELSON:**

RESOLVED, that the St. Louis County Board hereby appoints two Commissioners as their representatives to the Metropolitan Inter-County Association (MICA) for one-year terms expiring on December 31, 2003:

Commissioner Bill Kron

Commissioner Joanne Fay

Commissioner Steve Raukar (alternate)

Yeas - Commissioners Fay, Kron, Forsman, Nelson, Raukar, and Chair Fink - 6

Nays - Commissioner Sweeney - 1

Adopted January 7, 2003. No. 27

**BY COMMISSIONER RAUKAR:**

RESOLVED, that the St. Louis County Board hereby appoints one Commissioner as their representative on the Minnesota Care Regional Coordinating Board:

Commissioner Peg Sweeney

Yeas - Commissioners Kron, Forsman, Sweeney, Raukar, and Chair Fink - 5

Nays - Commissioners Fay and Nelson - 2

Adopted January 7, 2003. No. 28

**BY COMMISSIONER FORSMAN:**

RESOLVED, that the St. Louis County Board hereby appoints one Commissioner as their representative to the 9-1-1 Emergency System User Board for North St. Louis County for a one-year term expiring on December 31, 2003:

Commissioner Keith Nelson

Commissioner Mike Forsman (alternate)

Unanimously adopted. January 7, 2003. No. 29

**BY COMMISSIONER RAUKAR:**

RESOLVED, that the St. Louis County Board hereby appoints one Commissioner as their representative to the 9-1-1 Emergency System User Board for South St. Louis County for a one-year term expiring on December 31, 2003:

Commissioner Joanne Fay

Commissioner Peg Sweeney (alternate)

Unanimously adopted. January 7, 2003. No. 30

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

12

**BY COMMISSIONER KRON:**

RESOLVED, that the St. Louis County Board hereby appoints one Commissioner as their representative on the Northeast Minnesota Housing Consortium (Home Consortium):

Commissioner Keith Nelson

Unanimously adopted. January 7, 2003. No. 31

**BY COMMISSIONER RAUKAR:**

RESOLVED, that the St. Louis County Board hereby appoints one Commissioner to serve as alternate representative on the Northern Counties Land Use Coordinating Board:

Commissioner Keith Nelson

Unanimously adopted. January 7, 2003. No. 32

**BY COMMISSIONER SWEENEY:**

RESOLVED, that the St. Louis County Board hereby appoints two Commissioners as their representatives to the Northwest Airlines Tax Increment Financing District Board (Duluth) for one year terms which will expire on December 31, 2003:

Commissioner Dennis Fink

Commissioner Bill Kron

Commissioner Joanne Fay (alternate)

Unanimously adopted. January 7, 2003. No. 33

**BY COMMISSIONER FAY:**

RESOLVED, that the St. Louis County Board hereby appoints one Commissioner as their representative to the St. Louis County Planning Commission for a one year term which will expire on December 31, 2003:

Commissioner Dennis Fink

Commissioner Keith Nelson (alternate)

Unanimously adopted. January 7, 2003. No. 34

**BY COMMISSIONER RAUKAR:**

RESOLVED, that the St. Louis County Board hereby appoints two Commissioners as their representatives to the St. Louis County Promotional Bureau for one-year terms expiring on December 31, 2003:

Commissioner Joanne Fay

Commissioner Keith Nelson

Unanimously adopted. January 7, 2003. No. 35

**BY COMMISSIONER NELSON:**

RESOLVED, that the St. Louis County Board hereby appoints three Commissioners as their representatives to the St. Louis/Lake Counties Regional Railroad Authority for one-year terms expiring on December 31, 2003:

Commissioner Bill Kron

Commissioner Joanne Fay

Commissioner Keith Nelson

Commissioner Steve Raukar (alternate)

Yeas - Commissioners Fay, Forsman, Nelson, and Chair Fink - 4

Nays - Commissioners Kron, Sweeney, and Raukar - 3

Adopted January 7, 2003. No. 36

**BY COMMISSIONER KRON:**

RESOLVED, that the St. Louis County Board hereby appoints two Commissioners as their representatives to the Social Services Advisory Board:

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

13

Commissioner Peg Sweeney  
Commissioner Keith Nelson  
Unanimously adopted. January 7, 2003. No. 37

**BY COMMISSIONER NELSON:**

RESOLVED, that the St. Louis County Board hereby appoints one Commissioner as their representative on the Makinen Volunteer Fire Department Board:

Commissioner Keith Nelson  
Unanimously adopted. January 7, 2003. No. 38

**BY COMMISSIONER SWEENEY:**

RESOLVED, that the Director of Purchasing is hereby authorized to enter into a contract with the Duluth News-Tribune for the 2003 Legal Printing services, in accordance with the specifications of Bid No. 4337, and their bid for Item No. 1 (Official Newspaper) as follows:

	<u>Per Inch</u>	<u>MNA</u>
1. Official Newspaper		
A. Legal Notices	\$2.14	.20576
B. Board Proceedings	\$2.14	.20576
C. Notice of Exemption of Redemption		
1st Publication	\$2.14	.20576
2nd Publication	\$2.14	.20576
D. Financial Statement		
1st Publication	\$2.14	.20576

RESOLVED FURTHER, that the Director of Purchasing is hereby authorized to enter into a contract with the Gilbert Herald for the 2003 Legal Printing services, in accordance with the specifications of Bid No. 4337, and their low bid for Item No. 2 (Financial Statement - 2nd Publication), and Item No. 3 (Delinquent Tax List - 1st and 2nd Publication) as follows:

	<u>Per Inch</u>	<u>MNA</u>
2. Financial Statement		
2nd Publication/Location	\$1.35	.0734
3. Delinquent Tax List		
1st Publication	\$0.85	.0642
2nd Publication	\$0.40	.0217

Yeas - Commissioners Fay, Kron, Forsman, Sweeney, Raukar, and Chair Fink - 6

Nays - Commissioner Nelson - 1

Adopted January 7, 2003. No. 39

At 12:00 P.M. on Tuesday, January 7, 2003, upon motion of Commissioner Kron, supported by Commissioner Forsman, the Board of County Commissioners adjourned.

Dennis Fink, Chair of the  
Board of County Commissioners

Attest:

Gordon D. McFaul, County Auditor  
and Ex-Officio Clerk of the Board  
of County Commissioners

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

14

(Seal of the County Auditor)

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

15

**OFFICIAL PROCEEDINGS OF THE MEETING  
OF THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF ST. LOUIS, MINNESOTA,  
HELD ON JANUARY 14, 2003**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 14th day of January, 2003, at 9:31 A.M. in the County Board Room, Courthouse, Duluth, Minnesota. The meeting was called to order by the Chair with the following members present: Commissioners Joanne Fay, Bill Kron, Mike Forsman, Peg Sweeney, Keith Nelson, Steve Raukar, and Chair Dennis Fink - 7. Absent: None.

Chair Fink asked Commissioner Sweeney, Chair of Health and Social Services Committee, to present the Association of Minnesota Counties (AMC) County Achievement Award to the Interagency Review Team for Truancy. Present to accept the award were Judge Gerald Martin and representatives from the staff of Social Services, Lutheran Social Services, the County Attorney, Arrowhead Regional Corrections and the Duluth Police Department.

At 9:37 A.M., a public hearing was convened, pursuant to County Board Resolution No. 778, adopted December 3, 2003, to consider granting an off-sale intoxicating liquor license to Mary Cooley, d/b/a Homestead Liquor, Duluth Township. County Attorney Alan Mitchell advised the Board that: all required County Departments reviewed the application and recommended approval; the Liquor Licensing Committee met with the applicant and recommended approval; the Town of Duluth reviewed the application and recommended approval; all required notices were given; and, the required insurance certificate was submitted. Attorney Mitchell also noted the license application was unique because the building has not yet been constructed, resulting in the institution of certain contingencies prior to issuance of the license. Mary Cooley, owner, was present for the hearing. No one else chose to address the matter.

At 9:44 A.M., Commissioner Sweeney, supported by Commissioner Sweeney, moved to close the hearing; seven yeas - zero nays. Commissioner Sweeney, supported by Commissioner Nelson, moved to approve granting the off-sale intoxicating license; seven yeas - zero nays. Resolution No. 56.

At 9:45 A.M., a public hearing was convened, pursuant to County Board Resolution No. 841, adopted December 17, 2003, to consider granting an off-sale intoxicating liquor license to Korby's Inc., d/b/a Pequaywan Inn, Unorganized Township 54-13. County Attorney Mitchell advised the Board that: all required County Departments reviewed the application and recommended approval; the Liquor Licensing Committee met with the applicant and recommended approval; all required notices were given; and, the required insurance certificate was submitted. Because the establishment was located within an unorganized township, town board approval was not required. Marlin Korby, owner, was present and said he understood and would abide by state statutes and Ordinance No. 28 (Liquor Ordinance). No one else chose to address the issue.

At 9:50 A.M., Commissioner Kron, supported by Commissioner Forsman, moved to close the hearing; seven yeas - zero nays. Commissioner Sweeney, supported by Commissioner Forsman, moved to approve granting the off-sale intoxicating liquor license; seven yeas - zero nays. Resolution No. 57.

At 9:51 A.M., a public hearing was convened, pursuant to County Board Resolution No. 843, adopted December 17, 2003, to consider amendments to Ordinance No. 41 - Primary Structure Address Ordinance. The following persons addressed the issue:

Paul Kent, 9-1-1 Communications Director, presented a brief history of the address ordinance and the changes proposed by the amendments. The biggest change is a requirement that signs be perpendicular

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

16

to the road instead of parallel. The cost of the new signs to the property owner will be \$25 per sign if purchased from the County, although towns and individuals are free to obtain signs from any source as long as the sign complies with standards set forth in the ordinance amendment. A January 2006 compliance deadline for property owners is included in the proposed amendments.

Alan Mitchell, County Attorney, said he opposes the January 2006 deadline, both as County Attorney and as a private citizen. Enforcing the deadline by issuing citations to negligent property owners will be an expensive proposition for the County. If a current sign is in good condition and readable, it is unreasonable to compel property owners to spend up to \$25 for a sign replacement, according to Attorney Mitchell.

At 10:33 A.M., Commissioner Sweeney, supported by Commissioner Forsman, moved to close the public hearing; seven yeas - zero nays. After lengthy discussion, Commissioner Forsman, supported by Commissioner Fay, moved to approve the ordinance amendments, effective March 1, 2003, with the January 2006 compliance deadline removed; seven yeas - zero nays.

Chair Fink then opened the meeting to persons who wanted to address the Board concerning issues not on the agenda and the following chose to do so:

Kathy Manteuffel, Saginaw, MN, asked the Board to remove a parcel of tax forfeited land located in the Town of Willow Valley from the upcoming land sale to allow time for her and her husband to secure a permanent easement for access to their property.

Commissioner Sweeney, supported by Commissioner Forsman, moved to suspend the rules to consider the request; seven yeas - zero nays. David Epperly, Land Commissioner, explained the current status of the easement. After brief discussion, Commissioner Sweeney, supported by Commissioner Fay, moved to direct the Land Department to remove the parcel from the land sale to allow time to negotiate an acceptable easement for the Manteuffels; seven yeas - zero nays.

Commissioner Forsman, supported by Commissioner Sweeney, moved to approve the repurchase application of Valerie Larsen, on behalf of the estate of Walter and Ruth Barnes, for property located in Duluth. The following persons addressed the issue:

Art Albertson, Attorney representing the repurchase applicants, presented a brief history of the property and said the heirs intend to rehabilitate the structure for resale. Mr. Albertson said it would seem preferable to approve the repurchase and allow the property to be rehabilitated and placed back on the tax rolls rather than be demolished.

Alan Mitchell, County Attorney, said laws and courts tend to favor retention of property by the owners.

Gary Eckenberg, Deputy County Administrator and representative to At Home In Duluth, said this repurchase application puts the Board in a difficult position.

David Epperly, Land Commissioner, said his department is reviewing the repurchase process.

Commissioner Raukar expressed an interest in viewing the property and asked if the motion could be tabled to allow time for a compromise solution to be reached. After further discussion, Commissioner Kron, supported by Commissioner Raukar, moved to table the matter; four yeas - three nays, Commissioners Fay, Sweeney and Nelson.

At 11:49 A.M. in the forenoon of Tuesday, January 14, 2003, Commissioner Sweeney, supported by Commissioner Forsman, moved to recess the Board until 1:30 P.M. on January 14, 2003, in the County

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

17

Board Room, Courthouse, Duluth, Minnesota.

The Board reconvened at 1:36 P.M. on January 14, 2003, and the regular order of business resumed with all members present.

Commissioner Nelson, supported by Commissioner Sweeney, moved to approve addition of one full time Building Maintenance Worker and one full time Janitor to Public Works Maintenance Division staff. Commissioner Fay opposed addition of these positions because of budget considerations and she suggested other options, such as shared services, be explored. Commissioner Sweeney noted that these additional positions were a reallocation of staff and salary costs will be saved. Tony Mancuso, Property Manager, said separate bargaining agreements cover Public Works and Building Management staff and there would be issues to resolve if shared staffing were instituted. After further discussion, the resolution was approved; six yeas - one nay, Commissioner Fay. Resolution No. 58.

Commissioner Sweeney, supported by Commissioner Forsman, moved to authorize a one-year lease agreement with Kim Fuller, Coffee Connections, for space in the Duluth Courthouse to operate a coffee shop and deli at a rate of \$400 per month. Kim Fuller, owner, said she has operated a coffee shop in the Duluth federal building for 2 1/2 years and her menu will be similar to the previous lessee. Commissioners Fay and Nelson expressed concern about the lease not being offered on a bid proposal. Tony Mancuso, Property Manager, explained the process used to select Coffee Connections and said the County is just trying to break even on the operation. After further discussion, the resolution was approved; five yeas - two nays, Commissioners Fay and Nelson. Resolution No. 59.

Commissioner Forsman, supported by Commissioner Kron, moved to reconsider appointments made at the January 7 Annual Meeting to the Regional Railroad Authority (Commissioners Fay, Kron and Nelson as representatives and Commissioner Raukar as alternate); four yeas - three nays, Commissioners Fay, Nelson and Chair Fink. County Attorney Mitchell advised the Board that after the reconsideration vote, the original motion was now back on the floor for consideration. After some discussion, Commissioner Forsman offered a friendly amendment - not accepted by the makers of the original motion (Commissioner Nelson supported by Commissioner Fay) - to amend the resolution by appointing Commissioner Raukar as a representative and designating Commissioner Fay as alternate. Commissioner Forsman, supported by Commissioner Sweeney, moved to amend the resolution by appointing Commissioners Kron, Nelson and Raukar as representatives and Commissioner Fay as alternate to the St. Louis/Lake Counties Regional Railroad Authority; four yeas - three nays, Commissioners Fay, Nelson and Chair Fink. Because of the amendment, Commissioner Nelson withdrew his original motion. Commissioner Forsman, supported by Commissioner Raukar, moved to amend County Board Resolution No. 36, adopted January 7, 2003, by appointing Commissioners Kron, Nelson and Raukar as representatives and Commissioner Fay as alternate to the Rail Authority; five yeas - two nays, Commissioner Nelson and Chair Fink. Resolution No. 60.

ST. LOUIS COUNTY ORDINANCE NO. 41  
"PRIMARY STRUCTURE ADDRESS ORDINANCE"

Section 1 - Purpose

- 1.01 This ordinance provides a system by which all primary structures located outside of the incorporated limits of municipalities will be assigned an address, and all owners of primary structures are required to post the assigned address in specified locations in accordance with standards set forth in this ordinance. The purpose of this address system is to promote the public's health, safety, and general welfare and is intended to further the implementation of the Emergency Telephone Services Act, Minnesota Statutes Chapter 403. This ordinance is authorized by Minnesota Statutes Chapter 394.

Section 2 - Definitions

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

18

- 2.01 Uniform Addressing System: The section of this ordinance which governs the assignment, display, and placement of address numbers by the owners and occupants of every primary structure which is located outside the limits of municipalities.
- 2.02 Uniform Addressing Plan: The section of this ordinance which governs the establishment and assignment of addresses for primary structures located outside the limits of municipalities.
- 2.03 Address: Number for each primary structure as assigned by the County Administrator or the department designated by the Administrator.
- 2.04 Signpost: A post, permanently affixed in the ground, used solely for display of the address.
- 2.05 Primary Structure: A building in which is conducted the principal use of the lot or parcel in which it is located. A primary structure may be used for residential, commercial, industrial, public-semipublic, recreation or other.
- 2.06 Driveway: A private road serving not more than two primary structures.
- 2.07 Road: A public or private way which affords primary means of access by vehicles to adjacent property whether designed as a drive, easement, street, avenue, highway, road, boulevard, cartway, or otherwise designated. A public or private way which is accessible only by foot or off-road vehicle is not a road as defined in this section.

Section 3 - Uniform Address System

- 3.01 Each primary structure located outside the limits of municipalities shall be assigned a sole address number as designated by the Uniform Addressing Plan. The Uniform Addressing Plan shall be kept on file with the County Auditor. The County Administrator or the department designated by the Administrator shall be responsible for assigning the address numbers.
- 3.02 All owners of primary structures shall establish and display their assigned address number in conformity with the following standards.
  - a. All owners of primary structures which are located further than 50 feet from the edge of the driving surface of the nearest road or which are not clearly visible year-round from the road because of vegetation, snow conditions, terrain, or other obstacles shall display their address number on a signpost. The signpost shall conform with the following standards:
    - (1) The post shall be located within ten feet of the driveway and at a location which is clearly visible year-round from the road. The post must be placed in a location which is at least ten feet from the edge of the road surface for roads with a defined shoulder or at least four feet from the edge of the road surface for roads without a defined shoulder and, in any case, not farther from the road than the end of the right-of-way.
    - (2) On the signpost must be placed a sign which contains the assigned address number horizontally.
    - (3) Existing signs which are placed parallel to the road in conformity with the ordinance prior to the March 1, 2003, amendment may remain in place as

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

19

long as the sign is in good condition and visible from emergency vehicles.

- (4) New and replacement signs installed after March 1, 2003, must contain the assigned address number on both sides of the sign. The sign shall be installed on the sign post from one edge and extend perpendicularly away from the road. The sign shall measure six inches in height and not less than fourteen or more than twenty inches in width. The bottom of the sign shall be placed at a height which is no less than four feet above the level of the road surface. The sign shall contain white numbers not less than four inches tall on a red background. The sign shall contain reflective material.
  - (5) When the primary structures are accessed only by waterway, the address signs shall be installed parallel to the shoreline not more than ten feet from the high water mark.
- b. All owners of primary structures which are located less than 50 feet from the nearest road and which are clearly visible year-round from the road or which are located on a driveway containing two or more primary structures must erect and maintain their assigned address numbers on the outside of the primary structure. The address numbers must be located on a primary structure surface facing the nearest road if the primary structure is less than 50 feet from the edge of the road surface, or a primary structure surface facing the nearest driveway if the primary structure is located on a driveway containing two or more primary structures.
- (1) The address numbers shall be no smaller than four inches tall and shall be coated with reflective materials. The address numbers shall present a strong contrast with the background color.
- c. The occupant of the primary structure shall be responsible for keeping its address numbers clear of snow, dirt, debris or other obstruction.

**Section 4 - Uniform Addressing System Implementation**

- 4.01 All owners of primary structures which are located within St. Louis County and outside of incorporated cities shall comply with this ordinance by January 1, 1989.
- 4.02 Each primary structure owner shall be responsible for posting, replacing and maintaining in good repair the addresses, address signs, and signposts as required by this ordinance.

**Section 5 - Administration**

- 5.01 Interpretation of the provisions contained in this ordinance shall be directed to and made by the County Communications Director.
- 5.02 All St. Louis County licenses, applications, and permits may be withheld from the owners and occupants of primary structures if the address is not placed or maintained in conformance with this ordinance.

**Section 6 - Amendment**

- 6.01 Amendments to this ordinance may be initiated by the County Planning Commission, County Board of Adjustment, County Administrator, or the County Communications Director.
- 6.02 The St. Louis County Planning Commission shall hold at least one public hearing on the

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

20

amendment, and then shall make a recommendation to the County Board.

- 6.03 The County Board shall hold at least one public hearing and follow adoption procedures set forth in Minn. Stat. Sec. 375.51 and 394.26 which govern the procedures for enactment and amendment of County ordinances.

Section 7 - Variances

- 7.01 Variances to the official controls set forth in this ordinance shall be governed by Minn. Stat. Sec. 394.27, subds. 7-9, as amended, and the terms of this section.
- 7.02 The Board of Adjustment shall have the exclusive power to order the issuance of variances from the terms of this ordinance, including restrictions placed on noncon-formities. Variances shall only be permitted when they are in harmony with the general purposes and intent of this ordinance in cases when there are practical difficulties or particular hardship in the way of carrying out the strict letter of this ordinance, and when the terms of the variance are consistent with the purposes of this ordinance.
- 7.03 A certified copy of any order issued by the Board of Adjustment acting upon an appeal from an order, requirement, decision or determination by an administrative official, or a request for a variance, shall be filed with the County Recorder or Registrar of Titles for record. The order issued by the Board of Adjustment shall include the legal description of the property involved. The County Administrator is responsible for meeting the requirements of this section and is authorized to delegate such responsibility.
- 7.04 All decisions by the Board of Adjustment in granting variances or in hearing appeals from any administrative order, requirement, decision or determination shall be final except that any aggrieved person or persons, or any department, board of commission of the jurisdiction or of the state shall have the right to appeal within 30 days, after receipt of notice of the decision, to the St. Louis County district court.

Section 8 - Severability

- 8.01 Should any section or provision of this ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole, or any part thereof, other than the part so declared to be unconstitutional or invalid.

Section 9 - Enforcement

- 9.01 Failure to comply with any section of this ordinance shall constitute a petty misdemeanor which is punishable, upon conviction, of a fine only not to exceed \$100.00.

Section 10 - Effectuation

**EFFECTUATION**

The amended Ordinance No. 41 shall take effect and be in full force on the 1st day of March, 2003, and shall be published in the official newspaper(s) of St. Louis County as provided by Minnesota Statutes.

Amendments pertain to Section 3 - Uniform Address System of Ordinance No. 41 - Primary Structure Address Ordinance

Public hearings were held by the St. Louis County Planning Commission on November 21, 2002, and by the St. Louis County Board of Commissioners on January 14, 2003.

Amendments were recommended by the Planning Commission to the County Board for adoption on the 21st day of November, 2002.

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

21

Commissioner Forsman moved the adoption of this amended Ordinance No. 41, and Commissioner Fay, duly seconded the motion, and it was adopted on the following vote:

Yeas: Commissioners Fay, Kron, Forsman, Sweeney, Nelson, Raukar, and Chair Fink - 7

Nays: None

Absent: None

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Chair of the County Board

Certified as a complete and accurate copy  
of Ordinance No. 41 - St. Louis County  
Primary Structure Address Ordinance

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Gordon D. McFaul, County Auditor

ATTEST:

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Paul Tynjala, Deputy Auditor  
Clerk of County Board

The following Board and Contract Files were created as a result of documents received at this Board meeting:

St. Louis and Lake Counties Regional Railroad Authority submitting agendas and minutes for their meetings held in the year 2003.--57997

Northern Counties Land Use Coordinating Board submitting minutes and agendas of their meetings for the year 2003.--57998

Finance and Budget Committee submitting recommendations for payment of claims and bills against St. Louis County for the year 2003.--57999

Land Commissioner submitting appraisal reports for the sale of timber for the year 2003.--58000

David Glowaski, Mayor, City of Orr, relative to the City of Orr agreeing to terminate the Joint Powers Agreement between the City of Orr, County of St. Louis, and the Crane Lake Visitor and Tourism Bureau for the collection of lodging tax in the Crane Lake Area effective December 8, 2002.--58001

Easement between St. Louis County and the City of Duluth for a twenty-foot utility easement over, under, and across that part of the NW 1/4, Section 16, Township 50, Range 14. --58002

Land Commissioner submitting applications for special sales of tax forfeited lands for the year 2003.--58003

County Auditor submitting applications for license to sell intoxicating liquor for the year 2003.--58004

Harlan Tardy, Executive Director, Arrowhead Economic Opportunity Agency, Inc., submitting their 2002 Annual Report.--58005

Richard Watson, Ely, relative to a conversation between himself and Ben Thomas, local assessor in Ely, after Mr. Thomas had assessed his property.--58006

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

22

Robert J. and Kathleen F. Manteuffel, Saginaw, requesting that the Land Department pull the N 1/2 of SW 1/4, Section 4, Township 63 North, Range 20 West, from their February 18, 2003, land sale to enable an easement across said property.-58007

James Glancy, Director, Executive Services, Arrowhead Economic Opportunity Agency, submitting a copy of the Single Audit period ending June 30, 2002, for the Arrowhead Economic Opportunity Agency.-58008-D

Judith H. Dutcher, State Auditor, State of Minnesota, submitting a copy of the audit report on Independent School District No. 2142, St. Louis County, for the year ended June 30, 2002.-58009-D

Florence Kacer, d/b/a Sanitary Harry's, regarding the high increase proposed for the 3.2 beer license and requesting that the small bars be given a break.-58010

Documentation from public hearing held on January 14, 2003, to consider granting an Off-Sale Intoxicating Liquor License to Mary Cooley, d/b/a Homestead Liquor, Duluth Township.-58011

Documentation from public hearing held on January 14, 2003, to consider the granting of an Off-Sale Intoxicating Liquor License to Korby's, Inc., d/b/a Pequaywan Inn, Unorganized Township 54-13.-58012

Agreement between the County Attorney and Arrowhead Regional Corrections for legal services.-03-01

Agreement between the County Attorney and the St. Louis County Housing and Redevelopment Authority for legal services.-03-02

Agreement between the Civil Service Commission and Arrowhead Regional Corrections for personnel services.-03-03

Agreement between the County Auditor and Arrowhead Regional Corrections for fiscal services.-03-04

Group Residential Housing Rate Agreement between the St. Louis County Board of Commissioners and Lifeway Services, LLC.-03-05ss

Purchase of Service Agreement, Contract No. 13448, between the St. Louis County Board of Commissioners and Homes, Inc. - SLS Foster Support.-03-06ss

Addendum to Purchase Agreement, Contract No. 13400A, between the St. Louis County Board of Commissioners and Homes, Inc. - Virginia I (MA MR/RC Waiver, SLS).-03-07ss

Addendum to Purchase Agreement, Contract No. 13399A, between the St. Louis County Board of Commissioners and Homes, Inc. - Virginia II (MA MR/RC Waiver, SLS).-03-08ss

Addendum to Purchase Agreement, Contract No. 13401A, between the St. Louis County Board of Commissioners and Homes, Inc. - Hibbing (MA MR/RC Waiver, Men's SLS).-03-09ss

Service Contract between the County of St. Louis and Kangas Excavating, Inc., for Hibbing Transfer Station Operation and Haulage.-03-10

Amendment to Service Agreement for Collection of Residential and Commercial Recyclable Materials between St. Louis County and the City of Gilbert.-03-11

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

23

Amendment to Service Agreement for Collection of Residential and Commercial Recyclable Materials between St. Louis County and the City of Chisholm.-[03-12](#)

Service Agreement for Collection of Waste from Canister Sites between the County of St. Louis and Norland Sanitary Service.-[03-13](#)

Service Agreement for Collection of Waste from Canister Sites between the County of St. Louis and Waste Management, Inc.-[03-14](#)

Service Agreement for Collection of Waste from Canister Sites between the County of St. Louis and Udovich Garbage Service.-[03-15](#)

Amendment to Service Agreement for Collection of Residential and Commercial Recyclable Materials between St. Louis County and the City of Hibbing.-[03-16](#)

Amendment to Service Agreement for Collection of Residential and Commercial Recyclable Materials between St. Louis County and the City of Eveleth.-[03-17](#)

Service Agreement for Collection of Waste from Canister Sites between the County of St. Louis and James G-Men, Inc.-[03-18](#)

Amendment to Service Agreement for Collection of Residential and Commercial Recyclable Materials between St. Louis County and the City of Mountain Iron.-[03-19](#)

Public Health Preparedness and Response to Bio Terrorism Grant Project Agreement between the Community Health Board of Carlton-Cook-Lake-St. Louis County and St. Louis County.-[03-20](#)

Balkan Township Canister Site Operating Agreement between the County of St. Louis and Balkan Township.-[03-21](#)

Loan Agreement between the County of St. Louis and Lonnie G. Littler and Thea M. Littler for a septic loan.-[03-22](#)

Loan Agreement between the County of St. Louis and Sally Thomas for a septic loan.-[03-23](#)

Purchase of Service Agreement, Contract No. 13455, between the St. Louis County Board of Commissioners and Glen Mills Schools for residential services.-[03-24ss](#)

Addendum to Purchase Agreement, Contract No. 13083A, between the St. Louis County Board of Commissioners and Homes, Inc. (SILS) - Hibbing.-[03-25ss](#)

Addendum to Purchase Agreement, Contract No. 13084A, between the St. Louis County Board of Commissioners and Homes, Inc. (SILS) - Virginia.-[03-26ss](#)

Group Residential Housing Rate Agreement between the St. Louis County Board of Commissioners and Trillium Services, Inc. (Highland III).-[03-27ss](#)

Group Residential Housing Rate Agreement between the St. Louis County Board of Commissioners and Trillium Services, Inc. - (Trillium Plus).-[03-28ss](#)

Group Residential Housing Rate Agreement between the St. Louis County Board of Commissioners and Duluth Regional Care Center, Inc. (Wheeler).-[03-29ss](#)

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

24

Group Residential Housing Rate Agreement between the St. Louis County Board of Commissioners and TBI Residential & Community Services.-03-30ss

Group Residential Housing Rate Agreement between the St. Louis County Board of Commissioners and Woodhill Homes, Inc.-03-31ss

Purchase of Service Agreement, Contract No. 13453, between the St. Louis County Board of Commissioners and Lakeside Manor for assisted living plus.-03-32ss

Addendum to Purchase Agreement, Contract No. 13155A, between the St. Louis County Board of Commissioners and Hillside Homes of Duluth, Inc.-03-33ss

Addendum to Purchase Agreement, Contract No. 13388A, between the St. Louis County Board of Commissioners and Lakeview Residence.-03-34ss

Purchase of Service Agreement, Contract No. 13452, between the St. Louis County Board of Commissioners and Trillium Services, Inc. - Highland III for SLS for adults.-03-35ss

Purchase of Service Agreement, Contract No. 13458, between the St. Louis County Board of Commissioners and Range Center, Inc. - Logan for SLS for adults.-03-36ss

Purchase of Service Agreement, Contract No. 13459, between the St. Louis County Board of Commissioners and Range Center, Inc. - Laurel for SLS for adults.-03-37ss

Purchase of Service Agreement, Contract No. 13468, between the St. Louis County Board of Commissioners and Trillium Services, Inc. - Trillium Plus for SLS for adults.-03-38ss

Purchase of Service Agreement, Contract No. 13456, between the St. Louis County Board of Commissioners and Personal Staff Senior Care, Inc., for home care services.-03-39ss

Purchase of Service Agreement, Contract No. 13449, between the St. Louis County Board of Commissioners and Floodwood Services & Training, Inc., for adult day care.-03-40ss

Addendum to Purchase Agreement, Contract No. 13387A, between the St. Louis County Board of Commissioners and Reed's Pine Boarding and Lodging.-03-41ss

Homes Plus Agreement between the St. Louis County Board of Commissioners and Norman Mahla for adult foster care/respice care/day services.-03-42ss

Addendum to Purchase Agreement, Contract No. 13127A, between the St. Louis County Board of Commissioners and Senior Friend.-03-43ss

Addendum to Purchase Agreement, Contract No. 13402A, between the St. Louis County Board of Commissioners and Homes, Inc. - Hibbing I (MA MR/RC Waiver, Women's SLS).-03-44ss

Addendum to Purchase Agreement, Contract No. 13398A, between the St. Louis County Board of Commissioners and Homes, Inc. - In-Home Family Support Services.-03-45ss

Addendum to Purchase Agreement, Contract No. 13270A, between the St. Louis County Board of Commissioners and Vallie Adult Foster Care Home for SLS for adults.-03-46ss

Group Residential Housing Rate Agreement between the St. Louis County Board of Commissioners and

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

25

Norman Mahla - Cornerstone.–[03-47ss](#)

Group Residential Housing Rate Agreement between the St. Louis County Board of Commissioners and Range Center, Inc. (Logan).–[03-48ss](#)

Group Residential Housing Rate Agreement between the St. Louis County Board of Commissioners and Range Center, Inc. (Laurel).–[03-49ss](#)

Addendum to Purchase Agreement, Contract No. 13403A, between the St. Louis County Board of Commissioners and Arrowhead Economic Opportunity Agency for FSET Program employment and training.–[03-50ss](#)

Group Residential Housing Rate Agreement between the St. Louis County Board of Commissioners and Northern Network East State Operated Services (Quince Street).–[03-51ss](#)

Agreement No. 80219 between the County of St. Louis, the Burlington Northern and Santa Fe Railway Company, and the State of Minnesota Commissioner of Transportation for railroad crossing signals at C-SAH 47 in Alborn.–[03-52](#)

Addendum to Purchase Agreement, Contract No. 13430A, between the St. Louis County Board of Commissioners and Range Respite for respite care.–[03-53ss](#)

Addendum to Purchase Agreement, Contract No. 13256A, between the St. Louis County Board of Commissioners and Northern Habilitative Services, Inc. - Aldrich for SLS for adults.–[03-54ss](#)

Addendum to Purchase Agreement, Contract No. 13257A, between the St. Louis County Board of Commissioners and Northern Habilitative Services, Inc. - Cedar for SLS for adults.–[03-55ss](#)

Addendum to Purchase Agreement, Contract No. 13258A, between the St. Louis County Board of Commissioners and Northern Habilitative Services, Inc. - Central for SLS for adults.–[03-56ss](#)

Addendum to Purchase Agreement, Contract No. 13259A, between the St. Louis County Board of Commissioners and Northern Habilitative Services, Inc. - Douglas II for SLS for adults.–[03-57ss](#)

Addendum to Purchase Agreement, Contract No. 13260A, between the St. Louis County Board of Commissioners and Northern Habilitative Services, Inc. - Evans for SLS for adults.–[03-58ss](#)

Addendum to Purchase Agreement, Contract No. 13261A, between the St. Louis County Board of Commissioners and Northern Habilitative Services, Inc. - Forest for SLS for adults.–[03-59ss](#)

Addendum to Purchase Agreement, Contract No. 13262A, between the St. Louis County Board of Commissioners and Northern Habilitative Services, Inc. - Grandview for SLS for adults.–[03-60ss](#)

Addendum to Purchase Agreement, Contract No. 13263A, between the St. Louis County Board of Commissioners and Northern Habilitative Services, Inc. - Horizons for SLS for adults.–[03-61ss](#)

Addendum to Purchase Agreement, Contract No. 13263A, between the St. Louis County Board of Commissioners and Northern Habilitative Services, Inc. - In-Home Family Support.–[03-62ss](#)

Addendum to Purchase Agreement, Contract No. 13264A, between the St. Louis County Board of Commissioners and Northern Habilitative Services, Inc. - Ivy for SLS for adults.–[03-63ss](#)

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

26

Addendum to Purchase Agreement, Contract No. 13265A, between the St. Louis County Board of Commissioners and Northern Habilitative Services, Inc. - Jones for SLS for adults.-03-64ss

Addendum to Purchase Agreement, Contract No. 13266A, between the St. Louis County Board of Commissioners and Northern Habilitative Services, Inc. - Supported Living Services-Adult.-03-65ss

Addendum to Purchase Agreement, Contract No. 13267A, between the St. Louis County Board of Commissioners and Northern Habilitative Services, Inc. - Supported Living Services-Child.-03-66ss

Addendum to Purchase Agreement, Contract No. 13268A, between the St. Louis County Board of Commissioners and Northern Habilitative Services, Inc. - Southside for SLS for adults.-03-67ss

Addendum to Purchase Agreement, Contract No. 13247A, between the St. Louis County Board of Commissioners and NHS - Northstar Specialized Services, Inc. - In-Home Family Support.-03-68ss

Addendum to Purchase Agreement, Contract No. 13249A, between the St. Louis County Board of Commissioners and NHS - Northstar Specialized Services, Inc. - Linden (Respite Care).-03-69ss

Addendum to Purchase Agreement, Contract No. 13250A, between the St. Louis County Board of Commissioners and NHS - Northstar Specialized Services, Inc. - Nova Home for SLS for adults.-03-70ss

Addendum to Purchase Agreement, Contract No. 13251A, between the St. Louis County Board of Commissioners and NHS - Northstar Specialized Services, Inc. - Orion Home for SLS for adults.-03-71ss

Addendum to Purchase Agreement, Contract No. 13252A, between the St. Louis County Board of Commissioners and NHS - Northstar Specialized Services, Inc. - Phoenix for SLS for children.-03-72ss

Addendum to Purchase Agreement, Contract No. 13253A, between the St. Louis County Board of Commissioners and NHS - Northstar Specialized Services, Inc. - Quest Home for SLS for adults.-03-73ss

Addendum to Purchase Agreement, Contract No. 13254A, between the St. Louis County Board of Commissioners and NHS - Northstar Specialized Services, Inc. - Rosewood for SLS for adults.-03-74ss

Addendum to Purchase Agreement, Contract No. 13255A, between the St. Louis County Board of Commissioners and NHS - Northstar Specialized Services, Inc. - Taurus for SLS for adults.-03-75ss

Upon motion of Commissioner Sweeney, supported by Commissioner Plesha, Resolutions No. 40 through 55, as submitted to this Board on the Consent Agenda were unanimously adopted as follows:

**BY COMMISSIONER SWEENEY:**

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the Informational Meeting and Public Hearing on Truth in Taxation for the 2003 St. Louis County Budget and Levy are hereby approved.

Adopted January 14, 2003. No. 40

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of December 17, 2002, are hereby approved.

Adopted January 14, 2003. No. 41

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

27

RESOLVED, that the recommendations of the Finance Committee for payment of claims and bills against the County of St. Louis, on file in the office of the County Auditor, identified as County Board File No. 57999, are hereby approved and the County Auditor shall issue checks in the following amounts:

<u>FUND</u>		<u>TOTAL</u>
T11	Minnesota Trail Assistance	\$ 11,746.41
T21	Beer License	2,771.50
T22	Cities and Towns	15,014,014.52
T27	Refunds	170,955.20
T28	School Districts	2,100,397.80
T31	Caribou Lake Wastewater Con.	3,165.55
T48	Taconite Relief/Other	5,106,373.00
T50	State of Minnesota	460,777.41
T52	Taxes and Penalties	83.09
T66	Criminal Fines	226,547.76
T74	Employer/Employee Deductions	2,380,769.79
T77	Cancelled Checks	1,823.45
T80	Lake Superior - Forfeiture	13,000.00
T83	Sheriff Fine Contingency	6,948.62
T84	Attorney's Forfeitures	5,000.00
T85	Sheriff's State Forfeitures	31,359.14
T86	Attorney Trust Accounts	324.00
T87	Assault Fees	2,929.84
01	General Fund	2,628,742.56
02	Public Works	1,747,029.93
02A	Road Maint. - Unorg. Townships	101,693.19
03C	State Erosion Loan MPCA	33,000.00
04	Social Services	11,723,444.29
08	County Facilities - Capital Proj.	249,485.02
08A	State Aid Road	2,128,192.85
08B	Road & Bridge Building Const.	237,734.86
08J	Sheriff Rescue Squad/EOC Facility	3,075.78
08K	Virginia 911/Public Works Addition	35,211.13
08L	County/MNDOT Pike Lake Facility	127,184.53
08M	Court Admin. Filing System	3,455.23
08N	Hibbing Courthouse Improvements	1,740.35
08O	Duluth Courthouse HVAC/Electrical	56,952.56
08Q	Duluth Courts Remodeling	151,547.57
08S	Chris Jensen Remodeling	276,257.82
10B	Emer. Shelter 99/00 Funds	8,631.66
11A	Home Grant - All Years	16,493.94
12B	CDBG Grant	611,327.30
128	Law Library	7,614.98
129	City/County Comm. Antenna Site	453.51
13	St. Louis County HRA	4,909.30
131	Extension Service	45,568.66
15	Forfeited Tax	184,557.06
16	Forest Resources	70,994.45
26	Solid Waste Authorities	544,421.92
37H	Jail Bond Debt	4,726.66
49	Postage/Office Supplies	88,366.57

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

28

49A	Plat Book Revolving	9,109.52
50	Printing	75,491.35
51	County Garage	102,023.00
52A	Property, Casualty, Liability	625.69
52B	Workers Compensation	265,344.86
52D	Medical/Dental Self Insurance	2,267.44
53	Management Information Systems	240,370.79
54	Regional Railroad Authority	152,508.72
55	Telecommunications	221,839.72
57	Retired Employees Health Insurance	10,114.83
64A	Chris Jensen Health & Rehab.	835,976.97
64B	Nopeming Care Center	138,733.64
65	Laundry	59,883.13
66	Community Food Services	93,119.58
67	Supervised Living Facilities	21,882.74
72	Northern Counties Land Use Coord. Board	3,259.45
73	Arrowhead Regional Corrections	857,475.88
74	Community Health Services	218,781.61
85	Patients' Trust Fund	<u>435.90</u>
		\$49,941,045.58

Adopted January 14, 2003. No. 42

RESOLVED, that the appraisal report for sale of timber, numbered Tract 1, as submitted by the Land Commissioner, on file in the office of the County Auditor, identified as County Board File No. 58000, is approved and the County Auditor is authorized to carry out the recommendations as listed in said appraisal report.

Adopted January 14, 2003. No. 43

RESOLVED, that pursuant to St. Louis County Ordinance No. 51, the applications for license to sell tobacco products, at retail, on file in the office of the County Auditor, identified as County Board File No. 57994, are hereby approved and the County Auditor is authorized to issue the licenses as follows; RESOLVED FURTHER, that if named licenseholders sell their licensed business, the County Board, at its discretion, may, after an investigation, transfer the license to a new owner, but without pro-rated refund to the licenseholders:

Ash Ka Nam Resort, Inc., d/b/a Ash Ka Nam Resort, Inc., Unorganized Township 68-19, Tobacco Products License No. T03164;

Pauline Hill, d/b/a Pauline's Baits & Boats, Bassett Township, Tobacco Products License No. T03102.  
Adopted January 14, 2003. No. 44

RESOLVED, that the St. Louis County Board of Commissioners authorizes the Social Service Department to accept a grant of Children's Justice Act funds from the Minnesota Department of Human Services in the amount of \$4,897 to purchase equipment.

RESOLVED FURTHER, to increase 2003 revenue and expenditures by \$4,897.

Budget Reference: Fund 04, Agency SS, Org. 1400

Adopted January 14, 2003. No. 45

WHEREAS, the St. Louis County Attorney's Office and Social Service Department works collaboratively with law enforcement agencies in the county to assess, investigate, prosecute, and adjudicate child maltreatment; and

WHEREAS, the Minnesota Department of Human Services has grant funds available to purchase needed

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

29

equipment used in the assessment, investigation, prosecution, and adjudication of child maltreatment and to reduce trauma to child maltreatment victims.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board accepts the Alternative Response Grant from the Minnesota Department of Human Services in the amount of \$313,000 for CY2003 ending December 31, 2003, and authorizes the Chair of the Board and the Director of Social Services to execute an agreement with the State Department of Human Services.

Funds are budgeted in: Fund 04, Agency SS, Org. 1400

Adopted January 14, 2003. No. 46

WHEREAS, there are a number of St. Louis County residents with both mental illness and chemical dependency who require intensive case management services to remain in the community; and  
WHEREAS, the Minnesota Department of Human Services has grant funds available for public-private partnerships to provide intensive case management services to people with mental illness and chemical dependency.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board authorizes the Social Service Department Director to accept a grant from the Minnesota Department of Human Services in the amount of \$200,000 for two years to provide intensive case management to people with co-occurring disorders.  
RESOLVED FURTHER, that the St. Louis County Board authorizes the addition of one FTE Social Worker for the purposes of this project. This grant funded position will end if there is a loss of the grant funding.

RESOLVED FURTHER, that the St. Louis County Board authorizes the Public Health and Social Services Director to sign related contracts.

RESOLVED FURTHER, that 2003 revenues and expenditures be increased by \$100,000 in Fund 04, SSV, 2500.

Adopted January 14, 2003. No. 47

WHEREAS, the Town of Beatty has offered to purchase the following described tax forfeited parcel for the sale price of \$14,602.00 plus fees: Township 63N, Range 18W, Section 8, East 1/2 of Northwest 1/4 of Southeast 1/4 except Southerly 40 feet lying East of County Road No. 24 and West of Raps Road. Parcel Code Number: 250-20-1215; for public purpose; and

WHEREAS, Minnesota Statute 282.01, Subd. 1(a), authorizes the sale of tax forfeited land to an organized governmental subdivision; and

WHEREAS, said parcel of land has been classified as non-conservation land pursuant to Minnesota Statutes, Section 282.01; and

WHEREAS, this parcel of land is not withdrawn from sale pursuant to Minnesota Statutes, Sections 84.012, 92.461, 282.01, Subdivision 8; and 282.018, and other statutes that require the withholding of tax forfeited lands from sale.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board approves the sale of the above described tax forfeited parcels to the Town of Beatty for the purpose of public recreation for the sale price of \$14,602.00 plus the following fees: 3 percent Assurance Fee of \$438.06, Deed Fee of \$25.00, Deed Tax of \$48.19, and Recording Fee of \$20.00, for a total of \$15,133.25.

Adopted January 14, 2003. No. 48

WHEREAS, the Land Department has reviewed a request by Lake Country Power for a utility easement across State Tax forfeited land and recommends approval.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Minnesota Statutes 282.04, Subd. 4, the St. Louis County Auditor, is authorized to grant to Lake Country Power an easement for utility access across the North Half of the Southwest Quarter in Section 1, Township 66 North, Range 17 West of the 4th Principal Meridian, 66 feet wide, with the centerline of said easement to be described as follows:

Commencing at the Northwest Corner of said North Half of the Southwest Quarter; thence North 89 degrees 55 minutes 48 seconds East, assumed bearing along the North line thereof, a distance of 1031.00

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

30

feet to the center line of County-State Aid Highway No. 24; thence South 18 degrees 20 minutes 00 seconds East, a distance of 123.00 feet to the actual point of beginning of the center line to be described; thence South 83 degrees 48 minutes 00 seconds East a distance of 185.00 feet; thence South 71 degrees 14 minutes 00 seconds East a distance of 180.00 feet; thence South 54 degrees 57 minutes 00 seconds East a distance of 237.19 feet to the intersection with the east line of the west 300 feet of the northeast quarter of the southwest quarter and thereby terminating. The side lines of said easement are prolonged or shortened to terminate on the respective land lines. The easement contains 0.80 acres more or less.

RESOLVED FURTHER, that the granting of this easement is conditional upon payment of the consideration of \$360.00 Land Use fee, \$100.00 Administration fee, \$6.00 Publication fee, and \$20.00 Recording fee, for a total cost of \$486.00.

Adopted January 14, 2003. No. 49

WHEREAS, Michael Torma requires a road easement over state tax-forfeited land and there is no reasonable alternative to obtain access to his property, and exercising the easement will not cause significant adverse environmental or natural resources management impacts.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Minnesota Statutes 282.04, Subd. 4a, the St. Louis County Auditor, is authorized to grant to Michael Torma an easement for road access across the Northeast Quarter of the Northwest Quarter in Section 23, Township 55 North, Range 13 West of the 4th Principal Meridian, 33 feet wide, for ingress and egress, with the centerline of said easement to be described as follows:

Commencing at the North Quarter Corner of said Section 23, thence North 89 degrees 32 minutes 39 seconds W, a grid bearing based on St. Louis County Transverse Mercator-NAD83 (1996) projection, along the north line of Section 23 a distance of 609.15 feet to a point on the Berry Creek Forest Road thence S 6 degrees 48 minutes 53 seconds W along said road a distance of 97.54 feet to the point of beginning of said easement centerline; thence continuing along said easement centerline as follows, S 61 degrees 38 minutes 38 seconds E a distance of 170.43 feet to a point of curve; thence along said curve a distance of 117.64 feet, tangential and concave to the southwest, radius 86.34 feet, delta angle 78 degrees 03 minutes 53 seconds; thence S 16 degrees 25 minutes 15 seconds West a distance of 315.81 feet to a point of curve; thence along said curve a distance of 159.07 feet, tangential and concave to the northeast, radius 136.21 feet, delta angle 66 degrees 54 minutes 37 seconds; thence S 50 degrees 29 minutes 22 seconds E a distance of 151.40 feet to a point of curve; thence along said curve a distance of 67.21 feet, tangential and concave to the southwest, radius 49.31 feet, delta angle 78 degrees 05 minutes 58 seconds; thence S 27 degrees 36 minutes 36 seconds W a distance of 182.25 feet; thence S 50 degrees 51 minutes 42 seconds W a distance of 168.00 feet to a point of curve; thence along said curve a distance of 89.55 feet, tangential and concave to the southeast, radius 61.07 feet, delta angle 84 degrees 00 minutes 44 seconds; thence S 33 degrees 09 minutes 02 seconds E to a point on the north line of the Southeast Quarter of the Northwest Quarter of said section, and there terminating; said easement to contain 1.2 acres, more or less.

RESOLVED FURTHER, that in the event of non-use, the easement to Michael Torma shall revert to the state in trust for the taxing district.

RESOLVED FURTHER, that the granting of this easement is conditional upon payment of the consideration of \$480.00 Land Use fee, \$100.00 Administration fee, \$6.00 Publication fee, and \$20.00 Recording fee, for a total cost of \$606.00.

Adopted January 14, 2003. No. 50

WHEREAS, the St. Louis County Public Works Department has plans to reconstruct County-State Aid Highway No. 48, Lavaque Road, between C-SAH 35, Schultz Road, and C-SAH 43, Fish Lake Road, in Canosia and Fredenberg Townships.

WHEREAS, additional highway right-of-way is required for the reconstruction; and

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

31

WHEREAS, certain tax forfeited parcels adjoin the proposed reconstruction; and  
WHEREAS, Minnesota Statutes 282.04, Subdivision 4, permits the County Auditor to grant easements over tax forfeited lands; and  
NOW, THEREFORE, BE IT RESOLVED, that the County Board of Commissioners hereby authorizes the County Auditor to grant the necessary right-of-way easements for highway purposes over the following parcels:

Parcel 9 (Auditor's Parcel No. 280-0010-00370)

Parcel 11 (Auditor's Parcel No. 280-0010-00360)

RESOLVED FURTHER, that the Public Works Department pays any timber damages.  
Adopted January 14, 2003. No. 51

RESOLVED, that the St. Louis County Board authorizes the Public Works Director/Highway Engineer to delete 2.0 FTE Equipment Operator Jr. position, Pay Grade 14, in the Maintenance Division.  
Adopted January 14, 2003. No. 52

RESOLVED, that the necessary County officials are hereby authorized to execute the following agreements:

St. Louis County Attorney with Arrowhead Regional Corrections for legal services in the amount of \$40,000, the agreement contained in Contract File No. 03-01, and that said funds will be reimbursed to the St. Louis County Attorney's Office, Fund 01, Agency 031.

St. Louis County Attorney with the St. Louis County Housing and Redevelopment Authority for legal services in the amount of \$30,000, the agreement contained in Contract File No. 03-02, to be reimbursed to the St. Louis County Attorney's Office, Fund 01, Agency 031.

St. Louis County Civil Service Commission with Arrowhead Regional Corrections for personnel services in the amount of \$48,900, the agreement contained in Contract File No. 03-03, and that said funds will be reimbursed to the St. Louis County Civil Service Department, Fund 01, Agency 063.

St. Louis County Auditor with Arrowhead Regional Corrections for fiscal services in the amount of \$140,000, the agreement contained in Contract File No. 03-04, and that said funds will be reimbursed to the St. Louis County Auditor's Office, Fund 01, Agency 051.  
Adopted January 14, 2003. No. 53

RESOLVED, that the St. Louis County Board hereby authorizes the execution of a contract by the Chair of the County Board and the County Auditor for the provision of fiscal services to the Carlton-Cook-Lake-St. Louis County Community Health Board for a total revenue of \$5,500 for the year 2003.  
RESOLVED FURTHER, that said payment shall be credited to Fund 01 (General Fund), Agency 051 (Auditor), Revenue Source 2000.  
Adopted January 14, 2003. No. 54

WHEREAS, 148 youth have volunteered their time to the community and have earned a ski pass through the Incredible Exchange Program of the Minnesota Extension Service.  
NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners authorizes the purchase of Spirit Mountain ski passes in the amount of \$31,441.64, payable from Fund 131, Agency 133, Org. Sou.  
Adopted January 14, 2003. No. 55

**BY COMMISSIONER SWEENEY:**

WHEREAS, Mary Clare Cooley, d/b/a Homestead Liquor, Duluth Township, St. Louis County, Minnesota, has applied for an off-sale intoxicating liquor license; and

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

32

WHEREAS, Minnesota Statutes, Section 340A.405, Subdivision 2(d), requires that a public hearing be held prior to the issuance of an off-sale intoxicating liquor license; and

WHEREAS, a public hearing was held on January 14, 2003, at or about 9:35 A.M. in the St. Louis County Courthouse, Duluth, Minnesota, for the purpose of considering the granting of the off-sale intoxicating liquor license; and

WHEREAS, with regard to the application for said license Homestead Liquor has complied in all respects with the requirements of Minnesota Law and St. Louis County Ordinance No. 28; and

WHEREAS, the Liquor Licensing Committee of the St. Louis County Board of Commissioners has considered the nature of the business to be conducted and the propriety of the location and has recommended approval of the application.

NOW, THEREFORE, BE IT RESOLVED, that Off-Sale Intoxicating Liquor License (License Number OFSL0311) shall be issued to Mary Clare Cooley, d/b/a Homestead Liquor, Duluth Township, contingent upon applicant Cooley complying in all respects with the controlling building, construction, zoning, liquor, health, environmental and sanitary laws, rules and regulations in the construction of the licensed premises;

FURTHER RESOLVED, that said liquor license shall become effective July 1, 2003;

FURTHER RESOLVED, that said liquor license shall be effective through June 30, 2004;

FURTHER RESOLVED, that said license is approved contingent upon payment of real estate taxes when due;

FURTHER RESOLVED, that if named licenseholder sells the licensed place of business, the County Board, at its discretion, may, after an investigation, transfer the license to a new owner, but without prorated refund of the license fee to the licenseholder.

Unanimously adopted. January 14, 2003. No. 56

WHEREAS, Korby's, Inc., d/b/a Pequaywan Inn, Unorganized Township 54-13, St. Louis County, Minnesota, has applied for an off-sale intoxicating liquor license; and

WHEREAS, Minnesota Statutes, Section 340A.405, Subdivision 2(d), requires that a public hearing be held prior to the issuance of an off-sale intoxicating liquor license; and

WHEREAS, a public hearing was held on January 14, 2003, at or about 9:40 A.M. in the St. Louis County Courthouse, Duluth, Minnesota, for the purpose of considering the granting of the off-sale intoxicating liquor license; and

WHEREAS, with regard to the application for said license Pequaywan Inn has complied in all respects with the requirements of Minnesota Law and St. Louis County Ordinance No. 28; and

WHEREAS, the Liquor Licensing Committee of the St. Louis County Board of Commissioners has considered the nature of the business to be conducted and the propriety of the location and has recommended approval of the application.

NOW, THEREFORE, BE IT RESOLVED, that Off-Sale Intoxicating Liquor License (License Number CMB0374) shall be issued to Korby's, Inc., d/b/a Pequaywan Inn, Unorganized Township 54-13;

FURTHER RESOLVED, that said liquor license shall be effective through June 30, 2003;

FURTHER RESOLVED, that said license is approved contingent upon payment of real estate taxes when due;

FURTHER RESOLVED, that if named licenseholder sells the licensed place of business, the County Board, at its discretion, may, after an investigation, transfer the license to a new owner, but without prorated refund of the license fee to the licenseholder.

Unanimously adopted. January 14, 2003. No. 57

**BY COMMISSIONER NELSON:**

RESOLVED, that the St. Louis County Board authorizes the Public Works Director/Highway Engineer to add 1.0 FTE Building Maintenance Worker, Pay Grade 18, and 1.0 FTE Janitor, Pay Grade 9, within the Maintenance Division.

Yeas - Commissioners Kron, Forsman, Sweeney, Nelson, Raukar, and Chair Fink - 6

Nays - Commissioner Fay - 1

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

33

Adopted January 14, 2003. No. 58

**BY COMMISSIONER SWEENEY:**

RESOLVED, the Board authorizes the County Board Chair, Auditor, and Attorney to execute a lease agreement with Kim Fuller, owner of *Coffee Connections* of Proctor, Minnesota, for the cafeteria area in the Duluth Courthouse beginning February 1, 2003, for one year at a rate of \$400 per month, for the operation of a coffee shop and deli.

Yeas - Commissioners Kron, Forsman, Sweeney, Raukar, and Chair Fink - 5

Nays - Commissioners Fay and Nelson - 2

Adopted January 14, 2003. No. 59

**BY COMMISSIONER FORSMAN:**

RESOLVED, that County Board Resolution No. 36, adopted January 7, 2003, is hereby amended to appoint the following three Commissioners as representatives and one Commissioner as alternate to the St. Louis/Lake Counties Regional Railroad Authority for one-year terms expiring on December 31, 2003:

Commissioner Bill Kron

Commissioner Keith Nelson

Commissioner Steve Raukar

Commissioner Joanne Fay (alternate)

Yeas - Commissioners Fay, Kron, Forsman, Sweeney, and Raukar - 5

Nays - Commissioner Nelson and Chair Fink - 2

Adopted January 14, 2003. No. 60

At 2:30 P.M. on Tuesday, January 14, 2003, upon motion of Commissioner Kron, supported by Commissioner Raukar, the Board of County Commissioners adjourned.

Dennis Fink, Chair of the Board  
of County Commissioners

Attest:

Gordon D. McFaul, County Auditor  
and Ex-Officio Clerk of the Board  
of County Commissioners

(Seal of the County Auditor)

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

34

**OFFICIAL PROCEEDINGS OF THE MEETING  
OF THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF ST. LOUIS, MINNESOTA,  
HELD ON JANUARY 21, 2003**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 21st day of January, 2003, at 9:31 A.M. in the County Board Room, Courthouse, Duluth, Minnesota. The meeting was called to order by the Chair with the following members present: Commissioners Joanne Fay, Bill Kron, Mike Forsman, Peg Sweeney, Keith Nelson, Steve Raukar, and Chair Dennis Fink - 7. Absent: None.

At 9:35 A.M., a public hearing was convened, pursuant to County Board Resolution No. 842, adopted December 17, 2002, to consider increases in certain liquor license fees. The following persons addressed the issue:

Gary Eckenberg, Deputy County Administrator, detailed recommended fee increases, which would generate approximately \$31,000 in additional revenues.

John Jubala, Chair of the Liquor Licensing Committee, said the Committee unanimously approved proposed increases. In response to Commissioner questions, Mr. Jubala described three zones used by the County to set certain liquor license fees.

Gordon D. McFaul, County Auditor, said many of the fees were established more than twenty years ago and he gave examples of what fees would be if indexed for inflation.

Maxine Sandberg, Bear River Viking Bar, said the proposed \$400 increase for her fees was exorbitant and unjustified.

Bernice Serrano, Riverside Inn at Side Lake, said the current economic climate makes proposed increases burdensome for small establishments.

Alan Mitchell, County Attorney, submitted for the record copies of the notice sent to each affected establishment and affidavits of service and publication.

Commissioner Forsman read into the record a letter submitted by Violet Hall, Liquor Nook, Greaney, asking the Board to keep fees at the current level.

Commissioner Nelson read into the record a letter submitted by Ron and Linnea Olson, El Toro Lounge, Inc., also asking that the proposed increases be scaled back.

At 10:14 A.M., Commissioner Raukar, supported by Commissioner Kron, moved to close the hearing; seven yeas - zero nays. The Board did not take any action concerning adoption of liquor licence fee increases.

At 10:14 A.M., a public hearing was convened, pursuant to County Board Resolution No. 840, adopted December 17, 2002, to consider a land exchange between St. Louis County (Class B, forfeited lands) and Michael J. Juricich. The following persons addressed the issue:

David Epperly, Land Commissioner, made a brief introduction and then turned the County presentation over to Mark Weber, Resource Management Supervisor in the Land Department.

Mark Weber explained the land exchange process, the reasons for the request and said both parties

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

35

will benefit greatly from the exchange.

Jim Juricich, representing his son Mark Juricich, thanked County staff for their assistance and said the exchange will help consolidate their land holdings.

At 10:30 A.M., Commissioner Sweeney, supported by Commissioner Forsman, moved to close the hearing; seven yeas - zero nays. Commissioner Raukar, supported by Commissioner Sweeney, moved to approve the exchange; seven yeas - zero nays. Resolution No. 72.

Commissioner Sweeney, supported by Commissioner Kron, moved to confirm appointment of Debra Kempf as St. Louis County Nursing Home Director. Kimberly McKay, Duluth, said she opposed the appointment because of alleged free speech infringements by Ms. Kempf during the closure of Nopeming Care Center. The motion was then approved; seven yeas - zero nays. Resolution No. 73.

The repurchase application of Valerie Larsen, on behalf of the estate of Walter and Ruth Barnes, was then discussed. At the January 14, 2003, County Board meeting a motion by Commissioner Forsman, supported by Commissioner Sweeney, to approve the repurchase application was tabled. The following persons addressed the issue:

David Twa, County Administrator, said if the Board wanted to allow time for negotiations to take place with the Land Department and/or the Duluth Housing and Redevelopment Authority, then the matter should be tabled to the March 11, 2003, Board meeting.

Art Albertson, Attorney representing the estate, said it is feasible to renovate the structure for resale and he estimated the exterior could be completed by next fall. Attorney Albertson also asked the Board to consider extending the payment deadline from 30 days to six months to accommodate a work plan being established by the heirs.

Commissioner Kron, citing hardship as a reason, said it was time to resolve the matter and he urged the Board to approve the repurchase application. After further discussion, the repurchase was approved with the original thirty-day payment in full deadline unchanged; seven yeas - zero nays. Resolution No. 74.

Commissioners then began discussing aspects of the liquor license fee increases from the public hearing held earlier. County Attorney Mitchell advised the Board that the hearing was closed and no motion was on the floor.

The following Board and Contract Files were created as a result of documents received at this Board meeting:

Finance and Budget Committee submitting recommendations for reduction and correction of assessed valuations and taxes for the year 2003.--58013

Annual Report for the Sheriff of St. Louis County for the year 2002.--58014

St. Louis County Board Committee of the Whole submitting minutes of their meetings for the year 2003.--58015

Mine Inspector submitting notices of inspections, accidents, and to fence mining property during the year 2003.--58016

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

36

St. Louis County Housing and Redevelopment Authority submitting minutes of their meetings for the year 2003.-58017

Land Commissioner submitting applications for repurchases of tax forfeited property for the year 2003.--58018

Documentation from public hearing to consider the increase of fees in the Liquor License Fee Schedule.-58019

Documentation from public hearing to consider an exchange of lands between St. Louis County and Michael J. Juricich for land located in Township 57 N., Range 19 W. (Cherry Township).-58020-D

Kimberly McKay, Duluth, in opposition to the appointment of Debra Kempf due to alleged free speech infringements by Ms. Kempf during the closure of Nopeming Care Center. -58021

SIGMA Data Systems Contract for applicant tracking and assessment system upgrade.-03-76

Lease Amendment between First Properties of Duluth and St. Louis County for lease of office space in the Missabe Building for the Public Works Department.-03-77

Joint Powers Agreement between the County of St. Louis, Minnesota, and the Sanitary Board of the Western Lake Superior Sanitary District.-03-78

Project Contract between the County of St. Louis and B.A. Oxford Construction, Inc., for window/entrance replacement at the Hibbing Courthouse.-03-79

Maintenance and Support Agreement between Printrak International, Inc., and the County of St. Louis.-03-80

Project Contract between the County of St. Louis and Kuehl's Logging to move and shape existing demolition material pile.-03-81

Solid Waste Department Service Agreement between the County of St. Louis and Interstate Battery for the collection and proper disposal/recycling of lead acid batteries.-03-82

Contract between the County of St. Louis and KGM Contractors, Inc., for S.P. 69-604-57 (C-SAH 4), Minnesota Project No. HPP MN56(100), C.P. 9247.-03-83

Contribution Agreement between the County of St. Louis and Grand Lake Township for the design of a wastewater treatment system in the Caribou Lake area.-03-84

Contribution Agreement between the County of St. Louis and the Caribou Lake Association for the design of a wastewater treatment system in the Caribou Lake area.-03-85

Contribution Agreement between the County of St. Louis and the Western Lake Superior Sanitary District for the design of a wastewater treatment system in the Caribou Lake area.-03-86

Miscellaneous Lease No. 144-12-0012 between the Minnesota Department of Natural Resources, through the Commissioner of Natural Resources, and the Crane Lake Visitor and Tourism Bureau.-03-87

Engineering Services Agreement between the County of St. Louis and Northeast Technical

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

37

Services, Inc., to assist in the development of landfill permitting documents for the Regional Landfill.-03-88

Solid Waste Training Contract between St. Louis County and Pat Miller Training and Development.-03-89

Charter Agreement Governing Participation in a Shared Integrated Criminal Justice Information System known as NEMESIS (Northeastern Minnesota Enforcement & Safety Information System) between the County of St. Louis, through its Sheriff, and the Duluth Police Department, Hermantown Police Department, Proctor Police Department, and the University of Minnesota Duluth Campus Police.-03-90

Agreement between the County of St. Louis, the South St. Louis County Fair Association, and the Lakehead Racing Association for the construction of new grandstands and racetrack lighting.-03-91

Upon motion of Commissioner Kron, supported by Commissioner Sweeney, Resolutions No. 61 through 71, as submitted to this Board on the Consent Agenda were unanimously adopted as follows:

**BY COMMISSIONER KRON:**

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of January 7, 2003, are hereby approved.  
Adopted January 21, 2003. No. 61

RESOLVED, that pursuant to the recommendations of the Tax Committee, the applications of the following named persons and firms for reduction and correction of assessed valuations and taxes in the following amounts plus on those abatements of penalty and interest, any additional accrual to the date of this resolution, on file in the office of the County Auditor, identified as County Board File No. 58013, are hereby approved:

Real Estate - Richard Carter, \$152.40; Donna Carver, \$543.94; Allison Churchill, \$292.74; Eagle Hill Develop., \$476.84; Kelly Howard, \$361.90; Inter Range Oil, \$510.16; Dee Ann Jackson, \$30,782.99; Brad Johnson, \$585.34; Christopher Licari, \$483.50; Nathan Lind, \$296.52; James W. Maki, \$206.24; Daniel Markee, \$346.66; Ryan Matson, \$182.00; Gregory Pierzina, \$17.36; Patrick Roddy, \$579.90; Dennis Stebner, \$161.20; Ryan Stephenson, \$935.04; Robert Swor, \$498.52; Keith Thieschafer, \$1,189.20.

Personal Property - Edwards Oil, \$1,149.78; John Giorgi, \$157.92.

Adopted January 21, 2003. No. 62

RESOLVED, that the appraisal reports for sale of timber, numbered Tracts 1 and 2, as submitted by the Land Commissioner, on file in the office of the County Auditor, identified as County Board File No. 58000, are approved and the County Auditor is authorized to carry out the recommendations as listed in said appraisal reports.

Adopted January 21, 2003. No. 63

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, as set forth by the County Attorney, dated January 10, 2003, on file in the office of the County Auditor, identified as County Board File No. 57995, is hereby received and ratified as payable from Fund 52, Department 12.

Adopted January 21, 2003. No. 64

RESOLVED, that the St. Louis County Board of Commissioners authorizes the Chairperson of the

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

38

Board, County Auditor and Health Director to sign the agreements with Laura Bodin, Melissa Jenkins, Theresa Kelly, Barbara Larson, and Christy Martin to provide professional nursing services to Community Alternative Care Client No. 06.  
Adopted January 21, 2003. No. 65

RESOLVED, that the County Board approves the Addendum to Host County Contract No. 00-0135 with Northern Network East State Operated Services, adding Crisis Response Services under the Adult Mental Health Rehabilitation Option. St. Louis County will assume a new role as billing agent by billing for and accepting State Medical Assistance funds for certain mental health services. The County will pay Northern Network East State Operated Services for their services, and retain ten percent of the funds as an administration fee.

Budget Reference:

Fund 04 Social Services

Agency SSV Social Services

Org. 6860 MLRTC SOS

Obj. 4580 MLRTC SOS

Revenue: 0020 County Local Property Tax & 9511 State Other

Adopted January 21, 2003. No. 66

RESOLVED, that the St. Louis County Board of Commissioners accepts the CY 2003 award of \$152,461 from DHS for children with mental health needs and increases revenues and expenditures in: Fund 04 Social Services, Agency SSV Social Services, Org. 1400.  
Adopted January 21, 2003. No. 67

RESOLVED, that the St. Louis County Board of Commissioners:

Authorizes a contract between the Community Food Service and the City of Duluth for the provision of noon and evening meals at the Rainbow and Lincoln Senior Park Centers at the rates listed below. The contract will be effective from January 1, 2003, to December 31, 2003.

- |  |                 |
|--|-----------------|
| • Noon meals at Rainbow Senior Center                  |                 |
| Eligible persons                                       | \$4.32 per meal |
| Ineligible guests                                      | \$4.70 per meal |
| • Noon and evening meals at Lincoln Park Senior Center |                 |
| Eligible persons                                       | \$4.60 per meal |
| Ineligible guests                                      | \$4.70 per meal |

Budget Reference:

Fund 66 Community Foods

Agency A66 Community Food Services

Organization 4200 Community Food Services

Revenue Source: 1942 Food Service

Adopted January 21, 2003. No. 68

WHEREAS, the Northeast Minnesota Office of Job Training has requested St. Louis County's participation as a work site agency for the Work Experience Program;

RESOLVED, that the St. Louis County Board hereby authorizes the placement of participants in the Work Experience Program;

BE IT FURTHER RESOLVED, that the St. Louis County Civil Service/Personnel Department is hereby authorized to review and maintain all Worksite Agreements and obtain written Union Concurrence for placements as appropriate;

BE IT FURTHER RESOLVED, that the Department Heads are hereby authorized to sign appropriate Worksite Agreements for their respective departments;

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

39

BE IT FURTHER RESOLVED, that the County will only be responsible for providing work site supervision and safety equipment, and that the Work Experience Program placements will not replace permanent County positions.

Adopted January 21, 2003. No. 69

WHEREAS, the Civil Service/Personnel Department's 2002 budget included funding for a SIGMA Data Systems applicant tracking and assessment system upgrade; and

WHEREAS, the funds budgeted for this purpose were not expended in 2002.

RESOLVED, that the St. Louis County Board of Commissioners hereby accepts the proposal submitted by SIGMA Data Systems in the amount of \$21,420.00 for the provision of Civil Service/Personnel Department applicant tracking and assessment system upgrade, necessary licensing, staff training and twelve months of technical support, payable from Fund 01, Agency 063, Object Code 348, as contained in Contract File No. 03-76, on file in the office of the County Auditor.

FURTHER RESOLVED, that the Purchasing Agent and the Civil Service/Personnel Director are authorized to sign said contract on behalf of St. Louis County.

FURTHER RESOLVED, that the 2003 Civil Service/Personnel Department operating budget be increased by \$21,420. The revenue source for this expenditure will be General Fund Undesignated Fund Balance.

Adopted January 21, 2003. No. 70

RESOLVED, the St. Louis County Board of Commissioners hereby appoints Rebekah Syck to the Civil Service Commission for a three-year term expiring December 31, 2005.

Adopted January 21, 2003. No. 71

**BY COMMISSIONER RAUKAR:**

WHEREAS, Michael J. Juricich has filed with the County Auditor a proposal for the exchange of lands; and

WHEREAS, St. Louis County has inspected the private lands and tax forfeited property classified as Class B lands that are the subject of said proposed exchange; and

WHEREAS, a public hearing was held on January 21, 2003, at the St. Louis County Courthouse in Duluth, Minnesota, pursuant to proper notice as required by Minnesota Statutes, Section 94.344, Subdivision 7.

NOW, THEREFORE, BE IT RESOLVED, that the following constitutes the findings of the St. Louis County Board:

1. The parcel of Class B State Tax Forfeited property that is the subject of the proposed exchange is described as follows:

<u>Township-Range</u>	<u>Section</u>	<u>Description</u>	<u>Acres</u>
T57N - R19W	17	Lots 6 and 18	41.0 acres

2. The parcel of private land that is the subject of the proposed exchange is described as follows:

<u>Township-Range</u>	<u>Section</u>	<u>Description</u>	<u>Acres</u>
T57N - R19W	17	Lots 15 & 16	42.91 acres
Except part platted as McQuade Lake Summer Homesites			

3. The Class B land proposed for exchange is classified for sale and lies within a zone district which allows all suitable uses of land as required by Minnesota Statutes, Section 94.3444, Subdivision 2.

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

40

4. The private land offered to the State of Minnesota to be held in trust in favor of the taxing districts and under the control of St. Louis County is suitable for land management purposes.
5. The St. Louis County Land Department has appraised the properties proposed for exchange. Said appraisals indicated that the parcel to be transferred from the State of Minnesota is valued at \$18,500.00, and the parcel to be transferred from Michael J. Juricich to the State of Minnesota is valued at \$28,000.00, resulting in a difference of \$9,500.00. Said appraisals are hereby accepted and adopted by the Board of Commissioners.
6. Michael J. Juricich has agreed to waive the \$9,500.00 difference at the time of closing, pursuant to Minnesota Statutes, Section 94.344, Subdivision 6, and has filed a Waiver of Payment for the difference in value.
7. That the County Auditor has posted notice of hearing in the County Auditor's Office on December 24, 2002, said notice containing a description of the lands affected and has caused a copy of such notice to be published in the official newspaper of St. Louis County at least two weeks prior to January 21, 2003, the date of the hearing.
8. That the timber appraisal reports prepared by the St. Louis County Land Department have been reviewed and approved by the Regional Department of Natural Resources Forester.
9. That the land acquired from this exchange would secure a more direct access to, and increase the value of approximately 400 acres of County managed land for the benefit of the taxpayers of St. Louis County.
10. That the lands received by Michael J. Juricich in this exchange would further consolidate their ownership and improve their management options.
11. That the land offered to the State of Minnesota by Michael J. Juricich is more suitable for land management purposes than the lands presently held.
12. That the St. Louis County Board of Commissioners hereby approves and recommends the proposed exchange.

RESOLVED FURTHER, that the County Auditor is directed to submit this proposal for exchange of the above described parcels of land to the Commissioner of Revenue as required by Minnesota Statutes, Section 94.344, Subdivision 10.  
Unanimously adopted. January 21, 2003. No. 72

**BY COMMISSIONER SWEENEY:**

RESOLVED, that the County Board confirms the appointment of Debra Kempf as St. Louis County Nursing Home Director, effective February 3, 2003;  
RESOLVED FURTHER, that Debra Kempf shall receive a 2003 annual salary of \$78,310 (U28/Step 3) and will accrue 7.75 hours of vacation time per pay period (6 years of experience credited for vacation earnings only) with all other benefits as provided in the St. Louis County Management Compensation Plan.  
Unanimously adopted. January 21, 2003. No. 73

**BY COMMISSIONER FORSMAN:**

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

41

WHEREAS, under the provisions of Minnesota Statutes 282.241, amended, tax forfeited land may be repurchased by the previous owner subject to payment of taxes and/or assessments and penalties, interest and costs; and

WHEREAS, undo hardship will be corrected and repurchase will promote the use of lands that will best serve the public interest;

NOW, THEREFORE, BE IT RESOLVED, the repurchase application of Valerie Larsen, 5528 Ford Road, Saginaw, MN 55779, on behalf of the estate of Walter and Ruth Barnes, on file in County Board File No. 58018, is approved for the property described as:

1. Plat/Parcel Code: 010-1220-2220. City of Duluth, East half of Lot 389, Block 153, Duluth Proper 2nd Division;

and will be subject to payment including Taxes and Assessments of \$7,111.75, Appraisal Fee of \$114.00, Publication Fee of \$6.00, Deed Fee of \$25.00, Deed Tax of \$23.47, Recording Fee of \$20.00, for a total of \$7,300.22; payable in full within 30 days after Board approval of the repurchase.

Unanimously adopted. January 21, 2003. No. 74

At 11:00 A.M. on Tuesday, January 21, 2003, upon motion of Commissioner Fay, supported by Commissioner Nelson, the Board of County Commissioners adjourned.

Dennis Fink, Chair of the Board  
of County Commissioners

Attest:  
Gordon D. McFaul, County Auditor  
and Ex-Officio Clerk of the Board  
of County Commissioners

(Seal of the County Auditor)

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

42

**OFFICIAL PROCEEDINGS OF THE MEETING  
OF THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF ST. LOUIS, MINNESOTA,  
HELD ON JANUARY 28, 2003**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 28th day of January, 2003, at 9:32 A.M. in Courtroom No. 4, Courthouse, Virginia, Minnesota. The meeting was called to order by the Chair with the following members present: Commissioners Joanne Fay, Bill Kron, Mike Forsman, Peg Sweeney, Steve Raukar, and Chair Dennis Fink - 6. Absent: Commissioner Keith Nelson - 1.

Chair Fink opened the meeting to persons who wanted to address the Board concerning issues not on the agenda and the following chose to do so:

David Torrel, Sparta, would like to have the portion of the old Highway 53, also called County Road 132, renamed the Senator Wellstone Memorial Drive. This is the road that runs next to the Eveleth/Virginia Airport. Mr. Torrel is presently gathering responses to the proposal from the Quad Cities and from the residents on the road where there appears to be some concern about having to change addresses. Commissioner Raukar stated we need to adopt a policy for establishing memorial highways, etc. Alan Mitchell, County Attorney, stated that a road can be signed as a memorial road but the highway number and addresses will not change.

Neil Anderson, Zim, voiced his opposition to St. Louis County increasing its role in relation to the Depot. Commissioners Fink and Sweeney both stated no decision has been made at this time. Commissioner Forsman explained St. Louis County has an interest in the Depot because it houses priceless items of county history and veterans' history that need to be protected as well as be available for the public to see. Commissioner Raukar clarified that it is not the Depot, but the St. Louis County Heritage and Arts Center.

Commissioner Forsman, who is on the Board of Directors of the Minnesota Transportation Alliance, gave a brief summation of the issues discussed during their Monday meeting.

At 10:06 A.M. in the forenoon of Tuesday, January 28, 2003, Commissioner Kron, supported by Commissioner Fay, moved to recess the Board until 10:30 A.M. on January 28, 2003, in Courtroom No. 4, Courthouse, Virginia, Minnesota.

The Board reconvened at 10:30 A.M. on January 28, 2003, and the regular order of business resumed with all members present except Commissioner Nelson.

Commissioner Fay, supported by Commissioner Sweeney moved to approve a second consent agenda consisting of items approved at the Committee of the Whole held earlier; six yeas - zero nays.

The following Board and Contract Files were created as a result of documents received at this Board meeting:

County Auditor submitting lists of tax forfeited property declared in default during the year 2003.--  
58022

Applications for Committee Vacancies on the Community Development Block Grant (CDBG) Advisory Board and the Zoning Board of Adjustment.--58023

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

43

St. Louis County Pay Equity Implementation Report.–58024

Purchase of Service Agreement, Contract No. 13463, between the St. Louis County Board of Commissioners and Occupational Development Center, Inc. (ODC), for providing extended employment services to persons with mental retardation/related conditions and persons with mental illness.–03-92ss

Purchase of Service Agreement, Contract No. 13475, between the St. Louis County Board of Commissioners and Goodwill Industries Vocational Enterprises, Inc., for providing extended employment services to persons with mental retardation/related conditions and persons with mental illness.–03-93ss

Purchase of Service Agreement, Contract No. 13462, between the St. Louis County Board of Commissioners and Lifeway Services, LLC, for providing Medical Assistance MR/RC home and community-based waived services to persons with mental retardation.–03-94ss

Addendum to Purchase Agreement, Contract No. 13386A, between the St. Louis County Board of Commissioners and University Medical Center - Mesabi for assisted living plus.–03-95ss

Addendum to Purchase Agreement, Contract No. 13154A, between the St. Louis County Board of Commissioners and Transitional Senior Housing for assisted living plus.–03-96ss

Addendum to Purchase Agreement, Contract No. 13391A, between the St. Louis County Board of Commissioners and Anderson's Pine Grove Home for assisted living plus.–03-97ss

Addendum to Purchase Agreement, Contract No. 13168A, between the St. Louis County Board of Commissioners and Wesley Residence for assisted living plus.–03-98ss

St. Louis County Employee Safety and Development Training Contract between St. Louis County and Jackie Phifer/Training Connections.–03-99

Agreement for Professional Services between the County of St. Louis and Meteek Shop and Construction, Inc., for infrared facilities investigation.–03-100

Amendment to Professional Services Agreement between the County of St. Louis and MacNeil Environmental, Inc., for Chris Jensen Asbestos Abatement.–03-101

Grant Agreement, Contract No. 20526, between the St. Louis County Board of Commissioners and Range Mental Health Center for homeless grant services.–03-102ss

Grant Agreement, Contract No. 20524, between the St. Louis County Board of Commissioners and Range Mental Health Center for community support services grant.–03-103ss

Upon motion of Commissioner Raukar, supported by Commissioner Sweeney, Resolutions No. 75 through 90, as submitted to this Board on the Consent Agenda were unanimously adopted as follows:

**BY COMMISSIONER RAUKAR:**

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of January 14, 2003, are hereby approved.

Adopted January 28, 2003. No. 75

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

44

RESOLVED, that the recommendations of the Finance Committee for payment of claims and bills against the County of St. Louis, on file in the office of the County Auditor, identified as County Board File No. 57999, are hereby approved and the County Auditor shall issue checks in the following amounts:

<u>FUND</u>		<u>TOTAL</u>
T11	Minnesota Trail Assistance	\$ 2,298.63
T21	Beer License	30.00
T27	Refunds	86,012.70
T31	Caribou Lake Wastewater Con.	5,686.20
T49	Taconite Production Tax	1,529,519.28
T50	State of Minnesota	262,336.04
T66	Criminal Fines	121,020.13
T74	Employer/Employee Deductions	12,915.94
T77	Cancelled Checks	898.25
T85	Sheriff's State Forfeitures	125.20
T87	Assault Fees	1,823.23
01	General Fund	1,268,308.01
02	Public Works	681,196.67
02A	Road Maint. - Unorg. Townships	6,799.49
04	Social Services	2,903,828.33
08A	State Aid Road	596,024.46
08B	Road & Bridge Building Const.	170,112.41
08J	Sheriff Rescue Squad/EOC Facility	800.00
08K	Virginia 911/Public Works Addition	54,585.32
08M	Court Admin. Filing System	8,513.35
08S	Chris Jensen Remodeling	9,797.81
10B	Emer. Shelter 99/00 Funds	6,226.64
11A	Home Grant - All Years	6,075.83
12B	CDBG Grant	180,044.83
127	Enhanced 9-1-1 Fund	11,036.38
128	Law Library	10,530.25
13	St. Louis County HRA	1,583.42
131	Extension Service	8,130.88
15	Forfeited Tax	45,218.12
16	Forest Resources	82,402.89
26	Solid Waste Authorities	271,520.89
37H	Jail Bond Debt	23,244.46
49	Postage/Office Supplies	41.16
50	Printing	2,705.70
51	County Garage	19,067.27
52A	Property, Casualty, Liability	4,318.00
52B	Workers Compensation	57,785.87
52D	Medical/Dental Self Insurance	1,069.31
53	Management Information Systems	79,284.09
54	Regional Railroad Authority	12,045.37
55	Telecommunications	36,872.60
57	Retired Employees Health Insurance	117,439.41
64A	Chris Jensen Health & Rehab.	307,809.57
64B	Nopeming Care Center	7,487.22
65	Laundry	37,662.54
66	Community Food Services	43,754.31

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

45

67	Supervised Living Facilities	4,757.37
72	Northern Counties Land Use Coord. Board	2,032.15
73	Arrowhead Regional Corrections	494,350.52
74	Community Health Services	<u>4,601.37</u>
		\$9,601,729.87

Adopted January 28, 2003. No. 76

RESOLVED, that the appraisal report for sale of timber, numbered Tract 1, as submitted by the Land Commissioner, on file in the office of the County Auditor, identified as County Board File No. 58000, is approved and the County Auditor is authorized to carry out the recommendations as listed in said appraisal reports.

Adopted January 28, 2003. No. 77

RESOLVED, that the appraisal reports for the sale of timber to be offered at Public Timber Auction, Tracts 1 through 17 (totaling \$460,546.25), as submitted by the Land Commissioner, on file in the office of the County Auditor, identified as County Board File No. 58000, are approved and the County Auditor is authorized to carry out the recommendations as listed in said appraisal reports.

Adopted January 28, 2003. No. 78

RESOLVED, that the St. Louis County Board of Commissioners authorizes the Chairperson of the Board, County Auditor, and the Health Director to enter into an agreement with the University of Minnesota to provide public health internship experience for Joel D. Harris for the period January 1, 2003, through June 30, 2003.

Adopted January 28, 2003. No. 79

RESOLVED, that pursuant to Ordinance No. 28, Section 11, Subdivision 11.06, authorization is hereby granted to Marana's Myrtle Lake Resort, Inc., d/b/a Myrtle Lake Resort, Town of Portage, to sell/serve outside the designated serving area of the County Liquor License for the date of February 8, 2003, as per application on file in the office of the County Auditor, identified as County Board File No. 58004.

Adopted January 28, 2003. No. 80

RESOLVED, that the St. Louis County Board of Commissioners appoints the following individuals to the Children's Mental Health Local Advisory Council for a term of two years ending February 1, 2005:

Required Membership Category

Consumers (13)  
Mental Health Professionals (3)  
Community Support Providers (6)  
Public Health (1)

Member Name(s)

Elizabeth Ramsey - North  
Lisa Peterson - North  
Patty Cherro - North  
Mary Spang - North  
Corina Freeberg - North  
Shirley McKibbon - North  
Rosemary Korzenowski - South  
Anne Krafthefer - South

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

46

Brenda Caya - South  
Stephanie Vine - South  
Rachel Hanson - South \*  
Kathleen Rasanen - South  
Sharon Sanders - South  
Kris Lofgren - RMHC - North  
Jim Gruba - HDC - South  
Barb Dickenson - Pyle & Assoc. - South \*  
Ann Antis - North  
Jody Labernik - North  
Margaret Ratai - North  
Rene Engstrom - South  
Larry Pajari - South  
Michael Clevette - South  
Luzette Samargia \*

\* Previous County Board appointments to the Children's Mental Health Advisory Council seeking renewal.

Adopted January 28, 2003. No. 81

RESOLVED, that the 2002 St. Louis County Pay Equity Implementation Report, as found in County Board File No. 58024, is hereby approved for submittal to the State of Minnesota, effective January 28, 2003.

Adopted January 28, 2003. No. 82

RESOLVED, that the St. Louis County Board of Commissioners hereby authorizes the Sheriff's Office to accept a grant from the Minnesota Department of Natural Resources for snowmobile safety enforcement in the amount not to exceed \$12,994.10 for the time period of July 1, 2002, to June 30, 2003; payable to Fund 01, Agency 091, SNO 6.

RESOLVED FURTHER, that the Sheriff is hereby authorized to sign and execute such agreements as are necessary to implement the project on behalf of the Grantee.

Adopted January 28, 2003. No. 83

WHEREAS, the State of Minnesota Department of Public Safety, Division of Emergency Management, is distributing funds allotted to update County and City of the First Class Emergency Operations Plans; and

WHEREAS, St. Louis County must update its Emergency Operations Plan to include the terrorism hazard.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners authorizes the County Administrator to apply for a Supplemental Appropriations Planning Grant through the Minnesota Department of Public Safety in the amount of \$17,831.93 to update the Emergency Operations Plan.

Adopted January 28, 2003. No. 84

WHEREAS, the Town of Canosia has completed its local planning effort and recommended the County adopt the plan; and

WHEREAS, the St. Louis County Planning Commission held a public hearing on the proposed plan on December 12, 2002; and

WHEREAS, the St. Louis County Planning Commission, at its December 12, 2002, meeting, recommended approval of the Town of Canosia Plan to the St. Louis County Board of Commissioners.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners will hold a public hearing on Tuesday, February 18, 2003, at 9:35 A.M., St. Louis County Courthouse, Duluth,

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

47

Minnesota, to consider an amendment to the St. Louis County Land Use Plan Ordinance No. 27 to include a section for the Canosia Land Use Plan.

Adopted January 28, 2003. No. 85

WHEREAS, the Town of Breitung has been working with St. Louis County to update a land use plan and zoning map for the town; and

WHEREAS, the St. Louis County Planning Commission held public hearings on the proposed plan and rezoning on October 10, 2002, and November 21, 2002; and

WHEREAS, the St. Louis County Planning Commission, at its December 12, 2002, meeting, recommended approval of the Town of Breitung Plan and revised zoning map to the County Board of Commissioners.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners will hold a public hearing on Tuesday, February 25, 2003, at 9:35 A.M., City Council Chambers, City Hall, Hibbing, Minnesota, to consider the following amendments: County Land Use Plan Ordinance No. 27 - Breitung Land Use Plan; County Zoning Ordinance No. 46 to add revised zoning map for the Town of Breitung.

Adopted January 28, 2003. No. 86

WHEREAS, State law requires that a county must have a registered professional engineer, designated as the County Highway Engineer, on staff in order to receive federal and state aid funds; and

WHEREAS, the County Highway Engineer is also necessary to act as the sponsor for other governmental agencies applying for federal highway enhancement funds; and

WHEREAS, the County Board desires to appoint an Interim Public Works Director/County Highway Engineer until the position is filled permanently so that there is no disruption in services to the public;

RESOLVED, that the St. Louis County Board hereby appoints Marcus Hall as the Interim Public Works Director/County Highway Engineer for the time period commencing January 25, 2003, and terminating May 6, 2003.

RESOLVED FURTHER, that during the interim appointment as Public Works Director/County Highway Engineer, Marcus Hall shall be compensated at the biweekly rate of \$3,656.59 (U31/Step D on the MCP) with all other benefits as provided in the St. Louis County Management Compensation Plan.

Adopted January 28, 2003. No. 87

WHEREAS, the Town of Wuori and the Community Economic Development Joint Powers Board have requested Community Development Block Grant funds for \$5,375 and \$16,000, respectively, to coordinate a comprehensive planning process; and

WHEREAS, the Community Economic Development Joint Powers Board is organized pursuant to Minnesota Statutes, Section 471.59, for the purpose of providing an organization through which local units of government in the Ely area may jointly coordinate and facilitate future planning and leveraging of new monies and services for the community economic development of Ely, Winton, Morse and Independent School District 696; and

WHEREAS, the Community Economic Development Joint Powers Board will act as the fiscal agent to develop three separate comprehensive plans with a joint vision that identifies areas of cooperation and needs for intergovernmental coordination, and which will address future development and guide land use activities; and

WHEREAS, the Towns of Wuori and Ely, Winton, and Morse will develop an implementation plan for submission to the appropriate authorities for adoption by ordinances; and

WHEREAS, the Town of Wuori and the Community Economic Development Joint Powers Board will provide matching funds for comprehensive planning.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

48

authorizes the County Planning Director and a representative of the County Attorney to execute an agreement with the Town of Wuori for \$5,375; and with the Community Economic Development Joint Powers Board for \$16,000 for comprehensive planning, payable from CDBG Fund 12. Adopted January 28, 2003. No. 88

RESOLVED, the St. Louis County Board of Commissioners hereby appoints the following individuals to the Community Development Block Grant Advisory Board:

Barbara J. Robison	Township Officers Association, term ending December 31, 2005
Lyle J. Hendrickson	Eveleth, term ending December 31, 2005
Tom Gregorich	Chisholm, term ending December 31, 2005

RESOLVED FURTHER, that the St. Louis County Board of Commissioners hereby appoints the following individual to the Board of Adjustment:

Lee Edward Prinkkila term ending December 31, 2005  
Adopted January 28, 2003. No. 89

BE IT RESOLVED, that the Chair of the St. Louis County Board and the County Auditor are hereby authorized to sign an Extension of Lease Agreement between Kirkland and Alice Anderson and the Orr Area Minneonto II, Inc., nonprofit corporation pertaining to the lease of property near Gheen, Minnesota, for a television translator and communication tower guaranteeing an annual lease payment of \$500 and the removal of equipment and tower upon termination of the lease or non-utilization by Minneonto II or St. Louis County.  
Adopted January 28, 2003. No. 90

Upon motion of Commissioner Fay, supported by Commissioner Sweeney, Resolutions No. 91 through 101, which were approved at the Committee of the Whole meeting this date, were brought forth to this meeting as a second Consent Agenda and were unanimously adopted as follows:

**BY COMMISSIONER FAY:**

RESOLVED, that the County Board of Commissioners authorizes the Chairperson of the Board, County Auditor, and the County Administrator to sign the agreement with the Carlton-Cook-Lake-St. Louis Community Health Board payable to Fund 1, Agency 220, Org. 251, in the amount of \$59,000 for the period January 1, 2002, through December 31, 2003; and  
RESOLVED FURTHER, that the County Board of Commissioners authorizes the Chairperson of the Board, County Auditor, and the County Administrator to sign an agreement with the Fond du Lac Reservation Business Committee, payable from Fund 1, Agency 220, Org. 251, in the amount of \$53,500 for the period January 1, 2002, through December 31, 2003.  
Adopted January 28, 2003. No. 91

WHEREAS, the provisions of Minnesota Statutes 282.241, state tax forfeited land may be repurchased by the previous owner subject to payment of taxes and/or assessments and penalties, interest and costs; and

WHEREAS, Gordon MacLean, 3936 Haines Road, Duluth, MN 55811, has applied to repurchase state tax forfeited land described as: Plat/Parcel Code: 665-46-80, Unorganized Township 63-15, Lot 8, Block 1, Pine Narrows First Addition.

WHEREAS, approving repurchase will correct undo hardship and promote the use of lands that will best serve the public interest.

NOW, THEREFORE, BE IT RESOLVED, that the repurchase application of Gordon MacLean, on file in County Board File No. 58018, is approved for the property described above, and will be subject to payment including taxes and assessments of \$5,203.06, appraisal fee of \$114.00, publication fee of \$6.00, deed fee of \$25.00, deed tax of \$17.17, and recording fee of \$20.00, for a total of \$5,385.23.

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

49

Adopted January 28, 2003. No. 92

WHEREAS, the County has prepared a list of tax forfeited lands which have been sold under the provisions of Minnesota Statute Chapter 282, subject to purchase or repurchase contract, and which are in default for failure to pay taxes or installments.

NOW, THEREFORE, BE IT RESOLVED, that the County Board does hereby approve the cancellation of each contract for purchase or repurchase of tax forfeited land which is in default and on the list prepared by the County Auditor in County Board File No. 58022, all according to the provisions of Minnesota Statute, Section 282.01, Subdivision 5, and Minnesota Statute, Section 282.40, and according to the procedures of Minnesota Statute, Section 559.21.

Adopted January 28, 2003. No. 93

RESOLVED, that St. Louis County Board Resolution No. 580, dated September 10, 2002, is amended to correct the legal description of tax forfeited land to be crossed by an easement granted to Jim and Beverly Mills, as follows: NE 1/4 of NE 1/4, NW 1/4 of NE 1/4, and NE 1/4 of NW 1/4, Section 7, Township 50N., Range 19W.

Adopted January 28, 2003. No. 94

RESOLVED, that the appropriate County officials are hereby authorized to sign an agreement between the St. Louis County Public Works Department and the City of Floodwood for S.P. 69-090-03 whereby the City of Floodwood will pay the local dollar match of twenty percent (20%) of the actual project costs, and the Non-Participating item for Design Item No. 2011.601 listed in the Estimated Quantities of the Plan, and other costs including but not limited to advertising, mailing of plans and proposals, and construction materials testing.

Adopted January 28, 2003. No. 95

RESOLVED, that the appropriate County officials are hereby authorized to sign an agreement between the St. Louis County Public Works Department and the City of Ely for S.A.P. 69-752-01 whereby the City will pay the "City of Ely Non-Participating" Items listed in the Estimated Quantities on Pages 2 - 4 of the Road Plans, and upon completion of the street lighting systems, maintain and repair the street lighting systems, as outlined in the agreement and Road Plan.

Adopted January 28, 2003. No. 96

RESOLVED, that pursuant to the recommendations of the Tax Committee, the applications of the following named persons and firms for reduction and correction of assessed valuations and taxes in the following amounts plus on those abatements of penalty and interest, any additional accrual to the date of this resolution, on file in the office of the County Auditor, identified as County Board File No. 58013, are hereby approved:

Real Estate - Kent Forsline, \$72.64; Judith Lindorff, \$449.92; Genereau Marguerite, \$21.98; Steve Podemski, \$82.00; Luvern Sauerbry, \$1.02.

Adopted January 28, 2003. No. 97

RESOLVED, that a public hearing will be held at 9:40 A.M. on February 18, 2003, in the St. Louis County Courthouse, Duluth, Minnesota, for the purpose of considering the granting of an Off-Sale Intoxicating Liquor License to C & B Warehouse Distributing, Inc., d/b/a Ledge Liquor Store, Lake Vermilion Township.

Adopted January 28, 2003. No. 98

RESOLVED, that a public hearing will be held at 9:45 A.M. on February 18, 2003, in the County Board Room, Second Floor Courthouse, Duluth, Minnesota, for the purpose of considering the suspension/revocation of liquor licenses for failure to pay real estate or personal property taxes when due, pursuant to St. Louis County Ordinance No. 28.

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

50

Adopted January 28, 2003. No. 99

WHEREAS, the Commissioner of Revenue is authorized to convey tax forfeited property to an organized or incorporated governmental subdivision, for an authorized public use, pursuant to Minnesota Statutes 282.01, Subdivision 1a; and

WHEREAS, the City of Virginia has requested conveyance of the following tax forfeited property to be used for green space: City of Virginia, Lots 10 and 11, Block 26, Original Plat of Virginia, Parcel Code No. 90-10-5940.

WHEREAS, the Land Department has notified adjoining owners of the request so they can voice their concerns.

NOW, THEREFORE, BE IT RESOLVED, that the County Board recommends that the Commissioner of Revenue convey tax forfeited land, described above, to the City of Virginia to be used for green space, which is an authorized public use, with the condition that the City of Virginia will tear down the existing non-repairable structure.

RESOLVED FURTHER, that the City of Virginia pay to St. Louis County the following fees: Appraisal Fee of \$100.00, Deed Fee of \$25.00, Deed Tax of \$1.65, and Recording Fee of \$20.00, for a total of \$146.65.

Adopted January 28, 2003. No. 100

WHEREAS, the Land Survey Division's 2002 budget included \$54,000 designated for the purchase of office furniture at the Pike Lake Administration/Engineering Building; and

WHEREAS, due to construction delays, the furniture for the new facility will not be ordered until early spring of 2003; and

WHEREAS, the Land Survey Division has \$48,500 in budgeted, but unexpended funds in its 2002 budget; and

WHEREAS, budgeted funds which are not spent go into the General Fund Undesignated Fund Balance.

NOW, THEREFORE, BE IT RESOLVED, that the 2003 Public Works Department Land Survey Division budget (Fund 01, Department 062, Line Item 403 Small Office Equipment and Furniture) be increased by \$48,500. The revenue source for this expenditure will be General Fund Undesignated Fund Balance.

Adopted January 28, 2003. No. 101

At 10:32 A.M. on Tuesday, January 28, 2003, upon motion of Commissioner Fay, supported by Commissioner Raukar, the Board of County Commissioners adjourned.

Dennis Fink, Chair of the Board  
of County Commissioners

Attest:  
Gordon D. McFaul, County Auditor  
and Ex-Officio Clerk of the Board  
of County Commissioners

(Seal of the County Auditor)

**OFFICIAL PROCEEDINGS**  
OF THE  
**BOARD OF COUNTY COMMISSIONERS**  
OF ST. LOUIS COUNTY, MINNESOTA

**FEBRUARY, 2003**

**OFFICIAL PROCEEDINGS OF THE MEETING  
OF THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF ST. LOUIS, MINNESOTA,  
HELD ON FEBRUARY 11, 2003**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 11th day of February, 2003, at 9:31 A.M. in the County Board Room, Courthouse, Duluth, Minnesota. The meeting was called to order by the Chair with the following members present: Commissioners Joanne Fay, Bill Kron, Mike Forsman, Peg Sweeney, Steve Raukar, and Chair Dennis Fink - 6. Absent: Commissioner Keith Nelson - 1.

Chair Fink opened the meeting to persons who wanted to address the Board concerning issues not on the agenda, but no one chose to do so.

At the request of Chair Fink, Administration made a presentation concerning the financial impact of Governor Pawlenty's recent unallotment to balance the current state fiscal year budget. The following persons addressed the issue:

David Twa, County Administrator, said short term budget unallotments were not as severe as feared, although these cuts are just the tip of the iceberg. Balancing the next biennium will prove more painful to local units of government, according to Administrator Twa.

Ted Troolin, Solid Waste Director, said the only effect of the current unallotment on Solid Waste Department will be a reduction in the Select Committee on Recycling and the Environment (SCORE) Grant funding that will amount to anywhere between \$20,000 and \$70,000.

Tom Roy, Director of Arrowhead Regional Corrections, said funding losses will "soften the sanction system". Director Roy cited early release of certain offenders and more extensive use of electronic monitoring as examples of softer sanctions. In response to a question from Chair Fink, a state proposal to send short term prisoners to County facilities to finish their terms has been discarded for the present.

Barbara Hayden, Planning Director, said the 2003 Natural Resources Block Grant has been eliminated, reducing staff time allotted to wetland/water and septic system issues and resulting in \$5,000 annual losses for the Soil and Water Conservation Districts.

Linda Anderson, Public Health and Social Services Director, said unallotments will have little immediate impact on Social Services, but warned that 2004-2005 budget cuts will be significant. The unallotment to the Health Department included a 30 percent cut in the Women, Infants and Children (WIC) Program and a 15 percent cut in the Community Health Services Block Grant.

Commissioner Fay, supported by Commissioner Forsman, moved to suspend the rules to consider a resolution authorizing appropriate staff to take action to secure/recover monies related to an outstanding \$431,334 loan and \$31,250 first quarter utility allocation for the Heritage and Arts

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

52

Center; six yeas - zero nays. The following persons addressed the issue:

Gordon D. McFaul, County Auditor, briefly described the outstanding loan and utility allocation and said the Board has a fiduciary responsibility to collect the outstanding balances. The action should not affect participating member organizations (PMOs) at the Depot because this is a contract matter with the Heritage and Arts Center Board, according to Auditor McFaul.

Durbin Keeney, President of the Heritage and Arts Board, said his organization is trying to get a handle on payments due and/or receivable and a report will be issued soon.

Alan Mitchell, County Attorney, explained the resolution will initiate action against the Heritage and Arts Board allowing the County to attempt recovery of the loan balance and the first quarter utility allocation. In response to a question from Commissioner Forsman, Attorney Mitchell said at some point in time amounts may have to be written off if the Heritage and Arts Board is disbanded.

Commissioner Fay, supported by Commissioner Forsman, moved to approve the resolution; six yeas - zero nays. Resolution No. 106.

Chair Fink then named the following Commissioners to a subcommittee to review official County Board policies and recommend changes/deletions: Commissioner Kron, Commissioner Nelson, and Commissioner Fink.

The following Board and Contract Files were created as a result of documents received at this Board meeting:

David Torrel, Eveleth, proposing that the highway passing by the Eveleth-Virginia Airport be changed to *Senator Wellstone Memorial Drive*.—58025

Jo Anne Coombe, St. Louis County Historical Society Director, regarding termination of the Management Agreement with the County by the Center, the transition to a new management agent, and the dissolution of the Center organization.—58026

Mark A. Monacelli, County Recorder, submitting a report of all business transacted and monies received as County Recorder and Registrar of Titles for and during the year 2002.—58027

Administration Department's presentation concerning the financial impact of Governor Pawlenty's recent unallotment to balance the current state fiscal year budget.—58028

Amendment No. 1 to Dam Safety Grant Agreement between the State of Minnesota, acting through its Commissioner of Natural Resources, and St. Louis County for the Pelican Lake Dam.—03-104

Amendment No. 1 to State of Minnesota Department of Public Safety, Division of Emergency Management, Sub-Grant Agreement for Federal Assistance under the Hazard Mitigation Grant Program for Sub-Grantees.—03-105

Project Contract No. 4339 between the County of St. Louis and General Andrews Nursery, Minnesota DNR, for Bare-Root Seedlings for Spring 2003.—03-106

Service Contract No. 4266 between the County of St. Louis and Central Scrap Metal Processing, Inc.—03-107

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

53

Agreement for Professional Nursing Services between St. Louis County, through its Health Department, and Christy Martin for Community Alternative Care Client No. 06.-03-108

Agreement for Professional Nursing Services between St. Louis County, through its Health Department, and Barbara Larson for Community Alternative Care Client No. 06.-03-109

Agreement for Professional Nursing Services between St. Louis County, through its Health Department, and Theresa Kelly for Community Alternative Care Client No. 06.-03-110

Agreement for Professional Nursing Services between St. Louis County, through its Health Department, and Melissa Jenkins for Community Alternative Care Client No. 06.-03-111

Agreement for Professional Nursing Services between St. Louis County, through its Health Department, and Laura Bodin for Community Alternative Care Client No. 06.-03-112

Fire Protection Services Agreement between the City of Babbitt and the County of St. Louis for Unorganized Townships 61-12 and 61-13.-03-113

Fire Protection Services Agreement between the Bearville Township Volunteer Fire Department, Inc., and the County of St. Louis for Unorganized Township 62-21.-03-114

Fire Protection Services Agreement between the Central Lakes Volunteer Fire Department, Inc., and the County of St. Louis for Unorganized Township 56-17.-03-115

Fire Protection Services Agreement between the City of Chisholm and the County of St. Louis for Unorganized Township 59-21.-03-116

Fire Protection Services Agreement between the Colvin Township Volunteer Fire Department, Inc., and the County of St. Louis for Unorganized Township 55-15.-03-117

Fire Protection Services Agreement between the City of Cook and the County of St. Louis for Unorganized Township 63-17.-03-118

Fire Protection Services Agreement between the City of Cook and the County of St. Louis for Unorganized Township 62-17.-03-119

Fire Protection Services Agreement between the Crane Lake Volunteer Fire Department, Inc., and the County of St. Louis for Unorganized Township 67-18.-03-120

Fire Protection Services Agreement between the City of Ely and the County of St. Louis for Unorganized Townships 64-12 and 64-13.-03-121

Fire Protection Services Agreement between the Evergreen Volunteer Fire Department, Inc., and the County of St. Louis for Unorganized Townships 60-19 and 60-20.-03-122

Fire Protection Services Agreement between the City of Floodwood and the County of St. Louis for Unorganized Township 52-21.-03-123

Fire Protection Services Agreement between French Township and the County of St. Louis for part of Unorganized Township 59-21.-03-124

Fire Protection Services Agreement between the Gnesen Volunteer Fire Department, Inc., and the

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

54

County of St. Louis for Unorganized Township 53-15.-03-125

Fire Protection Services Agreement between the Lakeland Volunteer Fire Department, Inc., and the County of St. Louis for Unorganized Township 57-16.-03-126

Fire Protection Services Agreement between the Makinen Volunteer Fire Department, Inc., and the County of St. Louis for Unorganized Township 56-16.-03-127

Fire Protection Services Agreement between the Northland Volunteer Fire Department, Inc., and the County of St. Louis for Unorganized Township 53-16.-03-128

Fire Protection Services Agreement between the City of Orr and the County of St. Louis for Unorganized Townships 63-19 and 66-20.-03-129

Fire Protection Services Agreement between the Pequaywan Lake Volunteer Fire Department, Inc., and the County of St. Louis for Unorganized Township 54-13.-03-130

Fire Protection Services Agreement between the Pike-Sandy-Britt Volunteer Fire Department, Inc., and the County of St. Louis for Unorganized Townships 59-16, 60-18, and 59-18.-03-131

Fire Protection Services Agreement between the Silica Volunteer Fire Department and the County of St. Louis for Unorganized Township 55-21.-03-132

Project Contract between the County of St. Louis and Polyphase Electric Company for installation of permanent lighting at the South St. Louis County Fairgrounds.-03-133

Participating Agreement between St. Louis County and the United States Department of Agriculture Forest Service, Superior National Forest, to conduct prescribed burns within the BWCAW to reduce the large fuel hazard created by the July 4, 1999, storm.-03-134

Project Agreement between the Minnesota Department of Natural Resources, Division of Wildlife, and the St. Louis County Land Department for the North East Grade White Cedar Regeneration Project.-03-135

Addendum to Agreement between St. Louis County, through its Land Department, and the Evergreen Land Services Company for easement acquisition for trail development.-03-136

Purchase of Service Agreement, Contract No. 13457, between the St. Louis County Board of Commissioners and Morgan Business Trust, d/b/a Extended Family Home Care, for home care services.-03-137

Agreement for Professional Services between St. Louis County and Northern Lights Surveying and Mapping, Inc., for the annual survey of the Hibbing Demolition Landfill.-03-138

Addendum to Purchase Agreement, Contract No. 13216A, between the St. Louis County Board of Commissioners and Duluth Regional Care Center, Inc. - Woodland for SLS for adults.-03-139ss

Purchase of Service Agreement, Contract No. 13482, between the St. Louis County Board of Commissioners and the Duluth Regional Care Center - Lambert for SLS for adults.-03-140ss

Addendum to Purchase Agreement, Contract No. 13327A, between the St. Louis County Board of Commissioners and the Nora Austin Adult Foster Home for SLS for adults.-03-141ss

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

55

Addendum to Purchase Agreement, Contract No. 13428A, between the St. Louis County Board of Commissioners and the Dallmann Adult Foster Home for SLS for adults.–03-142ss

Addendum to Purchase Agreement, Contract No. 13204A, between the St. Louis County Board of Commissioners and the Duluth Regional Care Center, Inc. - Valley for SLS for adults.–03-143ss

Addendum to Purchase Agreement, Contract No. 13203A, between the St. Louis County Board of Commissioners and the Duluth Regional Care Center, Inc. - Triggs for SLS for children.–03-144ss

Addendum to Purchase Agreement, Contract No. 13211A, between the St. Louis County Board of Commissioners and the Duluth Regional Care Center, Inc. - Wheeler for SLS for adults.–03-145ss

Addendum to Purchase Agreement, Contract No. 13214A, between the St. Louis County Board of Commissioners and the Duluth Regional Care Center, Inc. - Winona for SLS for adults.–03-146ss

Addendum to Purchase Agreement, Contract No. 13205A, between the St. Louis County Board of Commissioners and the Duluth Regional Care Center, Inc. - SLS Foster Support.–03-147ss

Addendum to Purchase Agreement, Contract No. 13202A, between the St. Louis County Board of Commissioners and the Duluth Regional Care Center, Inc. - Rockridge for SLS for adults.–03-148ss

Addendum to Purchase Agreement, Contract No. 13217A, between the St. Louis County Board of Commissioners and the Duluth Regional Care Center, Inc. - Piedmont for SLS for adults.–03-149ss

Addendum to Purchase Agreement, Contract No. 13218A, between the St. Louis County Board of Commissioners and the Duluth Regional Care Center, Inc. - Noumenon for SLS for adults.–03-150ss

Addendum to Purchase Agreement, Contract No. 13220A, between the St. Louis County Board of Commissioners and the Duluth Regional Care Center, Inc. - Northside for SLS for adults.–03-151ss

Addendum to Purchase Agreement, Contract No. 13223A, between the St. Louis County Board of Commissioners and the Duluth Regional Care Center, Inc. - Merritt for SLS for adults.–03-152ss

Addendum to Purchase Agreement, Contract No. 13224A, between the St. Louis County Board of Commissioners and the Duluth Regional Care Center, Inc. - Mankato for SLS for adults.–03-153ss

Addendum to Purchase Agreement, Contract No. 13219A, between the St. Louis County Board of Commissioners and the Duluth Regional Care Center, Inc. - Jitney for SLS for adults.–03-154ss

Addendum to Purchase Agreement, Contract No. 13222A, between the St. Louis County Board of Commissioners and the Duluth Regional Care Center, Inc. - Glendale for SLS for adults.–03-155ss

Addendum to Purchase Agreement, Contract No. 13215A, between the St. Louis County Board of Commissioners and the Duluth Regional Care Center, Inc. - Gateway for SLS for adults.–03-156ss

Addendum to Purchase Agreement, Contract No. 13221A, between the St. Louis County Board of Commissioners and the Duluth Regional Care Center, Inc. - Galere for SLS for adults.–03-157ss

Addendum to Purchase Agreement, Contract No. 13212A, between the St. Louis County Board of Commissioners and the Duluth Regional Care Center, Inc. - East Fifth for SLS for adults.–03-158ss

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

56

Addendum to Purchase Agreement, Contract No. 13213A, between the St. Louis County Board of Commissioners and the Duluth Regional Care Center, Inc. - Daniels Road for SLS for children.-03-159ss

Addendum to Purchase Agreement, Contract No. 13206A, between the St. Louis County Board of Commissioners and the Duluth Regional Care Center, Inc. - Respite Care Services.-03-160ss

Addendum to Purchase Agreement, Contract No. 13207A, between the St. Louis County Board of Commissioners and the Duluth Regional Care Center, Inc. - In-Home Family Support Services.-03-161ss

Purchase of Service Agreement, Contract No. 13495, between the St. Louis County Board of Commissioners and the Young Women's Christian Association for supervised parent/child visitations.-03-162ss

Purchase of Service Agreement, Contract No. 13490, between the St. Louis County Board of Commissioners and Northwood Children's Services.-03-163ss

Purchase of Service Agreement, Contract No. 13496, between the St. Louis County Board of Commissioners and Woodland Hills.-03-164ss

Purchase of Service Agreement, Contract No. 13489, between the St. Louis County Board of Commissioners and Mesabi Academy of Kids Peace, Inc.-03-165ss

Purchase of Service Agreement, Contract No. 13497, between the St. Louis County Board of Commissioners and Range Mental Health Center, Inc., for therapeutic day treatment services.-03-166ss

Purchase of Service Agreement, Contract No. 13498, between the St. Louis County Board of Commissioners and Lutheran Social Service of Minnesota (Lake Superior Region Adolescent Chemical Dependency Treatment Foster Care Licensing and Placement Program).-03-167ss

Addendum to Purchase Agreement, Contract No. 13081A, between the St. Louis County Board of Commissioners and the Duluth Regional Care Center (SILS).-03-168ss

Project Contract between the County of St. Louis and A.C.C.T., Inc., for the removal of asbestos containing material from the elevator area, south entry, and west cafeteria area all located on the mezzanine level of the St. Louis County Courthouse in Duluth.-03-169

Agreement between the County of St. Louis; Gordon D. McFaul, St. Louis County Auditor; and the Carlton-Cook-Lake-St. Louis Community Health Board.-03-170

Upon motion of Commissioner Kron, supported by Commissioner Fay, Resolutions No. 102 through 105, as submitted to this Board on the Consent Agenda were unanimously adopted as follows:

**BY COMMISSIONER KRON:**

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of January 21, 2003, are hereby approved.

Adopted February 11, 2003. No. 102

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

57

meeting of January 28, 2003, are hereby approved.  
Adopted February 11, 2003. No. 103

RESOLVED, that the recommendations of the Finance Committee for payment of claims and bills against the County of St. Louis, on file in the office of the County Auditor, identified as County Board File No. 57999, are hereby approved and the County Auditor shall issue checks in the following amounts:

<u>FUND</u>		<u>TOTAL</u>
T22	Cities and Towns	\$ 1,871,363.02
T27	Refunds	95,150.93
T50	State of Minnesota	185.84
T52	Taxes and Penalties	49,831.42
T74	Employer/Employee Deductions	106,781.92
T77	Cancelled Checks	47,503.76
T83	Sheriff Fine Contingency	2,745.00
T84	Attorney's Forfeitures	2,000.00
T85	Sheriff's State Forfeitures	58.20
01	General Fund	755,767.71
02	Public Works	741,172.24
04	Social Services	3,000,939.30
08	County Facilities - Capital Proj.	14,381.40
08B	Road & Bridge Building Const.	1,733.98
08N	Hibbing Courthouse Improvements	700.00
08S	Chris Jensen Remodeling	8,747.69
10B	Emer. Shelter 99/00 Funds	10,965.42
11A	Home Grant - All Years	176,725.05
12B	CDBG Grant	24,447.32
128	Law Library	11,455.06
129	City/County Comm. Antenna Site	182.27
131	Extension Service	194,180.99
15	Forfeited Tax	54,084.31
15B	Shoreline Sales Trust	4,925.00
16	Forest Resources	90.99
26	Solid Waste Authorities	102,682.58
37L	Hibbing Public Works Facility Debt	66,835.57
49	Postage/Office Supplies	35,324.42
50	Printing	25,444.07
51	County Garage	30,403.71
52A	Property, Casualty, Liability	457.16
52B	Workers Compensation	70,158.06
53	Management Information Systems	74,519.74
54	Regional Railroad Authority	38,969.68
55	Telecommunications	33,988.92
57	Retired Employees Health Insurance	2,398.39
64A	Chris Jensen Health & Rehab.	324,786.56
64B	Nopeming Care Center	207.80
65	Laundry	11,439.72
66	Community Food Services	38,953.65
67	Supervised Living Facilities	6,446.74
73	Arrowhead Regional Corrections	261,995.86
74	Community Health Services	<u>3,891.49</u>

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

58

\$8,305,022.94

Adopted February 11, 2003. No. 104

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, as set forth by the County Attorney, dated January 24, 2003, on file in the office of the County Auditor, identified as County Board File No. 57995, is hereby received and ratified as payable from Fund 52, Department 12.

Adopted February 11, 2003. No. 105

Upon motion of Commissioner Fay, supported by Commissioner Forsman, the rules were suspended to adopt Resolution No. 106 which was not on the agenda.

**BY COMMISSIONER FAY:**

WHEREAS, the St. Louis County Heritage and Arts Center Board has notified the County that as of January 31, 2003, they will no longer manage the Heritage and Art Center (The Depot); and WHEREAS, the St. Louis County Heritage and Arts Center Board is also starting the process of dissolution; and

WHEREAS, the St. Louis County Heritage and Arts Center Board has an outstanding loan commitment to St. Louis County (evidenced by St. Louis County Contract File No. 02-733 approved by the County Board Resolution No. 594, passed on September 10, 2002, and prior resolutions and contracts extending back to 1973) in the amount of \$431,334.00 that is in jeopardy of being collected; and

WHEREAS, the St. Louis County Heritage and Arts Center Board has been paid a 2003 first quarter allotment for utilities in the amount of \$35,000 of which \$3,750 was applied to the prior outstanding loan balance;

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board hereby authorizes the County Attorney to immediately take whatever steps necessary to secure payment of as much of the loan balance and refund of the first quarter utility allocation as is reasonably possible;

RESOLVED FURTHER, upon completion of the above action the County Attorney shall with the County Auditor determine the uncollectible balance of said loan and the Auditor shall write the remaining balance off as uncollectible and notify the County Board of the same.

Unanimously adopted. February 11, 2003. No. 106

At 10:33 A.M. on Tuesday, February 11, 2003, upon motion of Commissioner Kron, supported by Commissioner Raukar, the Board of County Commissioners adjourned.

Dennis Fink, Chair of the Board  
of County Commissioners

Attest:  
Gordon D. McFaul, County Auditor  
and Ex-Officio Clerk of the Board  
of County Commissioners

(Seal of the County Auditor)

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

59

**OFFICIAL PROCEEDINGS OF THE MEETING  
OF THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF ST. LOUIS, MINNESOTA,  
HELD ON FEBRUARY 18, 2003**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 18th day of February, 2003, at 9:31 A.M. in the County Board Room, Courthouse, Duluth, Minnesota. The meeting was called to order by the Chair with the following members present: Commissioners Joanne Fay, Bill Kron, Mike Forsman, Peg Sweeney, Keith Nelson, Steve Raukar, and Chair Dennis Fink - 7. Absent: None.

Chair Fink began the meeting by noting that Item No. 3 under Finance and Budget Committee (Resolution requesting City of Duluth continued financial support for the Depot) was being moved to Central Management and Intergovernmental Committee at the request of Commissioner Kron.

County Attorney Alan Mitchell asked for removal of Item No. 7 from the Consent Agenda (three-year lease extension for office space in the Northland Office Building) because the Board may want to consider purchase of the building at some point and costs have not been reconciled to determine if a lease is appropriate. Commissioner Sweeney, supported by Commissioner Kron, moved to approve the remainder of the Consent Agenda; seven yeas - zero nays.

At 9:35 A.M., a public hearing was convened, pursuant to County Board Resolution No. 28, adopted January 28, 2003, to consider an amendment to St. Louis County Land Use Plan Ordinance No. 27 to include the Canosia Land Use Plan. The following persons addressed the issue:

Mark Johnson, Planning Department, said the amendment was an update of the previous Canosia Land Use Plan. The Planning Commission unanimously approved the new plan. An amendment to County Zoning Ordinance No. 46 to include a revised zoning map for Canosia will be presented at a later time, according to Johnson.

Carmen Orman, representing the Township of Canosia, said the township has been involved with comprehensive planning since 1976. Comprehensive planning played an integral part in securing the new sewer system link with the Western Lake Superior Sanitary District, according to Ms. Orman.

No one else chose to address the issue.

At 9:47 A.M., Commissioner Sweeney, supported by Commissioner Kron, moved to close the hearing; seven yeas - zero nays. Commissioner Sweeney, supported by Commissioner Kron, moved to approve the amendment effective March 1, 2003; seven yeas - zero nays.

At 9:48 A.M., a public hearing was convened, pursuant to County Board Resolution No. 98, adopted January 28, 2003, to consider granting an off-sale intoxicating liquor license to C & B Warehouse Distributing, Inc., d/b/a Ledge Liquor, Vermilion Lake Township. County Attorney Mitchell advised the Board that: all required notices had been given; all required County departments had reviewed the application and recommended approval; the Town of Vermilion Lake recommended approval; the Liquor Licensing Committee recommended approval; and, the necessary insurance certificate was submitted. Fred Troutwine, owner of Ledge Liquor, was present and said he understood and would abide by applicable Minnesota Statutes and County Board Ordinance No. 28 (Liquor Ordinance). No else addressed the issue.

At 9:55 A.M., Commissioner Fay, supported by Commissioner Forsman, moved to close the public

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

60

hearing; seven yeas - zero nays. Commissioner Forsman, supported by Commissioner Sweeney, moved to approve granting the license; seven yeas - zero nays. Resolution No. 119.

A public hearing scheduled for 9:45 A.M. to consider suspension/revocation of liquor license for failure to pay real estate or personal property taxes when due was then addressed. Gordon D. McFaul, County Auditor, said all liquor establishments were now current on their taxes and the hearing would, therefore, be unnecessary. Commissioner Fay, supported by Commissioner Sweeney, moved to remove the item from the agenda; seven yeas - zero nays.

Chair Fink opened the meeting to persons who wanted to address the Board concerning issues not on the agenda, and the following chose to do so:

John Moline, Lutheran Social Services (LSS), said he was under the impression the County contract with LSS would be on this week's agenda, but was informed that it would be considered next week. Mr. Moline said he would reserve comment until the contract was before the Board.

Commissioner Forsman, supported by Commissioner Raukar, moved to authorize an agreement amendment with Northeast Regional Technical Services to increase maximum level of reimbursement for landfill repermitting application development services from \$9,500 to \$13,200. The resolution would also rescind County Board Resolution No. 498, adopted July 23, 2002, with Foth and Van Dyke for these services; seven yeas - zero nays. Resolution No. 121.

Commissioner Kron, supported by Commissioner Sweeney, moved to approve a resolution requesting the Duluth City Council to pass a resolution continuing their financial support for the Heritage and Arts Center (Depot). Commissioner Kron read the resolution - which also reaffirmed County support for the facility - into the record; seven yeas - zero nays. Resolution No. 122.

Commissioner Fay, supported by Commissioner Forsman, moved to approve a resolution establishing guidelines for emergency operations of the St. Louis County Heritage and Arts Center (Depot). The resolution also authorized an agreement with Oneida Realty to provide management services on a month to month basis until final operational plans are established. After brief discussion, the motion was approved; seven yeas - zero nays. Resolution No. 123.

Commissioner Fay, supported by Commissioner Sweeney, moved to approve purchase of six marked sheriff vehicles from Superior Ford, Inc., Plymouth, MN, on the state contract price of \$21,131 per vehicle, and six unmarked sheriff vehicles from Eggebrecht Chevrolet, Duluth, MN, on their low bid price of \$17,002 per vehicle. Dick Florey, Director of Purchasing, said the request for bids resulted in two local dealerships - Eggebrecht Chevrolet, Duluth, and Mike Motors, Ely, being able to offer the unmarked vehicles at a price below the state contract. In response to questions from Commissioners, County Attorney Mitchell advised they were not obligated to accept the state contract if bid(s) were received. After some discussion, Commissioner Sweeney withdrew her support and the original motion died. Commissioner Fay, supported by Commissioner Nelson, then moved to approve purchase of the six marked vehicles from Lundgren Motors, Inc., Eveleth, MN, on their low bid of \$21,568.82 per vehicle and the six unmarked vehicles from Eggebrecht Chevrolet, Inc. Discussion ensued about the desirability of buying local when possible and even establishing a local preference. Purchasing Director Florey asked what his department should use as a guideline and he cautioned that a buy local policy may undermine state contracts and the bidding process. Commissioner Raukar then offered a friendly amendment to award the bid for the unmarked vehicles to Mike Motors, Ely, MN, rather than Eggebrecht Chevrolet. County Attorney Mitchell advised that not accepting the state contract price and going with a low bidder was not the same as selecting a vendor that did not submit the lowest bid. Commissioner Raukar withdrew his motion. After further discussion, the resolution was approved;

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

61

seven yeas - zero nays. Resolution No. 124.

The following Board and Contract Files were created as a result of documents received at this Board meeting:

St. Louis County Extension Committee submitting minutes and reports for the year 2003.-58029

Raymond J. Eck, City Clerk, City of Eveleth, relative to the Eveleth City Council voting at their February 4, 2003, meeting to support the renaming of the highway adjacent to the Eveleth-Virginia Airport to "Senator Wellstone Memorial Drive".-58030

Roger L. Payne, Executive Secretary, U.S. Board on Geographic Names, reaffirming the name *Purvis Lake* for a lake located in Sections 28 and 29, Township 62, Range 13 (Morse Township).-58031

Documentation from public hearing held on February 18, 2003, to consider the granting of an Off-Sale Intoxicating Liquor License to C & B Warehouse Distributing, Inc., d/b/a Ledge Liquor Store, Lake Vermilion Township.-58032

Minnesota Counties Research Foundation contract for updating the 2004 - 2005 Cost Allocation Plan.-03-171

Agreement for Professional Services between the County of St. Louis and Gausman & Moore for Proctor speedway lighting.-03-172

Agreement for Professional Services between the County of St. Louis and Stanius Johnson Architects for the proposed new joint public safety facility space needs analysis.-03-173

Agreement for Professional Services between the County of St. Louis and HVAC Systems Analysis Incorporated for the Duluth Government Services Center building.-03-174

Purchase of Services between St. Louis County and Legal Aid Service of Northeastern Minnesota for free civil legal assistance to low-income and elderly residents.-03-175

Consolidated Chemical Dependency Treatment Fund Purchase of Service Agreement, Contract No. 13470, between the St. Louis County Board of Commissioners and Miller-Dwan Medical Center.-03-176ss

Group Residential Housing Rate Agreement between the St. Louis County Board of Commissioners and Northern Habilitative Services, Inc. (NHS) - Jones.-03-177ss

Group Residential Housing Rate Agreement between the St. Louis County Board of Commissioners and Northern Habilitative Services, Inc. (NHS) - Forest.-03-178ss

Addendum to Purchase Agreement, Contract No. 12552B, between the St. Louis County Board of Commissioners and Trillium Services, Inc.-03-179ss

Purchase of Service Agreement, Contract No. 13483, between the St. Louis County Board of Commissioners and Innovative Living, Inc. (SILS).-03-180ss

Consolidated Chemical Dependency Treatment Fund Purchase of Service Agreement, Contract No. 13472, between the St. Louis County Board of Commissioners and the University Medical Center -

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

62

Mesabi Fairview Hospitals.-03-181ss

Consolidated Chemical Dependency Treatment Fund Purchase of Service Agreement, Contract No. 13466, between the St. Louis County Board of Commissioners and Arrowhead Center, Inc.-03-182ss

Consolidated Chemical Dependency Treatment Fund Purchase of Service Agreement, Contract No. 13469, between the St. Louis County Board of Commissioners and Duluth Bethel Society.-03-183ss

Consolidated Chemical Dependency Treatment Fund Purchase of Service Agreement, Contract No. 13471, between the St. Louis County Board of Commissioners and Minnesota Indian Primary Residential Treatment Center, Inc.-03-184ss

Addendum to Purchase Agreement, Contract No. 13376A, between the St. Louis County Board of Commissioners and Trillium Services, Inc. - Baylis for SLS for adults.-03-185ss

Addendum to Purchase Agreement, Contract No. 13362A, between the St. Louis County Board of Commissioners and Trillium Services, Inc. - Highland II for SLS for adults.-03-186ss

Addendum to Purchase Agreement, Contract No. 13374A, between the St. Louis County Board of Commissioners and Trillium Services, Inc. - Faribault for SLS for adults.-03-187ss

Addendum to Purchase Agreement, Contract No. 13375A, between the St. Louis County Board of Commissioners and Trillium Services, Inc. - Fifth Street for SLS for adults.-03-188ss

Addendum to Purchase Agreement, Contract No. 13363A, between the St. Louis County Board of Commissioners and Trillium Services, Inc. - Highland for SLS for adults.-03-189ss

Addendum to Purchase Agreement, Contract No. 13273A, between the St. Louis County Board of Commissioners and KAWS Corporation - House No. 2 for SLS for adults.-03-190ss

Addendum to Purchase Agreement, Contract No. 13356A, between the St. Louis County Board of Commissioners and J.E. Associates for specialist services.-03-191ss

Addendum to Purchase Agreement, Contract No. 12721B, between the St. Louis County Board of Commissioners and Trillium Services, Inc. - Deerfield I for SLS for adults.-03-192ss

Addendum to Purchase Agreement, Contract No. 13366A, between the St. Louis County Board of Commissioners and Trillium Services, Inc. - Deerfield II for SLS for adults.-03-193ss

Addendum to Purchase Agreement, Contract No. 13365A, between the St. Louis County Board of Commissioners and Trillium Services, Inc. - Deerfield III for SLS for adults.-03-194ss

Addendum to Purchase Agreement, Contract No. 13364A, between the St. Louis County Board of Commissioners and Trillium Services, Inc. - Deerfield IV for SLS for adults.-03-195ss

Addendum to Purchase Agreement, Contract No. 13358A, between the St. Louis County Board of Commissioners and Trillium Services, Inc. - In-Home Family Support Services.-03-196ss

Addendum to Purchase Agreement, Contract No. 13372A, between the St. Louis County Board of Commissioners and Trillium Services, Inc. - Lincoln Park for SLS for adults.-03-197ss

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

63

Addendum to Purchase Agreement, Contract No. 13370A, between the St. Louis County Board of Commissioners and Trillium Services, Inc. - Mitchell I for SLS for adults.–[03-198ss](#)

Addendum to Purchase Agreement, Contract No. 13373A, between the St. Louis County Board of Commissioners and Trillium Services, Inc. - Oakley for SLS for adults.–[03-199ss](#)

Addendum to Purchase Agreement, Contract No. 13371A, between the St. Louis County Board of Commissioners and Trillium Services, Inc. - Parkwood for SLS for adults.–[03-200ss](#)

Addendum to Purchase Agreement, Contract No. 13369A, between the St. Louis County Board of Commissioners and Trillium Services, Inc. - Ramsey I for SLS for adults.–[03-201ss](#)

Addendum to Purchase Agreement, Contract No. 13368A, between the St. Louis County Board of Commissioners and Trillium Services, Inc. - Ramsey II for SLS for adults.–[03-202ss](#)

Addendum to Purchase Agreement, Contract No. 13367A, between the St. Louis County Board of Commissioners and Trillium Services, Inc. - Ramsey III for SLS for adults.–[03-203ss](#)

Addendum to Purchase Agreement, Contract No. 13359A, between the St. Louis County Board of Commissioners and Trillium Services, Inc. - Respite Care.–[03-204ss](#)

Addendum to Purchase Agreement, Contract No. 13361A, between the St. Louis County Board of Commissioners and Trillium Services, Inc. - Selfridge for SLS for adults.–[03-205ss](#)

Addendum to Purchase Agreement, Contract No. 13360A, between the St. Louis County Board of Commissioners and Trillium Services, Inc., for SLS for adults and children.–[03-206ss](#)

Addendum to Purchase Agreement, Contract No. 13357A, between the St. Louis County Board of Commissioners and Trillium Works for supported employment.–[03-207ss](#)

Addendum to Purchase Agreement, Contract No. 13328A, between the St. Louis County Board of Commissioners and Innovative Living, Inc. - Crest House I for SLS for adults.–[03-208ss](#)

Addendum to Purchase Agreement, Contract No. 13329A, between the St. Louis County Board of Commissioners and Innovative Living, Inc. - Gearhart I for SLS for adults.–[03-209ss](#)

Addendum to Purchase Agreement, Contract No. 13330A, between the St. Louis County Board of Commissioners and Innovative Living, Inc. - Grand for SLS for adults.–[03-210ss](#)

Addendum to Purchase Agreement, Contract No. 13331A, between the St. Louis County Board of Commissioners and Innovative Living, Inc. - Hibbing (SLS).–[03-211ss](#)

Addendum to Purchase Agreement, Contract No. 13332A, between the St. Louis County Board of Commissioners and Innovative Living, Inc. - Highland for SLS for adults.–[03-212ss](#)

Addendum to Purchase Agreement, Contract No. 13333A, between the St. Louis County Board of Commissioners and Innovative Living, Inc. - Hutchinson for SLS for adults.–[03-213ss](#)

Addendum to Purchase Agreement, Contract No. 13334A, between the St. Louis County Board of Commissioners and Innovative Living, Inc. - West I for SLS for adults.–[03-214ss](#)

Addendum to Purchase Agreement, Contract No. 13225A, between the St. Louis County Board of

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

64

Commissioners and Innovative Living, Inc. - MA MR/RC Waiver Supported Employment.-03-215ss

Addendum to Purchase Agreement, Contract No. 13335A, between the St. Louis County Board of Commissioners and Innovative Living, Inc. - Woodland I for SLS for adults.-03-216ss

Purchase of Service Agreement, Contract No. 13485, between the St. Louis County Board of Commissioners and Arrowhead Economic Opportunity Agency, Inc. (AEOA) for transportation services.-03-217ss

Addendum to Purchase Agreement, Contract No. 13432A, between the St. Louis County Board of Commissioners and Matthew and Yvette Lange - Respite Care Services.-03-218ss

Grant Agreement, Contract No. 20529, between the St. Louis County Board of Commissioners and Makalu, Inc., d/b/a Fresh Start, for flex fund grant services.-03-219ss

Grant Agreement, Contract No. 20528, between the St. Louis County Board of Commissioners and Arrowhead House East for flex fund grant services.-03-220ss

Grant Agreement, Contract No. 20530, between the St. Louis County Board of Commissioners and Human Development Center for flex fund grant services.-03-221ss

Grant Agreement, Contract No. 20532, between the St. Louis County Board of Commissioners and Merritt House - Virginia for flex fund grant services.-03-222ss

Addendum to Purchase Agreement, Contract No. 13325A, between the St. Louis County Board of Commissioners and Peterson Adult Foster Home for SLS for adults.-03-223ss

Addendum to Purchase Agreement, Contract No. 13124B, between the St. Louis County Board of Commissioners and Step II, Inc., d/b/a Edgewood Vista, for assisted living plus.-03-224ss

Addendum to Purchase Agreement, Contract No. 13242A, between the St. Louis County Board of Commissioners and St. Ann's Home for assisted living plus.-03-225ss

Grant Agreement, Contract No. 20533, between the St. Louis County Board of Commissioners and The Occupational Development Center for flex fund grant services.-03-226ss

Grant Agreement, Contract No. 20525, between the St. Louis County Board of Commissioners and the Human Development Center for state homeless grant services.-03-227ss

Grant Agreement, Contract No. 20523, between the St. Louis County Board of Commissioners and the Human Development Center for community support services grant.-03-228ss

Grant Agreement, Contract No. 20534, between the St. Louis County Board of Commissioners and Range Mental Health Center for flex fund grant services.-03-229ss

Addendum to Purchase Agreement, Contract No. 13390C, between the St. Louis County Board of Commissioners and Spectrum Community Health, Inc., for assisted living plus.-03-230ss

Extension of Lease Agreement between Kirkland and Alice Anderson and Orr Minneonto II, Inc., for a television translator and communication tower near Gheen.-03-231

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

65

Purchase of Service Agreement between St. Louis County and Program for Aid to Victims of Sexual Assault, Inc. (PAVSA).-03-232ss

Purchase of Service Agreement between St. Louis County and Elder Services Network.-03-233ss

Purchase of Service Agreement between St. Louis County and Duluth Family Visitation Center - Minnesota Program Development, Inc.-03-234ss

Addendum to Purchase Agreement, Contract No. 13477A, between the St. Louis County Board of Commissioners and September House for assisted living plus.-03-235ss

Homes Plus Agreement for Adult Foster Care/Respite Care between the St. Louis County Board of Commissioners and Cheryl Stauty.-03-236ss

Purchase of Service Agreement between the St. Louis County Board of Commissioners and the City of Duluth (Senior Dining Program).-03-237ss

Agreement for Geographic Information System Consulting Services between the County of St. Louis, through its Assessor's Office, and Pro-West Associates, Inc.-03-238

Upon motion of Commissioner Sweeney, supported by Commissioner Kron, Resolutions No. 107 through 124, as submitted to this Board on the Consent Agenda were unanimously adopted as follows:

**BY COMMISSIONER SWEENEY:**

RESOLVED, that pursuant to the recommendations of the Tax Committee, the applications of the following named persons and firms for reduction and correction of assessed valuations and taxes in the following amounts plus on those abatements of penalty and interest, any additional accrual to the date of this resolution, on file in the office of the County Auditor, identified as County Board File No. 58013, are hereby approved:

Real Estate - Margaret Burke, \$262.16; County Auditor, Cncl. Forfeiture.

Personal Property - Michael Hambly, \$45.56.

Adopted February 18, 2003. No. 107

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, as set forth by the County Attorney, dated February 7, 2003, on file in the office of the County Auditor, identified as County Board File No. 57995, is hereby received and ratified as payable from Fund 52, Department 12.

Adopted February 18, 2003. No. 108

RESOLVED, that pursuant to St. Louis County Ordinance No. 51, the application for license to sell tobacco products, at retail, on file in the office of the County Auditor, identified as County Board File No. 57994, is hereby approved and the County Auditor is authorized to issue the license as follows;

RESOLVED FURTHER, that if named licenseholder sells their licensed business, the County Board, at its discretion, may, after an investigation, transfer the license to a new owner, but without pro-rated refund to the licenseholder:

C & B Warehouse Distributing, Inc., d/b/a the Ledge Short Stop, Vermilion Lake Township, Tobacco Products License No. T03178.

Adopted February 18, 2003. No. 109

RESOLVED, that the St. Louis County Board of Commissioners authorizes a contract between the

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

66

Community Food Service and the City of Duluth for the provision of raw and partially prepared food to eight senior nutrition sites at the following rates per meal to be paid by the City of Duluth to the Community Food Service. The contract will be effective from January 1, 2003, to December 31, 2003.

Regular Meals	\$3.07
Meals with Pre-Preparation	\$3.30
Ready-to-Serve Meals	\$3.74
Meatless Meals	\$2.00

Budget Reference:

Fund 66 Community Foods, Agency A66 Community Food Services, Organization 4200 Community Food Services

Revenue Source: 1942 Food Service

Adopted February 18, 2003. No. 110

WHEREAS, under the provisions of Minnesota Statutes 282.241, state tax forfeited land may be repurchased by the previous owner subject to payment of taxes and/or assessments and penalties, interest and costs; and

WHEREAS, Dale R. Loukes, 211 South 7th Street, Abbotsford, WI 54405, has applied to repurchase the following parcel: Plat/Parcel Code: 010-2230-1370. City of Duluth, Lots 1 thru 8, Block 4, Home Acres First Division.

WHEREAS, approving the repurchase will correct undo hardship and promote the use of lands that will best serve the public interest.

NOW, THEREFORE, BE IT RESOLVED, that the repurchase application of Dale R. Loukes, on file in County Board File No. 58018, is approved for the property described above, and will be subject to payment including taxes and assessments of \$2,268.95, appraisal fee of \$114.00, publication fee of \$6.00, deed fee of \$25.00, deed tax of \$7.49, recording fee of \$20.00, for a total of \$2,441.44.

Adopted February 18, 2003. No. 111

WHEREAS, St. Louis County acquired 1.26 acres of land for roadway purposes on June 28, 1924, and removed sand and gravel from this parcel of land. The adjoining owner to this parcel has requested that St. Louis County exchange a portion of this county land for the additional highway right of way needed to reconstruct C-SAH 16 scheduled for reconstruction in 2003; and

WHEREAS, the parcel of land purchased for road purposes has had all of the sand and gravel removed and is no longer needed for road purposes, and the St. Louis County Public Works Department has no objections to granting a portion of this parcel to Richard Dean Hofsommer and Terri Lynn Hofsommer in exchange for them granting St. Louis County an easement over a portion of their property.

NOW, THEREFORE, BE IT RESOLVED, the County Board of Commissioners hereby authorizes the Chair of the County Board of Commissioners and the County Auditor to execute a quit claim deed conveying to Richard Dean Hofsommer and Terri Lynn Hofsommer, husband and wife, the following property located in Colvin Township, St. Louis County, Minnesota, to-wit:

The southerly eight (8) feet of the following described property:

Beginning at a point 33 feet East and 33 feet South of the north one-quarter corner of Section 6, Township 56 North of Range 15; thence East and parallel to the North line of said Section 6 a distance of 1100 feet; thence South a distance of 50 feet; thence West and parallel to the North line of said Section 6, a distance of 1100 feet; thence North a distance of 50 feet to the point of beginning.

Adopted February 18, 2003. No. 112

RESOLVED, that the County Auditor and the Purchasing Agent are hereby authorized to enter into a contract with Minnesota Counties Research Foundation for the purpose of updating the 2004 -

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

67

2005 Cost Allocation Plan for St. Louis County. The work on the project will be done based on the 2002 and 2003 financial statements and statistics. The cost of \$14,200 per year; a copy of the contract is on file in Contract File No. 03-171. The expenditure to be charged to Fund 01 General Fund, Agency 051 Auditor, Object 267 Accounting.  
Adopted February 18, 2003. No. 113

RESOLVED, that the St. Louis County Board hereby designates Dr. Thomas Uncini of Lakeland Pathology, P.A., Hibbing, as the St. Louis County Medical Examiner.  
RESOLVED FURTHER, that the Board authorizes the Chair, the County Auditor, and the Sheriff to execute an agreement with Lakeland Pathology, P.A., for the services of Dr. Thomas Uncini as Medical Examiner for the period January 1, 2003, through December 31, 2004, payable from General Fund 01, Sheriff's Office, Medical Examiner, 093.  
Adopted February 18, 2003. No. 114

RESOLVED, that the County Board of Commissioners authorizes the Chairperson of the Board, County Auditor, and County Administrator to sign an agreement for Registered Dietician/Licensed Dietician services with Pam Roline for up to 20 hours per week at the rate of \$30.00 per hour, with additional hours as needed for coverage as approved by the Nursing Home Director, for the period of January 1, 2003, through December 31, 2003, payable from Fund 64A (Chris Jensen Health and Rehabilitation Center), Agency N71, Org. 6100.  
Adopted February 18, 2003. No. 115

RESOLVED, that the County Board of Commissioners authorizes the Chairperson of the Board, County Auditor, and County Administrator to sign an agreement for Registered Dietician/Licensed Dietician services with Laurie Arndt for up to 20 hours per week at the rate of \$30.00 per hour, with additional hours as needed for coverage as approved by the Nursing Home Director, for the period of January 1, 2003, through December 31, 2003, payable from Fund 64A (Chris Jensen Health and Rehabilitation Center), Agency N71, Org. 6100.  
Adopted February 18, 2003. No. 116

RESOLVED, that the County Board of Commissioners authorizes the Chairperson of the Board, County Auditor, and County Administrator to sign an agreement for Registered Dietician/Licensed Dietician services with Denise Letourneau for hourly dietician services as approved by the Nursing Home Director to cover absences of the regular dieticians at the rate of \$30.00 per hour for the period of January 1, 2003, through December 31, 2003, payable from Fund 64A (Chris Jensen Health and Rehabilitation Center), Agency N71, Org. 6100.  
Adopted February 18, 2003. No. 117

WHEREAS, employers on the East Range, both current and potential, do not currently have access to employee wellness programs and wellness intervention facilities; and  
WHEREAS, employee wellness is a critical component of any strategy designed to control rising health care costs; and  
WHEREAS, St. Mary's Duluth Clinic and Ely Bloomenson Community Hospital have identified the need to provide therapeutic, as well as intervention wellness programs for East Range citizens, and have concluded that such programs do not exist in an accessible and effective fashion, and have declared their professional support of and participation in East Range Wellness Center programs; and  
WHEREAS, school districts on the East Range do not and cannot provide athletic injury treatment and prevention to athletes within these school districts in the manner other athletes enjoy in other regions of the state; and  
WHEREAS, the East Range Wellness Collaborative has determined as part of its mission the care and treatment of athletic injuries; and

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

68

WHEREAS, inter-generational activity within the East Range is exclusively represented by churches and provided congregational programs and activities; and  
WHEREAS, individual wellness is a primary inter-generational activity; and  
WHEREAS, inter-generational activity is deemed an essential component for health families and communities; and  
WHEREAS, facility development, operation, and programming will require the collaborative effort of East Range political subdivisions; and  
WHEREAS, St. Louis County Schools, ISD 2142, has identified and will make available to the East Range Wellness Collaborative, space amenable to renovation and translation to an East Range Wellness Center; and  
WHEREAS, the population within the East Range, in terms of young children, youth, adults and seniors, represents a sustainable population requiring individual, family and community wellness facilities and programs; and  
WHEREAS, the political subdivisions recognize that collaborative support under governance structures specified by Minnesota Joint Powers statutes would enhance the operations and sustain ability of the East Range Wellness Center and Collaborative; and  
WHEREAS, St. Louis County Schools, ISD 2142, is capable of and willing to provide the fiscal operations and reporting requirements for the East Range Wellness Center.  
NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners hereby supports the efforts of the East Range Wellness Collaborative to develop, operate and maintain an East Range Wellness Center for the citizens of the East Range and support any and all efforts by the 2003 legislature to include the East Range Wellness Collaborative in the 2003 legislative bonding bill for the remodeling and equipment for this Center in a manner necessary to meet the needs as specified by this resolution.  
Adopted February 18, 2003. No. 118

**BY COMMISSIONER SWEENEY:**

WHEREAS, the Town of Canosia has completed its local planning effort and recommended the county adopt the plan; and  
WHEREAS, the St. Louis County Planning Commission held a public hearing on the proposed plan on December 12, 2002; and  
WHEREAS, the St. Louis County Planning Commission, at its December 12, 2002, meeting, recommended approval of the Town of Canosia plan to the St. Louis County Board of Commissioners, and on February 18, 2003, the County Board of Commissioners held a public hearing on the proposed land use plan.  
NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners adopts an amendment to Land Use Plan Ordinance No. 27 relating to the Canosia Land Use Plan and said plan shall be effective on March 1, 2003.  
Unanimously adopted. February 18, 2003. No. 119

**BY COMMISSIONER FORSMAN:**

WHEREAS, C & B Warehouse Distributing, Inc., d/b/a Ledge Liquor Store, Lake Vermilion Township, St. Louis County, Minnesota, has applied for an off-sale intoxicating liquor license; and  
WHEREAS, Minnesota Statutes, Section 340A.405, Subdivision 2(d), requires that a public hearing be held prior to the issuance of an off-sale intoxicating liquor license; and  
WHEREAS, a public hearing was held on February 18, 2003, at or about 9:35 A.M. in the St. Louis County Courthouse, Duluth, Minnesota, for the purpose of considering the granting of the off-sale intoxicating liquor license; and  
WHEREAS, with regard to the application for said license Ledge Liquor Store has complied in all respects with the requirements of Minnesota Law and St. Louis County Ordinance No. 28; and  
WHEREAS, the Liquor Licensing Committee of the St. Louis County Board of Commissioners has considered the nature of the business to be conducted and the propriety of the location and has

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

69

recommended approval of the application.

NOW, THEREFORE, BE IT RESOLVED, that Off-Sale Intoxicating Liquor License (License Number OFSL0312) shall be issued to C & B Warehouse Distributing, Inc., d/b/a Ledge Liquor Store, Lake Vermilion Township;

FURTHER RESOLVED, that said liquor license shall be effective through June 30, 2003;

FURTHER RESOLVED, that said license is approved contingent upon payment of real estate taxes when due;

FURTHER RESOLVED, that if named licenseholder sells the licensed place of business, the County Board, at its discretion, may, after an investigation, transfer the license to a new owner, but without prorated refund of the license fee to the licenseholder.

Unanimously adopted. February 18, 2003. No. 120

WHEREAS, St. Louis County continues to expand and develop its Regional Landfill in Virginia to provide land disposal services to residents of its solid waste service area;

WHEREAS, by Resolution No. 498, dated July 23, 2002, the St. Louis County Board of Commissioners authorized the execution of a contract with Foth and Van Dyke for landfill re-permitting and general engineering services;

WHEREAS, the Solid Waste Department subsequently determined that it would not be in the best interest of the County to enter into that contract with Foth and VanDyke;

WHEREAS, the Solid Waste Department staff was able to prepare portions of the landfill re-permitting application internally;

WHEREAS, to complete the landfill re-permitting application, the Solid Waste Department required the assistance and signature of a registered professional engineer;

WHEREAS, the Solid Waste Department entered into a professional services contract in the amount of \$9,500 with Northeast Technical Services for assistance with the landfill re-permitting application;

WHEREAS, additional engineering services are necessary in order to complete the landfill re-permitting process on schedule, and an amendment will cause the amount of the agreement with Northeast Technical Services to exceed the \$10,000 departmental authority to enter professional service agreements;

NOW, THEREFORE, BE IT RESOLVED, Resolution No. 498, dated July 23, 2002, is hereby rescinded in its entirety;

BE IT FURTHER RESOLVED, the appropriate County officials are authorized to execute an Amendment Number 1 to the existing professional services agreement with Northeast Technical Services, for additional landfill re-permitting services, the total amount of such original agreement and Amendment Number 1 not to exceed \$13,200, payable from Fund 26, Agency J-48 Landfill.

Unanimously adopted. February 18, 2003. No. 121

**BY COMMISSIONER FAY:**

RESOLVED, the St. Louis County Board of Commissioners hereby adopts the following guidelines for emergency operations of the St. Louis County Heritage and Arts Center:

1. St. Louis County will provide basic maintenance functions for the Center through Oneida Realty on a month-to-month basis until a decision is made by the County Board to either accept a proposal for operation or to close the facility.
2. Oneida Realty shall collect gate fees and deposit them with the St. Louis County Auditor. Gate fee proceeds shall be used by the County to pay the costs of providing services at the Center.
3. County Administration, working with the County Auditor, County Attorney, other County departments, Oneida Realty, and agencies using or occupying the facility, will collect data on all outstanding issues and report this information to the County Board.
4. Oneida Realty shall collect all current monthly obligations of any agency utilizing the Center and will deposit these funds with the St. Louis County Auditor.
5. No new events will be scheduled for the Center until a decision is made by the County Board

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

70

regarding future operations of the Center. No payments will be accepted for previously scheduled events until the immediate month of the event, unless otherwise authorized by the County Board.

6. All programs and events at the Center will be the financial responsibility of the sponsoring agency using the facility and will require prior written approval by St. Louis County's designated representative.
7. St. Louis County will secure all necessary property, boiler/machinery and liability insurance to cover St. Louis County.
8. Agencies using or located within the Center shall be responsible for appropriate insurance coverage for all risks, including, but not limited to, property insurance, contents insurance, and liability insurance. An agency's continued use and occupancy of the Center is contingent upon the agency maintaining this mandatory insurance coverage as determined by St. Louis County.
9. All agencies using or located within the Center shall be individually responsible for all costs of repair, maintenance, and improvements they initiate. All repairs, maintenance, and improvements require prior written approval from St. Louis County's designated representative.
10. St. Louis County will seek proposals from current Center agencies interested in operating the Center on a cost-neutral basis to the County.

RESOLVED FURTHER, the Board hereby authorizes the Property Management Director, the Auditor, and the County Attorney to execute a month to month agreement with Oneida Realty to provide management services to operate the St. Louis County Heritage & Arts Center at a cost not to exceed \$3,000 per month for Administration, plus reimbursement of actual cost for labor and other operating expenses as outlined in the contract and approved by the Property Management Director, payable from Fund 01, Dept. 081, Org. Depot, Object 299 Professional Services.

FURTHER RESOLVED, the Board authorizes the County Administrator to take all steps necessary to develop and present to the Board by April 8, 2003, proposals to insure the long term operation of the St. Louis County Heritage & Arts Center on a positive financial basis that protects the County's ownership interest in the Center or to recommend other courses of action to protect the County's interests.

FURTHER RESOLVED, that a copy of this resolution shall be delivered to each executive director and Board of each agency currently occupying space at the St. Louis County Heritage and Arts Center. Unanimously adopted. February 18, 2003. No. 122

**BY COMMISSIONER KRON:**

WHEREAS, on January 24, 2003, St. Louis County was advised by the St. Louis County Heritage and Arts Center Board that the keys to the St. Louis County Heritage and Arts Center would be returned to St. Louis County on January 31, 2003, and the St. Louis County Heritage and Arts Center Board would no longer manage the facility; and

WHEREAS, St. Louis County took steps to enter into an emergency management agreement with Oneida Realty to continue operation of the facility; and

WHEREAS, the St. Louis County Board has received substantial public input on the value of the St. Louis County Heritage and Arts Center to the City of Duluth and St. Louis County; and

WHEREAS, the public comment has indicated the St. Louis County Heritage and Arts Center is the heart and soul of the cultural community in the City of Duluth; and

WHEREAS, the public comment has also established that there is a significant economic contribution to the City of Duluth by the groups that visit the center, as well as those who perform and exhibit at the center; and

WHEREAS, the City of Duluth and St. Louis County have been partners in assisting the St. Louis County Heritage and Arts Center and the agencies that exist within the building for over 25 years;and

WHEREAS, St. Louis County has exhibited its intentions to continue to provide a consistent level of support as it has done during those years of partnering with the City of Duluth and has additionally gone beyond that support in providing for the emergency operation of the facility

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

71

building during its efforts to find a new facility manager; and  
WHEREAS, all of the information and comments gathered to this point have firmly established that participation by the City of Duluth is a critical component in the continued viable operation of the St. Louis County Heritage and Arts Center and the cultural community in the City of Duluth.  
NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board respectfully requests the Duluth City Council to pass a resolution establishing its ongoing support for the St. Louis County Heritage and Arts Center and directing the City of Duluth Administration to continue to provide the level of funding that has been previously committed by the Duluth City Council to the St. Louis County Heritage and Arts Center.  
Unanimously adopted. February 18, 2003. No. 123

**BY COMMISSIONER FAY:**

WHEREAS, the Purchasing Department obtained bids for 2003 model year vehicles; and  
WHEREAS, the County's bid results were compared to the State of Minnesota 2003 model year vehicle contracts.

NOW, THEREFORE, BE IT RESOLVED, that the Director of Purchasing is hereby authorized to purchase, in accordance with Bid No. 4352, 2003 vehicles as follows:  
Six (6) Class III, full-size, four-door sedans, with police package, from Lundgren Motors, Inc., of Eveleth, MN, at their bid price of \$21,568.82 each for a total of \$129,412.92 (these vehicles are not subject to state sales tax), payable from Fund 01 (General), Agency 091 (Sheriff), Object Code 661 (Automobiles).

Six (6) Class II, mid-size, four-door sedans, with police package, from Eggebrecht Chevrolet of Duluth, MN, at their bid price of \$17,002.00 each for a total of \$102,012.00, plus 6.5 percent state sales tax of \$1,105.13 per unit, for a total purchase price of \$108,642.78, payable from Fund 01 (General), Agency 091 (Sheriff), Object Code 661 (Automobiles).  
Unanimously adopted. February 18, 2003. No. 124

At 10:40 A.M. on Tuesday, February 18, 2003, upon motion of Commissioner Raukar, supported by Commissioner Sweeney, the Board of County Commissioners adjourned.

Dennis Fink, Chair of the Board  
of County Commissioners

Attest:  
Gordon D. McFaul, County Auditor  
and Ex-Officio Clerk of the Board  
of County Commissioners

(Seal of the County Auditor)

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

72

**OFFICIAL PROCEEDINGS OF THE MEETING  
OF THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF ST. LOUIS, MINNESOTA,  
HELD ON FEBRUARY 25, 2003**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 25th day of February, 2003, at 9:32 A.M. in the Hibbing City Council Chambers, City Hall, Hibbing, Minnesota. The meeting was called to order by the Chair with the following members present: Commissioners Joanne Fay, Bill Kron, Mike Forsman, Peg Sweeney, Keith Nelson, Steve Raukar, and Chair Dennis Fink - 7. Absent: None.

At 9:35 A.M., a public hearing was convened pursuant to County Board Resolution No. 86, adopted January 28, 2003, to consider the following ordinance amendments: County Land Use Plan Ordinance No. 27 to add the Breitung Land Use Plan; County Zoning Ordinance No. 46 to add a revised zoning map for the Town of Breitung. The following persons addressed the issue:

Barbara Hayden, Planning Director, explained the background of the plan, which was two years in the making.

Scott Smith, Planning Department, said the land use plan was a joint effort between the City of Tower and the Town of Breitung that attempted to retain the character of the area. The plan is a good balance of economic development and resource protection, according to Smith.

Tim Tomsich, Chair of the Town of Breitung, detailed the makeup of the citizens' committee and said the final product is the result of much compromise. The new land use plan retains the traditional separation of Breitung as a residential area and Tower as the commercial center.

Rod McPeak, Breitung resident and a committee member, said the final plan was a consensus of the membership and should serve future needs well.

Stephen Abrahamson, Mayor of Tower, said this plan is well suited for orderly development of the area. Contrary to what USX may say, there is a desire by lakeshore property buyers to acquire larger lots for privacy. Too many small shore lots can also degrade water quality, according to Mayor Abrahamson.

Barbara Berglund, Planning Commission Member, said most lakes in the area are going to the larger shore lots and the mixed use (SMU) that USX wants is too broad a usage for most lakes.

Dennis Hendricks, USX representative, said his company is only opposed to rezoning USX property to Residential 10, which increases lot size requirements to 300 feet from the current 200 feet. USX developed a "Concept Plan" that would include up to 163 lots under the old zoning. The proposed changes would limit the number to 108, significantly diminishing the value of USX holdings, according to Hendricks.

Scott Neff, Attorney representing USX, said the plan was inconsistent and the original focus shifted from planning to zoning in an attempt to prohibit development by USX. Attorney Neff said the proposed plan appears to be in conflict with the Vermilion Lake Land Use Plan, which is still being formulated. Allowing lots of 200 feet would be more consistent and acceptable to USX.

At 12:20 P.M. in the afternoon of Tuesday, February 25, 2003, Chair Fink moved to recess the Board until 1:30 P.M. on February 25, 2003, in the Hibbing City Council Chambers, City Hall, Hibbing, Minnesota.

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

73

The Board reconvened at 1:31 P.M. on February 25, 2003, and the regular order of business resumed with all members present.

At 2:03 P.M., after further discussion of the amendments, Commissioner Kron, supported by Commissioner Nelson, moved to close the hearing; seven yeas - zero nays.

Commissioner Kron, supported by Commissioner Sweeney, moved to approve the amendments as submitted. Lengthy discussion ensued about sending the matter back to the parties to develop a compromise proposal to change the zoning of certain areas to SMU 10. Alan Mitchell, County Attorney, advised that it would be appropriate to direct specific questions to staff, but it would be inappropriate to refer the matter back to the parties for major changes and circumvention of the public hearing/Planning Commission process. Taking no action would result in rejection of the amendments, according to Attorney Mitchell. Commissioner Forsman, supported by Commissioner Nelson, moved to table the matter until March 25, 2003; seven yeas - zero nays.

After further discussion, Commissioner Forsman, supported by Commissioner Fay, moved to reconsider the tabling motion; seven yeas - zero nays. The motion to table failed; two yeas - five nays, Commissioners Fay, Kron, Forsman, Sweeney and Chair Fink.

Commissioner Forsman offered a friendly amendment - accepted by the makers of the original motion - suggesting staff prepare maps showing some portion of Armstrong Bay remaining as SMU 10 and that staff receive input from parties.

Commissioner Nelson, supported by Commissioner Raukar, moved to amend the plan by limiting all shoreline zoning requirements to 200 feet rather than 300 feet. After brief discussion, Commissioner Nelson withdrew his motion.

Commissioner Nelson, supported by Commissioner Raukar, then moved to table the amended motion until March 25, 2003; seven yeas - zero nays.

Chair Fink opened the meeting to persons who wanted to address the Board concerning issues not on the agenda but no one chose to do so.

At 3:00 P.M. in the afternoon of Tuesday, February 25, 2003, Commissioner Sweeney, supported by Commissioner Fay, moved to recess the Board until 3:30 P.M. on February 25, 2003, in the Hibbing City Council Chambers, City Hall, Hibbing, Minnesota.

The Board reconvened at 6:26 P.M. on February 25, 2003, and the regular order of business resumed with all members present.

Commissioner Kron, supported by Commissioner Forsman, moved to approve a second Consent Agenda consisting of all items passed unanimously at Committee of the Whole; seven yeas - zero nays.

Commissioner Sweeney, supported by Commissioner Raukar, moved to approve a contract with Pat Miller, Duluth, to provide consultation and facilitator services to the Leadership Team studying consolidation of Social Services and Public Health. The motion failed; three yeas - four nays, Commissioners Fay, Forsman, Nelson and Chair Fink.

Commissioner Raukar, supported by Commissioner Forsman, moved to table consideration of a repurchase of tax forfeited land by Rich Greenwood, Hibbing, until the March 11, 2003, County Board meeting; seven yeas - zero nays.

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

74

At 6:30 P.M., Commissioner Sweeney left the County Board meeting.

Commissioner Fay, supported by Commissioner Nelson, moved to table approval to purchase four vehicles for the Land and Solid Waste Departments until the March 11, 2003, County Board meeting; six yeas - zero nays.

Commissioner Raukar, supported by Commissioner Forsman, moved to approve a contract with the Joint Property Tax Study Group for 2003 services; six yeas - zero nays. Resolution No. 142.

The following Board and Contract Files were created as a result of documents received at this Board meeting:

County Auditor submitting applications for permits authorizing the consumption of and display of intoxicating liquors for the year 2003.--58033

County Attorney submitting monthly litigation/claims reports for year 2003.--58034

Barry D. Lesar, Inspector of Mines, submitting the Annual Report of the Inspector of Mines for 2002.--58035-D

Documentation from public hearing held on February 25, 2003, to consider the adoption of amendments to County Land Use Plan Ordinance No. 27 - Breitung Land Use Plan and to add revised zoning map for the Town of Breitung to County Zoning Ordinance No. 46.--58036

Gordon H. Butler, President, Pike Lake Community Association, relative to Michael Billman possessing a part siberian/part bengal tiger on his property.--58037

Jack Grams, Duluth, regarding his concerns pertaining to the poor sound quality of the televised board meetings, the improper usage of the microphones, and county employees using county services, facilities and equipment for their own personal gain.--58038

Purchase of Services Agreement between St. Louis County and Copeland Community Center for public service.--03-239

Home Investment Partnership Program CHDO Grant Agreement between St. Louis County and Kootasca Community Action, Inc.--03-240

Home Investment Partnership Program CHDO Grant Agreement between St. Louis County and Kootasca Community Action, Inc.--03-241

Home Investment Partnership Program Subrecipient Grant Agreement between St. Louis County and Kootasca Community Action, Inc.--03-242

Upon motion of Commissioner Sweeney, supported by Commissioner Fay, Resolutions No. 125 through 134, as submitted to this Board on the Consent Agenda were unanimously adopted as follows:

**BY COMMISSIONER SWEENEY:**

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of February 11, 2003, are hereby approved.

Adopted February 25, 2003. No. 125

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

75

RESOLVED, that the recommendations of the Finance Committee for payment of claims and bills against the County of St. Louis, on file in the office of the County Auditor, identified as County Board File No. 57999, are hereby approved and the County Auditor shall issue checks in the following amounts:

<u>FUND</u>		<u>TOTAL</u>
T11	MN Trail Assistance	\$ 625.48
T22	Cities and Towns	194,018.12
T27	Refunds	17,292.58
T31	Caribou Lake Wastewater Con.	5,686.20
T50	State of Minnesota	251,999.24
T66	Criminal Fines	111,867.00
T74	Employer/Employee Deductions	8,491.24
T77	Cancelled Checks	273.81
T83	Sheriff Fine Contingency	5,061.41
T85	Sheriff's State Forfeitures	7,872.03
T87	Assault Fees	1,481.84
01	General Fund	897,601.48
02	Public Works	597,516.71
02A	Road Maint. - Unorg. Townships	8,767.63
04	Social Services	3,099,053.74
08	County Facilities - Capital Proj.	28,014.44
08A	State Aid Road	47,170.06
08B	Road & Bridge Building Const.	132,231.31
08K	Virginia 911/Public Works Addition	4,142.06
08Q	Duluth Courts Remodeling	4,975.00
08S	Chris Jensen Remodeling	47,908.95
11A	Home Grant - All Years	36,845.79
12B	CDBG Grant	1,153.20
127	Enhanced 9-1-1 Fund	11,331.93
128	Law Library	2,575.20
129	City/County Comm. Antenna Site	262.88
13	St. Louis County HRA	837.00
131	Extension Service	50,496.84
15	Forfeited Tax	91,767.39
26	Solid Waste Authorities	81,662.06
49	Postage/Office Supplies	32,547.80
50	Printing	7,087.01
51	County Garage	29,812.17
52B	Workers Compensation	95,236.89
52D	Medical/Dental Self Insurance	949.09
53	Management Information Systems	76,068.18
54	Regional Railroad Authority	45,123.17
55	Telecommunications	37,548.52
57	Retired Employees Health Insurance	72,101.29
64A	Chris Jensen Health & Rehab.	187,618.35
64B	Nopeming Care Center	11,085.32
65	Laundry	10,951.63
66	Community Food Services	21,897.84
67	Supervised Living Facilities	4,344.44
72	Northern Counties Land Use Coord. Board	1,081.48
73	Arrowhead Regional Corrections	290,037.45

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

76

74	Community Health Services	<u>26,705.00</u>
		\$6,699,178.25

Adopted February 25, 2003. No. 126

RESOLVED, that pursuant to the recommendations of the Tax Committee, the applications of the following named persons and firms for reduction and correction of assessed valuations and taxes in the following amounts plus on those abatements of penalty and interest, any additional accrual to the date of this resolution, on file in the office of the County Auditor, identified as County Board File No. 58013, are hereby approved:

Real Estate - Daniel Belich, \$378.66; Mark Jacobson, \$0.00; Luke Richter, \$260.40; Terence Teppo, \$806.44; David Thul, \$38.29; Robert Zeleznikar, \$788.76.

Adopted February 25, 2003. No. 127

RESOLVED, that pursuant to the provisions of Minnesota Statutes, Section 340A, as amended, and Rules and Regulations adopted by this Board under St. Louis County Ordinance No. 28, dated May 22, 1978, as amended, the following applications for permits authorizing the consumption and display of intoxicating liquor are hereby approved, on file in the office of the County Auditor, identified as County Board File No. 58033:

Ely Golf Club Corp., Inc., d/b/a Ely Golf Club, Morse Township, Permit No. BC041;

James Paul Butchart, d/b/a Fall Inn Tavern, Rice Lake Township, Permit No. S043;

Wilkins Pine Aire Resort, Inc., d/b/a Pine Aire Resort, Kabetogama Township, Permit No. S0415;

Sportsman's Last Chance, Inc., d/b/a Sportsman's Last Chance, Inc., Portage Township, Permit No. S0412.

Adopted February 25, 2003. No. 128

RESOLVED, that the St. Louis County Board of Commissioners appoints the following individuals to the Children's Local Mental Health Coordinating Council (LCC):

**Membership Recommendations for the LCC**

<u>Membership Category</u>	<u>Recommended Members</u>
* Representative(s) of Mental Health Services	Barbara Dickinson Gary Eustice Gordon Hoelscher Sharon Sanders
* Representative(s) of Social Services	Dawn Shykes
* Representative(s) of Correctional Services	Jen Wright
* Representative(s) of Education Services	Larry Pajari Brian Ridgeway
* Representative(s) of Health Services	Pam Wallin Joseph Sivak
* Representative(s) of Vocational Services	Mike Clevette
* Representative(s) of Tribal Authorities	Honore' Lehtenan
Representative(s) of Juvenile Court	Judge Gerald Martin
Representative(s) of Law Enforcement	Robert Grytdahl
Representative(s) of Family Services Collaborative	Edie Carr
Representative(s) of Children's Mental Health LAC	Jim Gruba Judy Kelley

(\*Membership category required by statute)

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

77

Adopted February 25, 2003. No. 129

RESOLVED, that the County Board of Commissioners authorizes the Chairperson of the Board, County Auditor, and Health Director to sign an agreement with Virginia Regional Medical Center for the period November 1, 2002, through October 31, 2005, to provide respite care service to Community Alternative Care Clients.

Adopted February 25, 2003. No. 130

RESOLVED, that the appropriate County officials are hereby authorized to enter into an agreement with the City of Duluth whereby the County will pay the County's local share items listed in the Estimated Quantities in the Plan, and preliminary engineering and engineering and inspection costs not to exceed 25 percent of the County's share of the construction costs for S.P. 69-617-004. The County portion will be paid from Fund 08A, Agency 525, Org. 8271, Object 527.

Adopted February 25, 2003. No. 131

WHEREAS, entering of parcel boundaries and parcel code information into the St. Louis County Geographic Information System will provide better, more up-to-date maps for the Assessor and will provide access to County ownership and assessment information to the other departments and public who need to use this information; and

WHEREAS, the agreement with Pro-West & Associates provides for the consultant to complete the parcel coverage for Duluth Township; and

WHEREAS, a grant of \$50,000 was awarded by Minnesota's Lake Superior Coastal Program to St. Louis County for Parcel Layer Development for Duluth Township, and funds have been encumbered as required by Minnesota Statutes 16A.15 and 16C.05;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners hereby authorizes the County Assessor to enter into an agreement with Pro-West & Associates for geographic information systems services in the amount of \$17,100.

Adopted February 25, 2003. No. 132

RESOLVED, that the St. Louis County Board hereby authorizes the Sheriff's Office to enter into an agreement with the City of Duluth Police Department and Arrowhead Regional Corrections for the purpose of fingerprint identification. The contract period will run from January 1, 2003, to December 31, 2003.

RESOLVED FURTHER, that the Sheriff is authorized to accept reimbursement from the Duluth Police Department in the amount of \$13,102, and from Arrowhead Regional Corrections in the amount of \$3,276, credited to Fund 01, Agency 091-ADMN-9650.

Adopted February 25, 2003. No. 133

WHEREAS, Resolution No. 408, adopted June 1, 1999, authorized the County Auditor to transfer on an as needed basis up to \$1,200,000 from the General Fund Designated for Cash flow to Chris Jensen Health and Rehabilitation Fund or to the Nopeming Medical Care Facility Fund to eliminate deficit cash balances; and

WHEREAS, a total of \$964,125 has been transferred to Chris Jensen and Nopeming to eliminate end of year cash deficits for 1999, 2000 and 2001 leaving a balance of \$235,875 from Resolution No. 408; and

WHEREAS, Resolution No. 772, adopted December 11, 2001, authorized the County Auditor to designate for cash flow-Medical Care Facilities \$500,000 to transfer on an as needed basis to Chris Jensen Health and Rehabilitation Fund or to the Nopeming Medical Care Facility Fund to eliminate deficit cash balances; and

WHEREAS, Resolution No. 633, adopted September 24, 2002, authorized the County Auditor to transfer on an as needed basis up to \$1,500,000 from the General Fund Designated for Cash Flow to Chris Jensen Health and Rehabilitation Fund or to the Nopeming Medical Care Facility Fund to

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

78

eliminate deficit cash balances; and

NOW, THEREFORE, BE IT RESOLVED, that the \$2,235,875 in remaining transfers authorized above are deemed to be irrevocable transfers and the County Auditor is not required to reverse the above transactions.

BE IT FURTHER RESOLVED, the Auditor is authorized to transfer an additional amount to cover the remaining balance (approximately \$175,000) of the 2002 cash flow deficit in Nopeming and Chris Jensen funds from the General Fund Designated for Cash Flow account and report the same to the County Board when completed.

BE IT FURTHER RESOLVED, the Auditor is authorized through the remainder of 2003 to loan cash flow monies under Minnesota Statutes Section 385.32 to the Chris Jensen fund on a monthly revolving basis and shall monthly notify the Administration and Commissioners of the same.

Adopted February 25, 2003. No. 134

Upon motion of Commissioner Kron, supported by Commissioner Forsman, Resolutions No. 135 through 141, which were approved at the Committee of the Whole meeting this date, were brought forth to this meeting as a second Consent Agenda and were unanimously adopted as follows:

**BY COMMISSIONER KRON:**

RESOLVED, that the St. Louis County Board of Commissioners rescinds Resolution No. 821, dated December 17, 2002, and replaces it with a new resolution that authorizes a Purchase of Service Agreement with Lutheran Social Service Bethany Range Shelter for the period January 1, 2003, through December 31, 2003, at the rate listed below for the provision of Supervised Visitation Services with a contract maximum of \$57,500.

- |                           |  |
|---------------------------|--|
| LSS Bethany Range Shelter | (1) \$26.37 per hour for all visits; and   |
|                           | (2) Mileage reimbursement at the County Board approved standard mileage rate for travel to off-site visitation locations |

Budget Reference:

Fund 04 Social Service, Agency SSV Social Services  
Expense Object 1160 Transportation - Child & 1190 Court Related Services - Child  
Adopted February 25, 2003. No. 135

RESOLVED, that the dates of the \$100,000 grant shown in Resolution No. 661 are corrected to include a period of two years beginning January 1, 2002, through December 30, 2003.

RESOLVED FURTHER, that one FTE Social Worker at a cost of \$75,000 is retained for a period from October 1, 2002, through December 30, 2003, and is added to the CY 2003 budget to provide mental health screening services through the KATS Program.

Budget Reference:

Fund 04 Social Service, Agency SSV Social Services  
Rev Source 9316 Children's Mental Health Block Grant  
Organization 6800 Prevention & Intervention  
Expense Object 4300 Child Rule 79 Case Management, 4340 Other Community Support Services (Adult), 4920 Children's Mental Health Case Management, 4930 Adult Mental Health Case Management  
Adopted February 25, 2003. No. 136

RESOLVED, that the St. Louis County Board of Commissioners accepts grant funds of \$29,708 from the Duluth Area Family Services Collaborative and use these grant funds to extend the existing contract with Lutheran Social Services through June 30, 2003, for the provision of a .30 FTE Interagency Review Team Program Coordinator and two .50 FTE student/family advocates.

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

79

Proceeds will be deposited into: Fund 04, Agency SSV, Org. 1400, Revenue Source 5999.  
Adopted February 25, 2003. No. 137

WHEREAS, the County Board of Commissioners of the County of St. Louis, State of Minnesota, desires to offer for sale, as recommended by the Land Commissioner, certain parcels of land identified as County Board File No. 58003; and

WHEREAS, these parcels of land are not withdrawn from sale pursuant to Minnesota Statutes, Sections 84.012, 92.461, 282.01, Subdivision 8; and 282.018, and other statutes that require the withholding of tax forfeited lands from sale; and

WHEREAS, this parcel cannot be improved because it is less than the minimum size required by the applicable zoning ordinance; and

WHEREAS, classification or reclassification and sale of the parcels described in County Board File No. 58003 will be deemed approved if the County Board does not receive notice of the municipalities' disapproval of the classification and sale of any parcels within sixty days of the date on which this resolution is delivered to the Clerk of the municipality.

NOW, THEREFORE, BE IT RESOLVED, that said parcel is hereby classified as non-conservation land as provided for in Minnesota Statutes 282.01, and the County Auditor is hereby authorized to offer said lands at a non-public sale limited to the adjacent property owners to encourage return of the land to the tax rolls.

BE IT FURTHER RESOLVED, that the St. Louis County Board of Commissioners hereby requests approval from the Commissioner of Natural Resources for the sale of said land and that the request for approval of the classification and sale be transmitted by the St. Louis County Land Department to the Clerk of the Municipality.

Adopted February 25, 2003. No. 138

RESOLVED, that the St. Louis County Board of Commissioners enters into CY 2003 Purchase of Service Contracts with Lutheran Social Services for the Bethany Crisis Shelter/Duluth and the Bethany Range Youth Shelter that grant full payment of CY 2003 budgets for these shelters as follows:

	<u>CY 2003 Budget</u>
Bethany Crisis Shelter/Duluth	\$346,599
Bethany Range Youth Shelter	\$306,214

(Payments will be made on a monthly basis based on one-twelfth of facility budgets.)

The following per diems will be identified in the contracts for the purposes of billing other counties.

	<u>CY 2003 Per Diem</u>
Bethany Crisis Shelter/Duluth	\$130.26
25-Day Diagnostic Evaluation	\$149.70
Bethany Range Youth Shelter	\$179.28

(Revenue received from other Minnesota counties will offset St. Louis County payments.)

Lutheran Social Services agrees as part of this contractual arrangement that it will make two group home beds available at the Bethany Range Youth Shelter for homeless youth age 16-21 at no cost to St. Louis County during CY 2003.

Budget Reference:

Fund 04 Social Service, Agency SSV Social Services

Expense Objects 1710 Child Shelter & 1830 Rule 8 Group Home

Revenue Sources 9102 Title IV-E Cost of Care & 0020 Local Taxes - Current

Adopted February 25, 2003. No. 139

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

80

WHEREAS, Michael J. and Connie L. Loisel indicate they are the owners in fee as joint tenants of a parcel of property situated in St. Louis County, Minnesota, described as the Southwest Quarter of the Southwest Quarter of Section 17, Township 63 North of Range 13 West of the Fourth Principal Meridian; and

WHEREAS, the Loisels indicate that they acquired the subject property from the estate of Taito Ahola; and

WHEREAS, the Loisels indicate a trail is located on their property and adjacent property extending from Burntside Lake to Crab Lake; and

WHEREAS, the Loisels have had difficulty in quietly enjoying their property because of the location of this trail and the usage of the trail by others; and

WHEREAS, the Loisels have indicated they have relocated the trail and still have not been able to quietly enjoy their property; and

WHEREAS, the Loisels indicate that the United States Forest Service has utilized this trail as an entry point for permits to enter the Boundary Waters Canoe Area (BWCA); and

WHEREAS, the U.S. Forest Service has designated this trail as an official entry point into the BWCA, designated as Entry Point No. 4 and allows four daily permits at this entry point; and

WHEREAS, the Loisels claim that no records exist that give rise to rights or interest of any kind to use the trail located on their property for such purpose; and

WHEREAS, the St. Louis County Board of Commissioners supports the Loisels' efforts to quietly enjoy their property including the trail that lies outside of the BWCA that crosses the Loisel property.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board respectfully requests the United States Forest Service to discontinue the issuance of entry permits or other acts that encourage trespass on the Loisel property by usage of the trail for entry to Crab Lake.

Adopted February 25, 2003. No. 140

WHEREAS, the County requires the services of a consultant to assist with federal legislative and administrative matters; and

WHEREAS, Lockridge, Grindal & Nauen has demonstrated professional expertise and knowledge of federal legislation and administrative activities; and

WHEREAS, the contractor desires and is capable of providing legislative consultant services to St. Louis County during 2003.

NOW, THEREFORE, BE IT RESOLVED, that the appropriate County officials are authorized to enter into an agreement with Lockridge, Grindal & Nauen in 2003 for an amount not to exceed \$47,500.

RESOLVED FURTHER, that this agreement be funded through the Inter-Governmental Affairs Division (Fund 01, Agency 016, Object 299).

Adopted February 25, 2003. No. 141

**BY COMMISSIONER RAUKAR:**

RESOLVED, that the St. Louis County Board of Commissioners hereby authorizes the appropriate County officials to sign an agreement and approves the expenditure of \$11,500 as St. Louis County's share for the Joint Property Tax Study Group for the period of January 1, 2003, through December 31, 2003, payable from Fund 01, Agency 016, Object 299.

Yeas - Commissioners Fay, Kron, Forsman, Nelson, Raukar, and Chair Fink - 6

Nays - None

Absent - Commissioner Sweeney - 1

Adopted February 25, 2003. No. 142

At 6:31 P.M. on Tuesday, February 25, 2003, upon motion of Commissioner Fay, supported by Commissioner Nelson, the Board of County Commissioners adjourned.

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

81

Dennis Fink, Chair of the Board  
of County Commissioners

Attest:  
Gordon D. McFaul, County Auditor  
and Ex-Officio Clerk of the Board  
of County Commissioners

(Seal of the County Auditor)

**OFFICIAL PROCEEDINGS**  
OF THE  
**BOARD OF COUNTY COMMISSIONERS**  
OF ST. LOUIS COUNTY, MINNESOTA

**MARCH, 2003**

**OFFICIAL PROCEEDINGS OF THE MEETING  
OF THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF ST. LOUIS, MINNESOTA,  
HELD ON MARCH 11, 2003**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 11th day of March, 2003, at 9:30 A.M. in the County Board Room, Courthouse, Duluth, Minnesota. The meeting was called to order by the Chair with the following members present: Commissioners Joanne Fay, Bill Kron, Mike Forsman, Peg Sweeney, Keith Nelson, Steve Raukar, and Chair Dennis Fink - 7. Absent: None.

Chair Fink opened the meeting by noting the recent birthday of St. Louis County - March 5, 1855.

David Twa, County Administrator, made a presentation to the Board concerning the state budget crisis. The impact on St. Louis County will amount to as much as \$16.5 million in direct aid cuts, categorical aid cuts and shifting of costs. A legislative proposal by Senator Pogemiller to freeze local levies at 2003 rates could have drastic effects on delivery of services by local units of government, according to Administrator Twa.

Linda Anderson, Health and Social Services Director, provided an overview of the effects of the Governor's proposed budget on various functions in her department.

At 10:07 AM. in the afternoon of Tuesday, March 11, 2003, Chair Fink moved to recess the Board until 10:20 A.M. on March 11, 2003, in the County Board Room, Courthouse, Duluth, Minnesota.

The Board reconvened at 10:20 A.M. on March 11, 2003, and the regular order of business resumed with all members present.

Chair Fink announced that the location for the March 25, 2003, County Board meeting, scheduled for the Morse Town Hall, had been changed to the Government Services Center, Room 24, Ely, MN.

Commissioner Fay, supported by Commissioner Forsman, moved to approve repurchase of tax forfeited property located in the City of Hibbing by Rich Greenwood, on behalf of the estate of Charles Holderness. Commissioner Raukar, supported by Commissioner Sweeney, moved to table consideration until the March 18, 2003, County Board meeting; seven yeas - zero nays.

Commissioner Fay, supported by Commissioner Sweeney, moved to suspend the rules to consider adoption of a resolution prepared by the Association of Minnesota Counties (AMC) concerning the current state budget situation; seven yeas - zero nays. Administrator Twa said AMC is requesting each county board consider approving the resolution, which seeks to retain funding levels for state mandates and urges the legislature not to institute new, unfunded mandates. The resolution also opposes any policy that would allow county-by-county discretion in eliminating state mandated services.

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

83

Commissioner Fay, supported by Commissioner Nelson, moved to approve the resolution with only Item 2 (urging the legislature to not adopt policies requiring counties to raise taxes to fund new or existing mandates) included in the resolved portion of the resolution. Lengthy discussion ensued. Commissioner Forsman said all five items listed in the final resolved were intertwined and should be included. Commissioner Forsman, supported by Commissioner Raukar, moved to amend the motion to include all five items and also add a statement in the resolution placing blame for the budgetary crisis on not only the national economy but “four years of frivolous State of Minnesota fiscal policy”. Commissioner Nelson asked to withdraw his support of the original motion, but County Attorney Mitchell said the amendment must be settled first before any action is taken on the original motion. Discussion of the amendment then resumed with Commissioner Raukar suggesting substitution of the word “tri partisan” for “frivolous”. Administrator Twa suggested adding sources of the state budget shortfall - tax cuts and school district funding - into the resolution. Commissioner Sweeney recommended tabling the matter for one week to allow time for language revisions. After further discussion, Commissioner Forsman changed his amendment motion to remove the state fiscal policy reference and just include all five items as submitted on the AMC draft resolution. Commissioner Raukar said the current resolution was too generic and he withdrew his support of the amendment. Commissioner Kron then supported Commissioner Forsman’s amendment. The amendment was then approved; five yeas - two nays, Commissioners Nelson and Raukar. The original motion was approved; five yeas - two nays, Commissioners Nelson and Raukar. Resolution No. 150.

Commissioner Fay, supported by Commissioner Sweeney, moved to approve purchase of four vehicles from Monticello Ford, Monticello, MN, on the state contract price. Dick Florey, Director of Purchasing, said he met with Commissioner Nelson to discuss details of the specifications and bids. Dell Bernard, Purchasing Department, explained vehicle prices, sales taxes and delivery charges. Commissioner Nelson expressed satisfaction with results of his meeting with Purchasing, but said he would still not support vehicle purchases from non local bidders. After further discussion, the purchase was approved; six yeas - one nay, Commissioner Nelson. Resolution No. 151.

Commissioner Kron, supported by Commissioner Raukar, moved to go into closed session for labor negotiations at 11:35 A.M.; seven yeas - zero nays.

Commissioner Forsman told the Board about his recent Transportation Alliance meeting and also what was accomplished at the recent NACo Conference in Washington, D.C.

Chair Fink noted that federal payments-in-lieu of taxes will increase and the County should realize about \$100,000 in revenue.

The following Board and Contract Files were created as a result of documents received at this Board meeting:

County Auditor submitting applications for license to sell 3.2 percent malt liquor for the year 2003.--58039

Civil Service Director submitting Personnel Transactions for the year 2003.--58040

Persons regarding the housing of a female siberian tiger in Grand Lake Township.--58041

Linda Berglin, State Senator and Chair of Senate Health, Human Services and Corrections Budget Division, and Yvonne Prettner-Solon, State Senator, relative to two hearings planned for Tuesday, March 18, 2003, on the Governor’s 2004-05 budget proposal to take place in the City Council

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

84

Chambers, Duluth City Hall.–58042

David Twa, County Administrator, submitting an article from the Star Tribune entitled *Pogemiller's Own "Truth or Dare"*.–58043

Purchase of Service Agreement between St. Louis County, through its Board of Commissioners, and Pam Roline for registered/licensed dietician services.–03-243

Purchase of Service Agreement, Contract No. 13501, between the St. Louis County Board of Commissioners and Lutheran Social Services of Minnesota for companion services.–03-244ss

Purchase of Service Agreement, Contract No. 13500, between the St. Louis County Board of Commissioners and Fond du Lac Reservation for families first family-based services.–03-245ss

Agreement for Services between the County of St. Louis, through its Department of Public Health and Long Term Medical Care and the Fond du Lac Reservation Business Committee for services for non-reservation American Indians.–03-246

Purchase of Services between St. Louis County and Ely Community Resource for public service.–03-247ss

Purchase of Services between St. Louis County and First Witness for public service.–03-248ss

Agreement between the City of Floodwood and the County of St. Louis for the Floodwood River Trail, S.P. 69-090-03, C.P. 3592.–03-249

Agreement for Professional Services between the County of St. Louis and Owen Ayres & Associates, Inc., a/k/a Ayres Associates, for a Phase I Environmental Site Assessment for the Morris Thomas and Willow Street Shops and a ten-acre tract of land along Willow Street in Duluth.–03-250

Purchase of Services between St. Louis County and AEOA - Senior Services for public service.–03-251ss

Purchase of Services between St. Louis County and AEOA - Meals on Wheels for public service.–03-252ss

Purchase of Services between St. Louis County and Arrowhead Center for public service.–03-253ss

Purchase of Services between St. Louis County and Range Women's Advocates for public service.–03-254ss

Purchase of Services between St. Louis County and Safe Haven Shelter for Battered Women for public service.–03-255ss

Purchase of Services between St. Louis County and Sexual Assault Program of Northern St. Louis County for public service.–03-256ss

Purchase of Services between St. Louis County and Lake Superior Community Health Center for public service.–03-257ss

Agreement for Reimbursement for Hauling Mixed Solid Waste between St. Louis County and the

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

85

City of Chisholm.–[03-258](#)

Grant Agreement, Contract No. 20541, between the St. Louis County Board of Commissioners and Merritt House for Rule 12/36 grant services.–[03-259ss](#)

Purchase of Service Agreement, Contract No. 13486, between the St. Louis County Board of Commissioners and Homecare Specialists, d/b/a Care-A-Van, for transportation services.–[03-260ss](#)

Grant Agreement, Contract No. 20542, between the St. Louis County Board of Commissioners and Parkside Homes, Incorporated, for Rule 12/36 grant services.–[03-261ss](#)

Grant Agreement, Contract No. 20544, between the St. Louis County Board of Commissioners and Range Mental Health Center for mental health screenings of homeless children.–[03-262ss](#)

Addendum to Purchase Agreement, Contract No. 13396A, between the St. Louis County Board of Commissioners and Winter Homes, Inc., for SLS for adults.–[03-263ss](#)

Addendum to Purchase Agreement, Contract No. 13397A, between the St. Louis County Board of Commissioners and Winter Homes, Inc. - West for SLS for adults.–[03-264ss](#)

Addendum to Purchase Agreement, Contract No. 13306A, between the St. Louis County Board of Commissioners and Covenant Enabling Residences of Minnesota, Inc. - Respite Care Services.–[03-265ss](#)

Addendum to Purchase Agreement, Contract No. 13305A, between the St. Louis County Board of Commissioners and Covenant Enabling Residences of Minnesota, Inc. - In-Home Family Support Services.–[03-266ss](#)

Addendum to Purchase Agreement, Contract No. 13304A, between the St. Louis County Board of Commissioners and Covenant Enabling Residence II of Minnesota, Inc. - Our Place B for SLS for adults.–[03-267ss](#)

Purchase of Service Agreement, Contract No. 13465, between the St. Louis County Board of Commissioners and Range Mental Health Center for targeted case management services.–[03-268ss](#)

Purchase of Service Agreement, Contract No. 13464, between the St. Louis County Board of Commissioners and Human Development Center for targeted case management services.–[03-269ss](#)

Purchase of Service Agreement, Contract No. 13492, between the St. Louis County Board of Commissioners and Fond du Lac Foster Care Licensing and Placement Agency.–[03-270ss](#)

Grant Agreement, Contract No. 20531, between the St. Louis County Board of Commissioners and Lutheran Social Services for SELF Grant (One Program) services.–[03-271ss](#)

Group Residential Housing Rate Agreement between the St. Louis County Board of Commissioners and Diane Owens.–[03-272ss](#)

Group Residential Housing Rate Agreement between the St. Louis County Board of Commissioners and Community Connections of Minnesota, Inc.–[03-273ss](#)

Group Residential Housing Rate Agreement between the St. Louis County Board of Commissioners and TBI Residential & Community Services - Apartment C.–[03-274ss](#)

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

86

Group Residential Housing Rate Agreement between the St. Louis County Board of Commissioners and TBI Residential & Community Services - Apartments A & B.-[03-275ss](#)

Group Residential Housing Rate Agreement between the St. Louis County Board of Commissioners and Greg and Eva Welsh.-[03-276ss](#)

Group Residential Housing Rate Agreement between the St. Louis County Board of Commissioners and Trillium Services, Inc. (Parkwood II).-[03-277ss](#)

Group Residential Housing Rate Agreement between the St. Louis County Board of Commissioners and Trillium Services, Inc. (Hunters Park).-[03-278ss](#)

Medica Health Plans Transportation Agreement with the St. Louis County Board of Commissioners.-[03-279ss](#)

Joint Powers/Mutual Aid Agreement for the Boundary Waters Drug Task Force.-[03-280](#)

Addendum to Purchase Agreement, Contract No. 13303A, between the St. Louis County Board of Commissioners and Covenant Enabling Residence II of Minnesota, Inc., - Our Place A for SLS for adults.-[03-281ss](#)

Addendum to Purchase Agreement, Contract No. 13297A, between the St. Louis County Board of Commissioners and REM Arrowhead, Inc., - Wallace for SLS for adults.-[03-282ss](#)

Addendum to Purchase Agreement, Contract No. 13296A, between the St. Louis County Board of Commissioners and REM Arrowhead, Inc. - Tuhkanen for SLS for adults.-[03-283ss](#)

Addendum to Purchase Agreement, Contract No. 13295A, between the St. Louis County Board of Commissioners and REM Arrowhead, Inc. - Springvale for SLS for adults.-[03-284ss](#)

Addendum to Purchase Agreement, Contract No. 13294A, between the St. Louis County Board of Commissioners and REM Arrowhead, Inc. - Spirit Valley for SLS for adults.-[03-285ss](#)

Addendum to Purchase Agreement, Contract No. 13293A, between the St. Louis County Board of Commissioners and REM Arrowhead, Inc. - Piedmont for SLS for adults.-[03-286ss](#)

Addendum to Purchase Agreement, Contract No. 13292A, between the St. Louis County Board of Commissioners and REM Arrowhead, Inc. - Nuvo for SLS for adults.-[03-287ss](#)

Addendum to Purchase Agreement, Contract No. 13290A, between the St. Louis County Board of Commissioners and REM Arrowhead, Inc. - London Road for SLS for adults.-[03-288ss](#)

Addendum to Purchase Agreement, Contract No. 13289A, between the St. Louis County Board of Commissioners and REM Arrowhead, Inc. - Lakeview for SLS for adults.-[03-289ss](#)

Addendum to Purchase Agreement, Contract No. 13288A, between the St. Louis County Board of Commissioners and REM Arrowhead, Inc. - Kenwood for SLS for adults.-[03-290ss](#)

Addendum to Purchase Agreement, Contract No. 13287A, between the St. Louis County Board of Commissioners and REM Arrowhead, Inc. - K & D for SLS for adults.-[03-291ss](#)

Addendum to Purchase Agreement, Contract No. 13286A, between the St. Louis County Board of

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

87

Commissioners and REM Arrowhead, Inc. - Greysolon for SLS for adults.–[03-292ss](#)

Grant Agreement, Contract No. 20540, between the St. Louis County Board of Commissioners and Makalu, Inc., d/b/a Fresh Start, for Rule 12/36 grant services.–[03-293ss](#)

Addendum to Purchase Agreement, Contract No. 13285A, between the St. Louis County Board of Commissioners and REM Arrowhead, Inc. - Endion Park for SLS for adults.–[03-294ss](#)

Addendum to Purchase Agreement, Contract No. 13284A, between the St. Louis County Board of Commissioners and REM Arrowhead, Inc. - Chester Park for SLS for adults.–[03-295ss](#)

Addendum to Purchase Agreement, Contract No. 13283A, between the St. Louis County Board of Commissioners and REM Arrowhead, Inc. - Birchwood for SLS for adults.–[03-296ss](#)

Purchase of Service Agreement, Contract No. 13474, between the St. Louis County Board of Commissioners and Woodhill Homes, Inc., for adult foster care services.–[03-297ss](#)

Purchase of Service Agreement, Contract No. 13503, between the St. Louis County Board of Commissioners and Access to Employment Too, Inc. (MA MR/RC Waiver Supported Employment and Transportation - Extended).–[03-298ss](#)

Purchase of Service Agreement, Contract No. 13506, between the St. Louis County Board of Commissioners and Trillium Services, Inc. - Hunters Park for SLS for adults.–[03-299ss](#)

Purchase of Service Agreement, Contract No. 13509, between the St. Louis County Board of Commissioners and Trillium Services, Inc. - Parkwood II for SLS for adults.–[03-300ss](#)

Homes Plus Agreement between the St. Louis County Social Services Department and Greg and Eva Welsh.–[03-301ss](#)

Grant Agreement, Contract No. 20539, between the St. Louis County Board of Commissioners and Arrowhead House for Rule 12/36 grant services.–[03-302ss](#)

Addendum to Purchase Agreement, Contract No. 13172B, between the St. Louis County Board of Commissioners and Community Connection of Minnesota, Inc., for adult foster care.–[03-303ss](#)

Addendum to Purchase Agreement, Contract No. 13172C, between the St. Louis County Board of Commissioners and Community Connection of Minnesota, Inc., for adult foster care.–[03-304ss](#)

Addendum to Purchase Agreement, Contract No. 13123A, between the St. Louis County Board of Commissioners and Range Development Company of Chisholm, Inc., for assisted living plus.–[03-305ss](#)

Addendum to Purchase Agreement, Contract No. 13456A, between the St. Louis County Board of Commissioners and Personal Staff Senior Care, Inc., for home care.–[03-306ss](#)

Addendum to Purchase Agreement, Contract No. 13246C, between the St. Louis County Board of Commissioners and St. Francis Health Services of Morris, d/b/a Home Care Service Options of Duluth.–[03-307ss](#)

Addendum to Purchase Agreement, Contract No. 13156B, between the St. Louis County Board of Commissioners and Range Respite.–[03-308ss](#)

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

88

Addendum to Purchase Agreement, Contract No. 13191B, between the St. Louis County Board of Commissioners and Interim Health Care of Lake Superior.–[03-309ss](#)

Addendum to Purchase Agreement, Contract No. 13111C, between the St. Louis County Board of Commissioners and TBI Residential and Community Services, Inc.–[03-310ss](#)

Addendum to Purchase Agreement, Contract No. 13110D, between the St. Louis County Board of Commissioners and TBI Residential and Community Services, Inc.–[03-311ss](#)

Addendum to Purchase Agreement, Contract No. 13111D, between the St. Louis County Board of Commissioners and TBI Residential and Community Services, Inc.–[03-312ss](#)

Homes Plus Agreement between the St. Louis County Board of Commissioners and Diane Owens for adult foster care/respite care.–[03-313ss](#)

Home Investment Partnership Program CHDO Grant Agreement between St. Louis County and Arrowhead Economic Opportunity Agency for CHDO Operating.–[03-314](#)

Home Investment Partnership Program CHDO Grant Agreement between St. Louis County and Arrowhead Economic Opportunity Agency for CHDO Set Aside Activities.–[03-315](#)

Home Investment Partnership Program Subrecipient Grant Agreement between St. Louis County and Arrowhead Economic Opportunity Agency for home ownership - single family.–[03-316](#)

Purchase of Service Agreement, Contract No. 13499, between the St. Louis County Board of Commissioners and Bois Forte Reservation for family-based services.–[03-317ss](#)

Purchase of Service Agreement between the St. Louis County Board of Commissioners and Laurie Arndt for registered/licensed dietician services.–[03-318](#)

Addendum III to Agreement for Medical Examiner Services between the County of St. Louis and Lakeland Pathology, P.A.–[03-319](#)

White Pine Grant Agreement between the State of Minnesota, through its Department of Natural Resources - Division of Forestry, and St. Louis County.–[03-320](#)

Purchase of Service Agreement, Contract No. 13493, between the St. Louis County Board of Commissioners and the Center for Alcohol and Drug Treatment for sub-acute detox services.–[03-321ss](#)

Purchase of Service Agreement, Contract No. 13494, between the St. Louis County Board of Commissioners and the Range Mental Health Center for sub-acute detox services.–[03-322ss](#)

Consolidated Chemical Dependency Treatment Fund Purchase of Service Agreement, Contract No. 13467, between the St. Louis County Board of Commissioners and Center for Alcohol and Drug Treatment for chemical dependency treatment services.–[03-323ss](#)

Purchase of Services Agreement between St. Louis County and Indian Legal Assistance Program for public service.–[03-324](#)

Agreement for Professional Services between the County of St. Louis and MacNeil Environmental, Inc., for Duluth Courthouse Coffee Shop Asbestos Abatement.–[03-325](#)

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

Agreement for Professional Services between the County of St. Louis and Owen Ayres & Associates, Inc., a/k/a Ayres Associates, for Chris Jensen Storm Water Drainage Project.—03-326

Upon motion of Commissioner Kron, supported by Commissioner Raukar, Resolutions No. 143 through 149, as submitted to this Board on the Consent Agenda were unanimously adopted as follows:

**BY COMMISSIONER KRON:**

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of February 18, 2003, are hereby approved.  
Adopted March 11, 2003. No. 143

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of February 25, 2003, are hereby approved.  
Adopted March 11, 2003. No. 144

RESOLVED, that the recommendations of the Finance Committee for payment of claims and bills against the County of St. Louis, on file in the office of the County Auditor, identified as County Board File No. 57999, are hereby approved and the County Auditor shall issue checks in the following amounts:

<u>FUND</u>		<u>TOTAL</u>
T11	MN Trail Assistance	\$ 12,126.21
T21	Beer License	10.00
T27	Refunds	72,217.69
T49	Taconite Production Tax	1,935,514.00
T74	Employer/Employee Deductions	714,540.35
T75	Savings Bonds	131.25
T77	Cancelled Checks	150.00
T80	Lake Superior - Forfeiture	2,245.19
T83	Sheriff Fine Contingency	2,380.00
T85	Sheriff's State Forfeitures	928.84
01	General Fund	756,867.30
02	Public Works	438,848.01
04	Social Services	2,448,749.51
08	County Facilities - Capital Proj.	16,981.90
08B	Road & Bridge Building Const.	105.12
08M	Court Admin. Filing System	4,912.97
08Q	Duluth Courts Remodeling	36,790.65
10B	Emer. Shelt. 99/00 Funds	8,440.90
11A	Home Grant - All Years	339.28
12B	CDBG Grant	44,438.27
127	Enhanced 9-1-1 Fund	5,728.15
128	Law Library	3,092.25
13	St. Louis County HRA	270.57
131	Extension Service	3,438.12
15	Forfeited Tax	36,227.15
16	Forest Resources	2,257.50
26	Solid Waste Authorities	145,613.94
37O	Jail Refunding Bonds 2002B	81.25
49	Postage/Office Supplies	1,510.44
50	Printing	23,589.68

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

90

51	County Garage	21,941.87
52A	Property, Casualty, Liability	316.00
52B	Workers Compensation	99,354.83
52D	Medical/Dental Self Insurance	1,379.07
53	Management Information Systems	102,916.38
54	Regional Railroad Authority	17,181.45
55	Telecommunications	35,950.84
57	Retired Employees Health Insurance	2,873.53
64A	Chris Jensen Health & Rehab.	277,021.21
64B	Nopeming Care Center	126.37
65	Laundry	37,402.14
66	Community Food Services	21,402.32
67	Supervised Living Facilities	5,160.16
73	Arrowhead Regional Corrections	232,724.72
74	Community Health Services	<u>189,549.01</u>
		\$7,763,826.39

Adopted March 11, 2003. No. 145

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, as set forth by the County Attorney, dated February 21, 2003, on file in the office of the County Auditor, identified as County Board File No. 57995, is hereby received and ratified as payable from Fund 52, Department 12.

Adopted March 11, 2003. No. 146

RESOLVED, that the appraisal report for sale of timber, numbered Tract 1, as submitted by the Land Commissioner, on file in the office of the County Auditor, identified as County Board File No. 58000, is approved and the County Auditor is authorized to carry out the recommendations as listed in said appraisal report.

Adopted March 11, 2003. No. 147

RESOLVED, that the application for a Temporary On-Sale 3.2 Percent Malt Liquor License, on file in the office of the County Auditor, identified as County Board File No. 58039, is hereby approved and the County Auditor is authorized to issue the license to the applicant:

Industrial Volunteer Fire Department, Industrial Township, Temporary On-Sale 3.2 Percent Malt Liquor License No. T037, for May 3, 2003.

Adopted March 11, 2003. No. 148

RESOLVED, that pursuant to the provisions of Minnesota Statutes, Section 340A, as amended, and Rules and Regulations adopted by this Board under St. Louis County Ordinance No. 28, dated May 22, 1978, as amended, the following applications for permits authorizing the consumption and display of intoxicating liquor are hereby approved, on file in the office of the County Auditor, identified as County Board File No. 58033:

Every Buddy's Tavern, Inc., d/b/a Every Buddy's Tavern, Inc., Cherry Township, Permit No. S042;

Hellman's Store, Inc., d/b/a Hellman's Store, Inc., Ault Township, Permit No. S044;

Michael James Grubb, d/b/a Hitching Post, Gnesen Township, Permit No. S046;

Barbara Jean Boisjolie, d/b/a Jerry's Place, Unorganized Township 63-19, Permit No. S047;

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

91

James Oluf Saugestad, d/b/a Melrude Pub, Ellsburg Township, Permit No. S0413;

Florence Mae Kacer, d/b/a Sanitary Harry's, Kelsey Township, Permit No. S0410;

Vernon James Skoglund, d/b/a Silver Fox Lodge, Gnesen Township, Permit No. S0411.  
Adopted March 11, 2003. No. 149

Upon motion of Commissioner Fay, supported by Commissioner Sweeney, the rules were suspended to adopt Resolution No. 150 which was not on the agenda.

**BY COMMISSIONER FAY:**

WHEREAS, the St. Louis County Board of Commissioners recognizes that, due in large part to the national economy, there is a significant reduction in state revenues creating a budget shortfall for the current biennium but also for at least the next two-year budget cycle; and

WHEREAS, the St. Louis County Board recognizes that every level of government, the employees of those levels of government, the citizens of the State of Minnesota and even visitors to the state must be active participants in efforts to balance the state budget; and

WHEREAS, the St. Louis County Board also recognizes that certain programs and services provide benefits to the entire state, help solve problems that are not local in nature, that are not unique to an individual county or that, as a matter of sound public policy, demand consistent and uniform state-wide support; and

WHEREAS, the St. Louis County Board further recognizes that there is great benefit to the State of Minnesota and its citizens in providing mandated services equitably throughout the state and within each county in the state; and

WHEREAS, the St. Louis County Board is prepared to make difficult decisions to assist in this effort to balance the state budget but that the county offers many services to citizens as a participant in providing legislative priorities and state mandates and that these mandates dictate many of the County's spending decisions;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners urges the Minnesota State Legislature and the State Administration to:

1. Maintain the current level of financial participation for the provision of services or programs that counties are mandated to provide on behalf of the state;
2. Neither legislate nor adopt policies that mandate or otherwise require county governments to raise property taxes or institute other taxes in order to create, maintain, or expand mandated programs or services for which adequate state funding is not provided;
3. Eliminate legislative or administrative directives to county governments to provide certain services and programs in those instances where state financial participation is currently or becomes inadequate, diminished or eliminated;
4. Expand state financial participation in those county-delivered, state-mandated services and programs that have state-wide significance and value (such as community corrections and related public service programs, uncompensated medical care, community-based mental health programs, or out-of-home placement services) but are under-funded by the state or funded at a level that does not recognize their state-wide importance; and
5. Neither legislate nor adopt any policies that allow discretionary elimination of state-mandated services on a county-by-county basis.

Yeas - Commissioners Fay, Kron, Forsman, Nelson, and Chair Fink - 5

Nays - Commissioners Sweeney and Raukar - 2

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

92

Adopted March 11, 2003. No. 150

**BY COMMISSIONER FAY:**

WHEREAS, the Purchasing Department obtained bids for 2003 model year vehicles; and  
WHEREAS, the County's bid results were compared to the State of Minnesota 2003 model year vehicle contracts; and  
WHEREAS, the Purchasing Department is a member of the Cooperative Purchasing Venture with the State of Minnesota and may use the State of Minnesota's contracts;  
NOW, THEREFORE, BE IT RESOLVED, that the Director of Purchasing is hereby authorized to purchase, in accordance with Bid No. 4352 and the State of Minnesota Contract, 2003 vehicles as follows:

- 7.0 Three (3) 6400 GVWR, full size, extended cab, 4-wheel drive, pickup trucks with 6 1/2 ft. box, from Monticello Ford of Monticello, MN, at their State of Minnesota Contract price of \$18,560.00 each for a total of \$55,680.00, plus 6.5 percent state sales tax of \$1,206.40 per unit, and delivery charge to Virginia of \$67.20 per unit, for a total purchase price of \$59,500.80, payable from Fund 15 (Forfeited Tax - Virginia), Agency E21 (Land Administration), Object Code 662 (Pickups/Vans).
- 7.1 One (1) 6400 GVWR, full size, extended cab, 4-wheel drive, pickup truck with 6 1/2 ft. box, from Monticello Ford of Monticello, MN, at their State of Minnesota Contract price of \$18,560.00 each for a total of \$18,560.00, plus 6.5 percent state sales tax of \$1,206.40 per unit, and delivery charge to Virginia of \$67.20 per unit, for a total purchase price of \$19,833.60, payable from Fund 26 (Solid Waste), Agency J32 (Administration), Object Code 662 (Pickups/Vans).

Yeas - Commissioners Fay, Kron, Forsman, Sweeney, Raukar, and Chair Fink - 6

Nays - Commissioner Nelson - 1

Adopted March 11, 2003. No. 151

At 11:40 A.M. on Tuesday, March 11, 2003, upon motion of Commissioner Kron, supported by Commissioner Fay, the Board of County Commissioners adjourned.

Dennis Fink, Chair of the Board  
of County Commissioners

Attest:

Gordon D. McFaul, County Auditor  
and Ex-Officio Clerk of the Board  
of County Commissioners

(Seal of the County Auditor)

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

93

**OFFICIAL PROCEEDINGS OF THE MEETING  
OF THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF ST. LOUIS, MINNESOTA,  
HELD ON MARCH 18, 2003**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 18th day of March, 2003, at 9:33 A.M. in the County Board Room, Courthouse, Duluth, Minnesota. The meeting was called to order by the Chair with the following members present: Commissioners Joanne Fay, Bill Kron, Mike Forsman, Peg Sweeney, Keith Nelson, Steve Raukar, and Chair Dennis Fink - 7. Absent: None.

Chair Fink began the meeting by noting that members of the State Senate Health and Human Services Committee would be holding a meeting that afternoon in Duluth City Hall. Chair Fink also shared some County historical trivia with the Board.

Chair Fink then opened the meeting to citizens who wanted to address the Board concerning issues not on the agenda, but no one chose to do so.

Commissioner Fay moved to approve repurchase of tax forfeited land located in the City of Hibbing by Rich Greenwood, on behalf of the estate of Charles Holderness. At the request of Commissioner Raukar, Commissioner Fay withdrew her motion. Commissioner Raukar, supported by Commissioner Sweeney, moved to withdraw the item from the agenda; seven yeas - zero nays.

Commissioner Fay, supported by Commissioner Sweeney, moved to approve purchase of six vehicles from various vendors in accordance with Bid No. 4352 and the State of Minnesota contract. Dick Florey, Director of Purchasing, said his department recommends approval of the purchases, adding that questions about bid specifications should be directed to Dell Bernard of the Purchasing Department. Commissioner Nelson said he would support these purchases because the Sheriff needed the vehicles, but noted that he was still not satisfied with the process. After further discussion, the motion was approved; seven yeas - zero nays. Resolution No. 175.

Commissioner Kron, supported by Commissioner Sweeney, moved to approve settlement of \$30,000 in claims against St. Louis County resulting from a SWAT team training exercise in Grand Rapids, MN, in 1999; seven yeas - zero nays. Resolution No. 176.

The following Board and Contract Files were created as a result of documents received at this Board meeting:

Darold E. Persson, Matonich & Persson, Chartered, submitting Summons and Complaint in the matter of Martha C. Sturgis and William Sturgis versus St. Louis County, Minnesota.-58044

Melanie Ford, Duluth, relative to the Board of Directors of the St. Louis County Heritage and Arts Center filing a Petition for Voluntary Supervised Dissolution and Appointment of a Receiver in the St. Louis County District Court.-58045

Robert M. Kaner, Duluth, submitting Amended Summons and Second Amended Complaint in the matter of Marlienna Welsh and Peter Welsh versus City of Meadowlands and St. Louis County, Minnesota.-58046

Highway Engineer submitting award of bids for county construction projects for the year 2003.-58047

Planning Director submitting various plats for approval during 2003.-58048

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

94

Amendment No. 1 to Lease Agreement No. 11257 between the County of St. Louis and the State of Minnesota, Department of Administration on behalf of the Department of Agriculture, for 871 square feet on the sixth floor of the Duluth Government Services Center, 320 West Second Street, Duluth.–[03-327](#)

Amendment No. 1 to Lease Agreement No. 11263 between the County of St. Louis and the State of Minnesota, Department of Administration on behalf of the Department of Economic Security, for 13,279 square feet on the second floor and lower level of the Duluth Government Services Center, 320 West Second Street, Duluth.–[03-328](#)

Addendum to Purchase Agreement, Contract No. 13156A, between the St. Louis County Board of Commissioners and Range Respite.–[03-329ss](#)

Agreement between the City of Duluth and the County of St. Louis for improvements to that portion of C-SAH 17 (Stebner Road) located between T.H. 53 and County Road No. 296 (Airport Approach Road).–[03-330](#)

Agreement for Respite Services between the County of St. Louis, through its Department of Public Health, and the Virginia Regional Medical Center for Community Alternative Care clients.–[03-331](#)

Supply Contract, Contract No. 4324, between the County of St. Louis and H & L Mesabi, Inc., for grader blades, cutting edges and related items.–[03-332](#)

Employee Safety and Development Training Contract between St. Louis County and Susan Mattis Turnham for computer training - Introduction to Excel in Duluth.–[03-333](#)

Employee Safety and Development Training Contract between St. Louis County and Susan Mattis Turnham for second quarter computer training in Mountain Iron.–[03-334](#)

Employee Safety and Development Training Contract between St. Louis County and Susan Mattis Turnham for second quarter computer training in Duluth.–[03-335](#)

Addendum III to Agreement between St. Louis County Sheriff, Arrowhead Regional Corrections, and the City of Duluth Police Department for fingerprint identification.–[03-336](#)

Agreement between the County of St. Louis and Steven C. Fecker for labor negotiation services for year 2004 and 2005 labor contracts.–[03-337](#)

Sheriff's Supervisory Association Bargaining Agreement for years 2002/2003.–[03-338](#)

Post Retirement Health Care Savings Policy for employees of the Sheriff's Supervisory Association.–[03-339](#)

Upon motion of Commissioner Fay, supported by Commissioner Sweeney, Resolutions No. 152 through 174, as submitted to this Board on the Consent Agenda were unanimously adopted as follows:

**BY COMMISSIONER FAY:**

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, as set forth by the County Attorney, dated March 7, 2003, on file in the office of the County Auditor, identified as County Board File No. 57995, is hereby received and ratified as payable from Fund 52, Department 12.

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

95

Adopted March 18, 2003. No. 152

RESOLVED, that pursuant to the provisions of Minnesota Statutes, Section 340A, as amended, and Rules and Regulations adopted by this Board under St. Louis County Ordinance No. 28, dated May 22, 1978, as amended, the following application for an intoxicating liquor license is hereby approved, on file in the office of the County Auditor, identified as County Board File No. 58004;  
FURTHER RESOLVED, that said license is approved contingent upon licenseholder paying real estate or personal property taxes when due and submission of proof of liquor liability insurance;  
FURTHER RESOLVED, that if named licenseholder sells their licensed place of business, the County Board, at its discretion, may, after an investigation, transfer the license to a new owner, but without pro-rated refund of the license fees to the licenseholder;  
FURTHER RESOLVED, that said license shall be effective through June 30, 2003:  
Trails Echo Lake, LLC, d/b/a Trails End Resort, Portage Township, On-Sale Intoxicating Liquor License No. CMB0372 and Sunday On-Sale Intoxicating Liquor License No. SUN0372.

Adopted March 18, 2003. No. 153

RESOLVED, that the St. Louis County Board of Commissioners authorizes the Chairperson of the Board, County Auditor, and Health Director to sign the agreements with Barbara Kutsi, Lisa Brekke, Barbara Kaas, Christy Martin, Deborah Rosengren, Sieglinde Wanda Strandberg and Natasha Tassone to provide professional nursing services to Community Alternative Care Client No. 19.

Adopted March 18, 2003. No. 154

RESOLVED, that the St. Louis County Board of Commissioners authorizes the Chairperson of the Board, County Auditor, and Health Director to sign the agreement with Jo Ann Higgins to provide professional nursing services to Community Alternative Care Client No. 06.

Adopted March 18, 2003. No. 155

WHEREAS, the St. Louis County Land Department budgeted for the replacement of one motor grader;  
and

WHEREAS, the Purchasing Department issued Bid No. 4354 with specifications provided by the Land Department; and

WHEREAS, Ziegler, Inc., of Minneapolis, Minnesota, submitted the bid of \$158,952.00, plus \$10,331.88 Minnesota state sales tax, for a total of \$169,283.88, best meeting the Department's needs.  
NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners authorizes the Director of Purchasing to issue a purchase order for the purchase of one motor grader to Ziegler, Inc., with trade-in unit as bid. Funding for this purchase is payable from Fund 15, Agency E21, Object 664.

Adopted March 18, 2003. No. 156

WHEREAS, the St. Louis County Planning Commission, on November 8, 2001, granted preliminary plat approval to Pine View Estates; and

WHEREAS, the final prints have been submitted and conform with the requirements set forth by the Planning Commission. The County Attorney and County Surveyor have approved the plat.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners grants final approval to Pine View Estates located in the Town of Morse.

Adopted March 18, 2003. No. 157

RESOLVED, that the County of St. Louis enter into Agreement No. 83203R under State Project No. 6916-86, State Project No. 118-199-01, Federal Aid Project No. STPX 6908 (133), State Project No. 69-617-004, with the State of Minnesota, Department of Transportation, City of Hermantown, and the City of Duluth for removing and installing a new Traffic Control Signal with street lighting and signing, and construct intersection improvements on Trunk Highway No. 53/Trunk Highway No. 194 (Miller Trunk Highway) at County-State Aid Highway No. 17 (Stebner Road) - in accordance with the terms and

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

96

conditions set forth and contained in Agreement No. 83203R. This agreement requires that the County pay for its share of the cost of materials estimated at \$4,750.00 (25 percent of \$19,000.00), payable from Fund 08A, Agency 525, Object 527.

FURTHER RESOLVED, that the appropriate County officials are authorized to execute such agreement and any amendments, and thereby assume for and on behalf of the County all of the obligations contained herein.

Adopted March 18, 2003. No. 158

RESOLVED, that the appropriate County officials are hereby authorized to enter into an agreement with the City of Virginia for installing new traffic control signals at the intersection of C-SAH 103 (9th Ave. W.) and 4th Street North in Virginia, MN. As detailed in the road construction project known as State Project No. 69-703-11, County Project No. 9218. This agreement requires that the City of Virginia contribute its estimated local share (75 percent of \$25,000.00) or \$18,750.00 for the project. The County share (25 percent of \$25,000.00) or \$6,250.00 will be funded from Fund 08A, Agency 525, Object 527. Adopted March 18, 2003. No. 159

BE IT RESOLVED, the St. Louis County Board of Commissioners authorizes the Purchasing Director to purchase Duncan Parking Meter Mechanisms, Housings, and Coin Collection Cart from aQity, Incorporated, of Harrison, Arkansas, for the St. Louis County Third Street Parking Ramp located in downtown Duluth for the amount of \$47,410.00, plus 6.5 percent Minnesota use tax of \$3,081.65, for a grand total of \$50,491.65 from Fund 01, Agency 081, Org. 083.

Adopted March 18, 2003. No. 160

WHEREAS, St. Louis County is preparing to enter into labor negotiations with bargaining units for their labor contracts for the years 2004 - 2005; and

WHEREAS, St. Louis County has previously utilized the services of Steven C. Fecker for labor negotiations; and

WHEREAS, Mr. Fecker has valuable knowledge and experience from previous negotiations that will assist the County in resolution of its labor contracts.

NOW, THEREFORE, BE IT RESOLVED, that the necessary County officials are authorized to execute an agreement with Steven C. Fecker to act as the labor negotiator for St. Louis County, effective January 1, 2003 - December 31, 2004, for the years 2004 and 2005 labor contracts at an hourly fee of \$140.00, said agreement contained in Contract File No. 03-337, payable from Fund (01), Labor Relations (018), Professional Services (299).

Adopted March 18, 2003. No. 161

RESOLVED, that the appropriate County officials are hereby authorized to execute an agreement on behalf of St. Louis County with the Arrowhead Interfaith Council for 2003 chaplaincy services at the County Jail, Northeast Regional Corrections Center (NERCC), and Arrowhead Juvenile Center (AJC). Said contract for the amount of \$13,240.00 payable from Fund 01 (General), Agency 101 (Jail Prisoners), Object 299; and \$24,924.00 payable from Fund 73 (ARC), Agency 15 (Arrowhead Council of Churches), Object 299.

Adopted March 18, 2003. No. 162

RESOLVED, that the St. Louis County Board of Commissioners hereby authorizes the Sheriff to sign the grant agreement with the State of Minnesota, Department of Public Safety, State Patrol Division, for the program entitled "Operation NightCAP".

RESOLVED FURTHER, that the Board authorizes the acceptance of the grant in the approximate amount of \$800.00, payable to the Sheriff's Office Law Enforcement Budget, Fund 01, Agency 091, Object 103.

Adopted March 18, 2003. No. 163

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

97

RESOLVED, that the St. Louis County Board authorizes the acceptance of the year 2003 Boat and Water Safety Grant in the amount of \$87,587 from the State of Minnesota, Department of Natural Resources, payable to the General Fund 01, Boat and Water Safety, 092.

RESOLVED FURTHER, that the necessary County officials are hereby authorized to sign the grant agreement.

Adopted March 18, 2003. No. 164

RESOLVED, that the St. Louis County Board authorizes the Sheriff's Office to apply for the 2002 State Domestic Preparedness Equipment Grant of up to \$30,888.

Adopted March 18, 2003. No. 165

RESOLVED, that the St. Louis County Board authorizes the Sheriff's Office to apply for the 2002 Federal Domestic Preparedness Equipment Grant of up to \$49,012.

Adopted March 18, 2003. No. 166

RESOLVED, that the St. Louis County Board authorizes the Sheriff's Office to apply for the 2002 State Weapons of Mass Destruction Training Grant of up to \$73,496.

Adopted March 18, 2003. No. 167

WHEREAS, bids have been received by the County Auditor for the following project:

S.A.P. 69-090-03, Minnesota Project No. TEAX 6902(118), County Project No. 3592, Floodwood, from Pine Street/First Avenue to T.H. 73, Length: 0.871 miles. Project to consist of Bridge, Grading, Aggregate Base, and Bituminous Trail Construction;

WHEREAS, said bids or proposals were duly opened in the County Board Room at 10:00 A.M., March 10, 2003, and this Board has, with the County Highway Engineer, determined the lowest bidder of said project for which proposals were invited and submitted; and

WHEREAS, the lowest bid of \$450,762.62 is 65 percent over the engineer's estimate; and

BE IT RESOLVED, that in the judgment of this Board it is for the best interest of St. Louis County and the City of Floodwood that the bids be rejected and the project be re-let at a later date.

Adopted March 18, 2003. No. 168

RESOLVED, that the St. Louis County Board hereby appoints Marcus Hall as the Public Works Director/County Highway Engineer for the time period commencing May 6, 2003, and terminating May, 2007.

RESOLVED FURTHER, that Marcus Hall shall be compensated at the biweekly rate of \$3,656.59 (U31/Step D on the 2003 Management Compensation Plan) with all other benefits as provided in the St. Louis County Management Compensation Plan.

Adopted March 18, 2003. No. 169

WHEREAS, on February 18, 2003, Governor Pawlenty released his budget proposals for the State of Minnesota which will result in deep cuts in funding to St. Louis County, including reduction of state aid to St. Louis County of \$3,365,503 for 2003, and an additional \$5,947,185 for 2004 and cuts funding to programs in Social Services, Public Health, Community Corrections and other departments totaling more than \$4 million; and

WHEREAS, the State also proposes to shift costs to the County through new fees and costs, such as requiring counties to house, in the County Jail, state prisoners who have less than 6 months to serve at state institutions which will result in additional costs to St. Louis County of between \$375,000 and \$600,000; and

WHEREAS, the total costs of these proposals by the State of Minnesota will result in more than a \$14 million reduction in the St. Louis County budgets over the next two years that will require cuts in services to the public and reduction in staffing levels; and

WHEREAS, the County Board wishes to prevent as many layoffs as possible, therefore, it is necessary

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

98

to continue the hiring freeze indefinitely.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners hereby institutes a hiring freeze effective immediately for all positions that become vacant in 2003, unless hiring for the position is approved by the County Administrator. The hiring freeze shall remain in effect until such time as the County Board determines that adequate funds exist to fill positions that have become vacant. This freeze shall not apply to those positions where the appointing authority is an elected official.

RESOLVED FURTHER, the Board requests that elected officials institute a similar freeze or to not replace positions until after consultation with the County Administrator.

Adopted March 18, 2003. No. 170

RESOLVED, that the 2002/2003 Sheriff's Supervisory Association Bargaining Agreement, a copy of which is on file in Contract File No. 03-338, is hereby approved and the appropriate County officials are authorized to execute said contract.

Adopted March 18, 2003. No. 171

WHEREAS, it is the intent of the St. Louis County Board to adopt a policy for implementation of a Post Retirement Health Care Savings Plan for employees of the Sheriff's Supervisory Association;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board hereby adopts the Post Retirement Health Care Savings Policy for employees of the Sheriff's Supervisory Association, a copy of which is on file in Contract File No. 03-339, effective April 12, 2003.

Adopted March 18, 2003. No. 172

RESOLVED, that pursuant to St. Louis County Ordinance No. 51, the application for license to sell tobacco products, at retail, on file in the office of the County Auditor, identified as County Board File No. 57994, is hereby approved and the County Auditor is authorized to issue the license as follows;

RESOLVED FURTHER, that if named licenseholder sells their licensed business, the County Board, at its discretion, may, after an investigation, transfer the license to a new owner, but without pro-rated refund to the licenseholder:

David & Wanda Cullen, d/b/a Bull Moose Crossing, Sturgeon Township, Tobacco Products License No. T03179.

Adopted March 18, 2003. No. 173

RESOLVED, that pursuant to the recommendations of the Tax Committee, the applications of the following named persons and firms for reduction and correction of assessed valuations and taxes in the following amounts plus on those abatements of penalty and interest, any additional accrual to the date of this resolution, on file in the office of the County Auditor, identified as County Board File No. 58013, are hereby approved:

Real Estate - ATI Title Co., \$36.78; Kathleen Dethloff, \$567.70; Clyde Johnson, \$68.46; Michael Marchand, \$1.38; Jason Seliskar, \$203.62; William Talbott, \$257.00; Barbara Wienke, \$1.40.

Personal Property - Clyde Johnson, \$56.48; Shane Norris, \$162.68; Jodi Schafer, \$70.42.

Adopted March 18, 2003. No. 174

**BY COMMISSIONER FAY:**

WHEREAS, the Purchasing Department obtained bids for 2003 model year vehicles; and

WHEREAS, the County's bid results were compared to the State of Minnesota 2003 model year vehicle contracts; and

WHEREAS, the Purchasing Department is a member of the Cooperative Purchasing Venture with the State of Minnesota and may use the State of Minnesota's contracts;

NOW, THEREFORE, BE IT RESOLVED, that the Director of Purchasing is hereby authorized to purchase, in accordance with Bid No. 4352 and the State of Minnesota Contract, 2003 vehicles as

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

99

follows:

- 10.0 One (1) 6500 GVWR, full size, 4-wheel drive, sport utility vehicle, from Lundgren Motors, Inc., of Eveleth, MN, at their low specification bid price of \$25,391.36 each for a total of \$25,391.36, plus 6.5 percent state sales tax of \$1,650.44 per unit, and no delivery charge to Virginia, for a total purchase price of \$27,041.80, payable from Fund 15 (Forfeited Tax - Virginia), Agency E21 (Land Administration), Object Code 662 (Pickups/Vans).
- 11.0 Three (3) 6500 GVWR, full size, 4-wheel drive, sport utility vehicle with special service package, from Hinckley Chevrolet of Hinckley, MN, at their State of Minnesota Contract price of \$28,500.40 each for a total of \$85,501.20 (this vehicle is not subject to state sales tax), and delivery charge to Duluth of \$74.00 per unit, for a total purchase price of \$85,723.20, payable from Fund 01 (General), Agency 091 (Sheriff), Object Code 662 (Pickups/Vans).
- 12.0 One (1) 8600 GVWR, full size, 4-wheel drive, sport utility vehicle, from Mike Motors of Ely, MN, at their low specification bid price of \$30,281.00 each for a total of \$30,281.00, plus 6.5 percent state sales tax of \$1,968.27 per unit, and delivery charge to Duluth of \$40.00 per unit, for a total purchase price of \$32,289.27, payable from Fund 01 (General), Agency 095 (Rescue Squad), Object Code 662 (Pickups/Vans).
- 13.0 One (1) Compact 7 passenger extended van, from Owatonna Motor Company of Owatonna, MN, at their State of Minnesota Contract price of \$19,618.00 each for a total of \$19,618.00, plus 6.5 percent state sales tax of \$1,275.17 per unit, and delivery charge to Duluth of \$162.00 per unit, for a total purchase price of \$21,055.17, payable from Fund 01 (General), Agency 101 (Jail), Object Code 662 (Pickups/Vans).

Unanimously adopted. March 18, 2003. No. 175

**BY COMMISSIONER KRON:**

WHEREAS, on July 14, 1999, the St. Louis County Sheriff's Department ERT Team participated in a SWAT training scenario at the Grand Rapids High School modeled after the April 1999 Columbine incident; and

WHEREAS, Ellen Schafroth, Beverly Wilson, Nikki Miskovich, Robert Zuehlke, Jr., and David Wilson initiated a claim against Grand Rapids, St. Louis County and St. Louis County officers alleging a violation of their civil rights occurred as a result of this training; and

WHEREAS, all plaintiffs have agreed to settle this matter and release Grand Rapids and St. Louis County and its officers from any and all liability.

NOW, THEREFORE, BE IT RESOLVED, that upon receipt of all necessary releases approved by the County Attorney, St. Louis County agrees to pay to plaintiffs through their attorney the amount of \$30,000 as a full, final and complete settlement of any and all claims arising out of the July 14, 1999, event, to be paid from Fund No. 52A, Agency P11.

Unanimously adopted. March 18, 2003. No. 176

At 9:44 A.M. on Tuesday, March 18, 2003, upon motion of Commissioner Sweeney, supported by Commissioner Raukar, the Board of County Commissioners adjourned.

Dennis Fink, Chair of the Board  
of County Commissioners

Attest:  
Gordon D. McFaul, County Auditor

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

100

and Ex-Officio Clerk of the Board  
of County Commissioners

(Seal of the County Auditor)

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

101

**OFFICIAL PROCEEDINGS OF THE MEETING  
OF THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF ST. LOUIS, MINNESOTA,  
HELD ON MARCH 25, 2003**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 25th day of March, 2003, at 9:32 A.M. in Room No. 24, Government Services Building, Ely, Minnesota. The meeting was called to order by the Chair with the following members present: Commissioners Dennis Fink, Joanne Fay, Bill Kron, Peg Sweeney, Paul Plesha, Steve Raukar, and Chair Mike Forsman - 7. Absent: None.

Chair Fink opened the meeting to persons who wanted to address the Board concerning issues not on the agenda, but no one chose to do so.

Adoption of the Breitung Land Use Plan amendment to St. Louis County Land Use Ordinance No. 27 and the addition of a revised zoning map for the Town of Breitung to County Zoning Ordinance No. 46 were then discussed. The Breitung Land Use Plan was tabled at the February 25, 2003, County Board meeting in Hibbing. Prior to the tabling action, a motion to approve the plan as submitted was offered by Commissioner Kron and supported by Commissioner Sweeney. A friendly amendment offered by Commissioner Forsman to zone a portion of Armstrong Bay as SMU-10 and direct staff to meet with parties was accepted by the makers at the February 25 meeting. The following staff persons addressed the issue:

Barbara Hayden, Planning Director, said her department met with the parties and she offered three options: (1) the original plan as submitted; (2) Breitung New Proposal, which does add some SMU-10 to Armstrong Bay; and, (3) U.S. Steel New Proposal, which included other changes. Director Hayden recommended an April 15, 2003, effectuation date for any plan that may be adopted by the Board.

Scott Smith, Planning Department, answered questions and explained some additional restrictions U.S. Steel would put on lakeshore properties, if sold.

Alan Mitchell, County Attorney, said the public hearing would have to be reopened in order to allow anyone else to address the issue. The current motion on the floor would have to be tabled in order to reopen the hearing.

Commissioner Forsman then offered the Breitung New Proposal as a friendly amendment, which was accepted by the makers. Commissioner Fay, supported by Commissioner Forsman, moved to table the matter, but the motion failed; three yeas - four nays, Commissioners Kron, Sweeney, Nelson and Chair Fink. After further discussion, Commissioner Kron withdrew his original motion and, at 10:37 A.M., Commissioner Fay, supported by Commissioner Forsman, moved to reopen the public hearing; five yeas - two nays, Commissioners Kron and Sweeney. Chair Fink ruled that at the reopened hearing a representative from Breitung and a representative from U.S. Steel would be allowed to make five minute presentations, with all other speakers limited to two minutes. The following persons addressed the land use plan:

Tim Tomsich, Breitung Town Board Chair, urged support of the original plan, which has widespread community support.

Scott Neff, Attorney representing U. S. Steel, expressed concerns about the reopened hearing without notice and he asked the Board to reject the plan because it would unduly restrict U.S. Steel development of their prime lakeshore property. U. S. Steel would lose in excess of \$10 million (loss of 55 lots) in development opportunities if the original plan or the Town of Breitung New Proposal is approved, according to Attorney Neff.

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

102

Stephen Abrahamson, Mayor of Tower, labeled the Breitung Land Use Plan excellent and said it allows for proper development of the area.

Rod McPeak, member of the Breitung Land Use Plan Group, said the Lake Vermilion regional plan is still far from completion and the Breitung Plan should be approved.

Jim Fisher, Township Officials President, said land use planning is difficult and he supported the Breitung/Tower efforts.

Agnes Yapel, St. Paul resident and Lake Vermilion property owner, suggested the SMU-10 designation be given to Stuntz Bay instead of Armstrong Bay.

Barbara Berglund, Planning Commission member, said the plan always tried to balance competing interests and she urged adoption.

Frank Brula, Armstrong Bay resident, supported the original proposal of RES-10 for Armstrong Bay.

Paulette Bodine, Armstrong Bay, questioned the inclusion of SMU-10 designation for Armstrong Bay.

Paula Bloczynski, Planning Commission, said the Planning Commission unanimously supported the original plan and there was no support for continued SMU-10 for Armstrong Bay.

Tim Kotzian, Clerk of the City of Tower, said the plan was the result of input from all residents and one corporate entity should not be given a greater say. He urged adoption of the original plan as submitted.

Mike Forsman, as a Lake Vermilion landowner, pointed out the SMU-10 proposal for part of Armstrong Bay retains the current zoning designation.

Chuck Tekautz, Breitung resident, urged the Board to adopt the original land use plan as submitted.

At 11:07 A.M., Commissioner Sweeney, supported by Commissioner Kron, moved to close the hearing; seven yeas - zero nays.

At 11:08 AM. in the afternoon of Tuesday, March 25, 2003, Chair Fink moved to recess the Board until 11:15A.M. on March 25, 2003, in Room No.24, Government Services Building, Ely, Minnesota.

The Board reconvened at 11:15 A.M. on March 25, 2003, and the regular order of business resumed with all members present.

Commissioner Forsman, supported by Commissioner Kron, moved to approve the Breitung Land Use Plan, effective April 15, 2003, with inclusion of the Town of Breitung New Proposal, which designates a portion of Armstrong Bay as SMU-10. Commissioner Nelson said he supports more regional approaches to land use planning and he urged the Board to wait for completion of the Lake Vermilion Plan before approving individual township plans. Commissioner Fay questioned if any scientific evidence was used to determine area zoning designations. After further discussion, the motion was approved; five yeas - two nays, Commissioners Fay and Nelson. Resolution No. 190.

Commissioner Forsman, supported by Commissioner Kron, then moved to approve addition of a revised zoning map for the Town of Breitung to County Zoning Ordinance No. 46, effective April 15, 2003; five yeas - two nays, Commissioners Fay and Nelson. Resolution No. 191.

Commissioner Kron, supported by Commissioner Sweeney, moved to approve allocation of \$5,000 from

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

103

the Community Support Contingency Fund and in-kind services as requested to the Lion's Club 2003 Duluth Air & Aviation Expo. The resolution would reallocate \$5,000 authorized in 2002 for the Proctor Skate Board Park that was not needed. Commissioner Fay said Administration has recommended elimination of the Community Support Contingency Fund for budgetary reasons and she does not favor reallocation of funds to the Air & Aviation Expo. Commissioner Nelson said the City of Duluth should be doing more to support the air show. Commissioner Raukar said this was a small donation and he urged the Board to look at the "big picture". Commissioner Kron said the Air & Aviation Expo will have a \$7 million economic impact on the region. After further discussion, the motion was approved; five yeas - two nays, Commissioners Fay and Nelson. Resolution No. 192.

The following Board and Contract Files were created as a result of documents received at this Board meeting:

Harlan Tardy, Executive Director, Arrowhead Economic Opportunity Agency, Inc., requesting St. Louis County to contribute a monetary gift in support of "55+ *Speed Into Action*", a regional leadership conference, on May 1-2, 2003, at Ruttger's Sugar Lake Lodge near Grand Rapids, MN.-58049

Policy of Compliance with the Health Insurance Portability and Accountability Act (HIPAA).-58050

Agreement for Respite Services between the County of St. Louis, through the Department of Health, and Virginia Regional Medical Center for respite care for Community Alternative Care clients.-03-340

Employee Safety and Development Training Contract between St. Louis County and Thea Sheldon for a *Coaching for Performance* session.-03-341

Employee Safety and Development Training Contract between St. Louis County and Coach for Success, Inc., for a *Coaching for Performance* session.-03-342

Employee Safety and Development Training Contract between St. Louis County and Denise Moreland for a *Transformative Leadership: Supervising Day to Day* session.-03-343

St. Louis County Community Development Block Grant Program Planning Agreement between St. Louis County and Community Economic Development Joint Powers Board.-03-344

Minnesota State Colleges and Universities Saint Louis County Customized Training Income Contract between the County of St. Louis and Lake Superior College for *Introduction to MS PowerPoint 2000* session.-03-345

Post Retirement Health Care Savings Plan for unclassified employees of the County Attorney's Office.-03-346

Upon motion of Commissioner Kron, supported by Commissioner Sweeney, Resolutions No. 177 through 189, as submitted to this Board on the Consent Agenda were unanimously adopted as follows:

**BY COMMISSIONER KRON:**

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of March 11, 2003, are hereby approved.

Adopted March 25, 2003. No. 177

RESOLVED, that the recommendations of the Finance Committee for payment of claims and bills against the County of St. Louis, on file in the office of the County Auditor, identified as County Board File No. 57999, are hereby approved and the County Auditor shall issue checks in the following

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

104

amounts:

<u>FUND</u>		<u>TOTAL</u>
T11	MN Trail Assistance	\$ 766.48
T21	Beer License	30.00
T27	Refunds	13,166.41
T31	Caribou Lake Wastewater Con.	5,298.30
T49	Taconite Production Tax	675,612.00
T50	State of Minnesota	31,920.35
T74	Employer/Employee Deductions	769,187.20
T77	Cancelled Checks	961.12
T83	Sheriff Fine Contingency	3,429.98
T85	Sheriff's State Forfeitures	202.60
T92	Controlled Substances	23,576.00
01	General Fund	1,100,643.52
02	Public Works	718,513.32
04	Social Services	3,271,944.18
08A	State Aid Road	7,915.47
08B	Road & Bridge Building Const.	751.70
10B	Emer. Shelt. 99/00 Funds	6,767.29
11A	Home Grant - All Years	54,374.53
12B	CDBG Grant	16,811.32
128	Law Library	6,888.53
13	St. Louis County HRA	3,498.84
131	Extension Service	22,370.40
15	Forfeited Tax	42,787.78
16	Forest Resources	10,285.84
26	Solid Waste Authorities	169,018.87
49	Postage/Office Supplies	15,099.02
49A	Plat Book Revolving	3,374.74
50	Printing	1,335.27
51	County Garage	30,355.07
52A	Property, Casualty, Liability	639.54
52B	Workers Compensation	94,399.81
52D	Medical/Dental Self Insurance	861.33
53	Management Information Systems	65,440.35
54	Regional Railroad Authority	10,414.22
55	Telecommunications	30,729.60
57	Retired Employees Health Insurance	2,411.57
64A	Chris Jensen Health & Rehab.	257,899.96
65	Laundry	28,143.91
66	Community Food Services	26,772.64
67	Supervised Living Facilities	4,264.51
72	Northern Counties Land Use Coordinating Board	2,780.02
73	Arrowhead Regional Corrections	183,066.35
74	Community Health Services	<u>3,187.96</u>
		\$7,717,897.90

Adopted March 25, 2003. No. 178

RESOLVED, that the appraisal reports for sale of timber, numbered Tracts 1 and 2, as submitted by the Land Commissioner, on file in the office of the County Auditor, identified as County Board File No. 58000, are approved and the County Auditor is authorized to carry out the recommendations as listed

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

105

in said appraisal reports.  
Adopted March 25, 2003. No. 179

RESOLVED, that pursuant to the provisions of Minnesota Statutes, Section 340A, as amended, and Rules and Regulations adopted by this Board under St. Louis County Ordinance No. 28, dated May 22, 1978, as amended, the following application for a permit authorizing the consumption and display of intoxicating liquor is hereby approved, on file in the office of the County Auditor, identified as County Board File No. 58033:  
Heron Bay, Inc., d/b/a Hi Banks Resort, Fredenberg Township, Permit No. S045.  
Adopted March 25, 2003. No. 180

RESOLVED, that pursuant to St. Louis County Ordinance No. 51, the applications for license to sell tobacco products, at retail, on file in the office of the County Auditor, identified as County Board File No. 57994, are hereby approved and the County Auditor is authorized to issue the licenses as follows; RESOLVED FURTHER, that if named licenseholders sell their licensed business, the County Board, at its discretion, may, after an investigation, transfer the license to a new owner, but without pro-rated refund to the licenseholders:  
Hwy 5 Bar & Grill, Inc., d/b/a Hwy 5 Bar & Grill, Inc., Unorganized Township 59-21, Tobacco Products License No. T03181, new;  
The Retreat Golf Club, Inc., d/b/a The Retreat Golf Club, Floodwood Township, Tobacco Products License No. T03180, new.  
Adopted March 25, 2003. No. 181

RESOLVED, that pursuant to the provisions of Minnesota Statutes, Section 340A, as amended, and Rules and Regulations adopted by this Board under St. Louis County Ordinance No. 28, dated May 22, 1978, as amended, the following applications for intoxicating liquor licenses are hereby approved, on file in the office of the County Auditor, identified as County Board File No. 58004;  
FURTHER RESOLVED, that said licenses are approved contingent upon licenseholders paying real estate or personal property taxes when due;  
FURTHER RESOLVED, that if named licenseholders sell their licensed place of business, the County Board, at its discretion, may, after an investigation, transfer the licenses to a new owner, but without pro-rated refund of the license fees to the licenseholders;  
FURTHER RESOLVED, that said licenses shall be effective through June 30, 2003:  
Hwy 5 Bar & Grill, Inc., d/b/a Hwy 5 Bar & Grill, Inc., Unorganized Township 59-21, On-Sale Intoxicating Liquor License No. CMB0375 and Sunday On-Sale Intoxicating Liquor License No. SUN0375;  
The Retreat Golf Club, Inc., d/b/a The Retreat Golf Club, Floodwood Township, On-Sale Intoxicating Liquor License No. ON0321 and Sunday On-Sale Intoxicating Liquor License No. ONS0321.  
Adopted March 25, 2003. No. 182

WHEREAS, the St. Louis County Purchasing Department solicited bids for Broadcast Application on tax forfeited land for the year 2003; and  
WHEREAS, Future Forests of Askov, Minnesota, submitted the low bid in the amount of \$177,386.00.  
NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Director of Purchasing is hereby authorized to execute a one year contract with Future Forests of Askov, Minnesota, for the chemical site preparation of 23 sites totaling 1064 acres and the chemical release of 11 sites totaling 396 acres, during the summer of 2003, in accordance with the specifications of Bid No. 4356 and subject to approval of the County Attorney, at their low specification bid of \$177,386.00, payable from Fund 16 (Forest Resources), Agency F41 (Resource Development).  
Adopted March 25, 2003. No. 183

WHEREAS, Nopeming Care Center ceased operations in 2002, and various items used in its operation

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

106

were left in the facility; and

WHEREAS, County departments have identified any Nopeming property that has a useful life to their departmental operations; and

WHEREAS, the remaining property at Nopeming is of no use to St. Louis County.

NOW, THEREFORE, BE IT RESOLVED that the Director of Purchasing is hereby authorized to donate the following items to the Proctor School District:

- |  |                                   |
|--|-----------------------------------|
| • Beds/Mattresses/Pillows (4-6)              | • Potty Chairs on Wheels (1)      |
| • PVC Potty's (2)                            | • Call and Examination Lights (6) |
| • Resusci Annie                              | • Chart Holder (1)                |
| • Wash Basins/Emesis Basins (6)              | • Wheel Chairs (2)                |
| • Urinals (6)                                | • Canes/Walkers (2)               |
| • Black Board (free moving one)              | • Geri-Chair with Tray (1)        |
| • Clock (both times on it)                   | • Transfer Belts (6)              |
| • Podium                                     | • Lap Robes/Bibs (6)              |
| • Bulletin Boards (2)                        | • Privacy Boards (3)              |
| • Intake and Output Measuring Containers (6) | • Mechanical Lift (1)             |

Adopted March 25, 2003. No. 184

WHEREAS, the unclassified employees of the St. Louis County Attorney's Office wish to participate in a Post-Retirement Health Care Savings Plan ("Plan") as authorized by Minnesota Statutes, Section 352.98;

WHEREAS, Minnesota Statute, Section 352.98, provides that participation in a Plan may be determined through a personnel policy of the County;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board hereby approves the St. Louis County Policy Adopting a Post-Retirement Health Care Savings Plan for the Unclassified Employees of the County Attorney's Office, a copy of which is on file in Contract File No. 03-346, effective March 25, 2003.

Adopted March 25, 2003. No. 185

RESOLVED, that a public hearing will be held at 9:35 A.M. on April 22, 2003, in the St. Louis County Courthouse, Virginia, Minnesota, for the purpose of considering the granting of an Off-Sale Intoxicating Liquor License to Trails Echo Lake, LLC, d/b/a Trails End Resort, Portage Township.

Adopted March 25, 2003. No. 186

RESOLVED, that the St. Louis County Board hereby appoints Commissioner Dennis Fink as an ex-officio member of the City of Duluth Parks and Recreation Commission for an indefinite term and Commissioners Joanne Fay and Bill Kron as alternates.

Adopted March 25, 2003. No. 187

RESOLVED, the St. Louis County Board of Commissioners hereby adopts the "Policy of Compliance with the Health Insurance Portability and Accountability Act (HIPAA)", as contained in Board File No. 58050.

Adopted March 25, 2003. No. 188

WHEREAS, the 1996 Health Insurance Portability and Accountability Act (HIPAA), and implementing regulations, impose a variety of requirements on public and private entities to protect the privacy of individually identifiable health information; and

WHEREAS, a number of county departments, divisions, or programs handle individually identifiable health information and must comply with HIPAA requirements, while other county departments,

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

107

divisions, or programs fall outside of HIPAA's scope; and  
WHEREAS, to develop and implement a compliance plan, the County must designate in writing which County functions are within HIPAA's scope and which are not; and  
WHEREAS, the County has determined that it should be designated a "hybrid entity" for purpose of HIPAA implementation; and  
WHEREAS, the Administrator's Office, through its HIPAA Coordinator, has developed a chart (Attachment A) setting forth those departments, divisions, and functions that would be considered "health care components" under HIPAA and therefore are part of the County "hybrid entity"; and  
WHEREAS, amendments to the "hybrid entity" organization chart will be needed from time to time as realignments occur within the county structure.  
NOW, THEREFORE, BE IT RESOLVED, St. Louis County is designated as a "hybrid entity" for purposes of HIPAA compliance;  
RESOLVED FURTHER, the County Administrator or his designee shall be the St. Louis County HIPAA Coordinator;  
RESOLVED FURTHER, Attachment A, identified as County Board File No. 58050, is hereby adopted designating the departments, divisions, and functions within St. Louis County that are the health care components of the "hybrid entity"; and  
RESOLVED FURTHER, the Administrator's Office, through the HIPAA Coordinator, is authorized to amend Attachment A over time to maintain ongoing HIPAA compliance.  
Adopted March 25, 2003. No. 189

**BY COMMISSIONER FORSMAN:**

WHEREAS, the Town of Breitung has completed its local planning effort and recommended the county adopt the plan; and  
WHEREAS, the St. Louis County Planning Commission held public hearings on the proposed plan October 10, 2002, and November 21, 2002; and  
WHEREAS, the St. Louis County Planning Commission, at its December 12, 2002, meeting, recommended approval of the Town of Breitung Plan to the St. Louis County Board of Commissioners, and on February 25, 2003, the St. Louis County Board of Commissioners held a public hearing on the proposed land use plan.  
NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners adopts an amendment to Land Use Plan Ordinance No. 27 relating to the Breitung Land Use Plan and said plan shall be effective on April 15, 2003.  
Yeas - Commissioners Kron, Forsman, Sweeney, Raukar, and Chair Fink - 5  
Nays - Commissioners Fay and Nelson - 2  
Adopted March 25, 2003. No. 190

WHEREAS, the St. Louis County Planning Commission held public hearings on October 10, 2002, and November 21, 2002, to review the zoning map for the Town of Breitung; and  
WHEREAS, the revised zoning map was prepared to implement the Breitung Comprehensive Land Use Plan; and  
WHEREAS, the Planning Commission, at their December 12, 2002, business meeting, recommended on a 5-0 vote that the revised zoning map be approved as submitted.  
NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board amends Ordinance No. 46 and approves the zoning map (Town of Breitung New Proposal) for the Town of Breitung and places the minutes of the Planning Commission public hearing and the proposed zoning in Board File No. 58036.  
BE IT FURTHER RESOLVED, that the effective date of this amendment is April 15, 2003.  
Yeas - Commissioners Kron, Forsman, Sweeney, Raukar, and Chair Fink - 5  
Nays - Commissioners Fay and Nelson - 2  
Adopted March 25, 2003. No. 191

**BY COMMISSIONER KRON:**

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

108

WHEREAS, the Lions Club 2003 Duluth Air and Aviation Expo is being planned for September 20-21, 2003; and

WHEREAS, approximately 65,000 spectators over a two-day period are expected to visit the Air Show, and generate over \$7 million dollars that will directly impact the City of Duluth and St. Louis County; and

WHEREAS, the organizers of the event are requesting sponsorship from St. Louis County in the amount of \$5,000 and in-kind services as requested; and

WHEREAS, the St. Louis County Board has determined it is in the best interest of the County to assist in sponsoring the 2003 Air and Aviation Expo, and its educational impact on youth and the community; and

WHEREAS, \$5,000 authorized by Resolution No. 144, adopted February 19, 2002, for the purpose of aiding the City of Proctor in developing a skate board park has been declined, and such monies were transferred to the Land Department Recreation Fund from the Community Support Contingency Fund for purposes of effecting this aid;

NOW, THEREFORE, BE IT RESOLVED, that Resolution No. 144 is hereby rescinded and the County Auditor is directed to reverse the transaction in its entirety and appropriate the \$5,000 to the Community Support Contingency Fund for 2003.

RESOLVED FURTHER, that the St. Louis County Board of Commissioners hereby authorizes an allocation of \$5,000 to the Lions Club 2003 Duluth Air & Aviation Expo in support of educational programs at the Expo, payable from the Community Support Contingency Fund (01-013 CSCF).

RESOLVED FURTHER, that the \$5,000 allocation is contingent upon agreements approved by the County Administrator's and County Attorney's offices.

Yeas - Commissioners Kron, Forsman, Sweeney, Raukar, and Chair Fink - 5

Nays - Commissioners Fay and Nelson - 2

Adopted March 25, 2003. No. 192

At 11:55 A.M. on Tuesday, March 25, 2003, upon motion of Commissioner Sweeney, supported by Commissioner Kron, the Board of County Commissioners adjourned.

Dennis Fink, Chair of the Board  
of County Commissioners

Attest:  
Gordon D. McFaul, County Auditor  
and Ex-Officio Clerk of the Board  
of County Commissioners

(Seal of the County Auditor)

**OFFICIAL PROCEEDINGS**  
OF THE  
**BOARD OF COUNTY COMMISSIONERS**  
OF ST. LOUIS COUNTY, MINNESOTA

**APRIL, 2003**

**OFFICIAL PROCEEDINGS OF THE MEETING  
OF THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF ST. LOUIS, MINNESOTA,  
HELD ON APRIL 1, 2003**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 1st day of April, 2003, at 9:31 A.M. in the County Board Room, Courthouse, Duluth, Minnesota. The meeting was called to order by the Chair with the following members present: Commissioners Joanne Fay, Bill Kron, Mike Forsman, Peg Sweeney, Keith Nelson, Steve Raukar, and Chair Dennis Fink - 7. Absent: None.

Chair Fink began the meeting by sharing historic trivia about the Aerial Lift Bridge, Minnesota's first territorial governor and an attempted capture of John Dillinger in St. Paul.

Commissioner Sweeney pointed out that April was National Child Abuse Prevention Month.

Linda Anderson, Social Services Director, presented an overview of possible program cuts and other changes that will occur as a result of State of Minnesota budget problems. Contrary to popular belief, welfare or income maintenance programs account for only four percent of human service costs, according to Director Anderson. Most human services costs (80% - 90%) are for health care for the disabled, elderly/senior citizen services and children's programs. Budget cuts and probable levy limits on counties will have significant impact and reductions in non-mandated services are likely.

Kris Boswinkel, Social Services, in response to a question from Commissioner Sweeney about the consolidation of administrative and program costs in one block grant, said this was how some human services programs were previously administered.

At 9:58 AM. in the forenoon of Tuesday, April 1, 2003, Chair Fink moved to recess the Board until 10:10 A.M. on April 1, 2003, in the County Board Room, Courthouse, Duluth, Minnesota.

The Board reconvened at 10:12 A.M. on April 1, 2003, and the regular order of business resumed with all members present.

Commissioner Kron, supported by Commissioner Sweeney, moved to approve revised job specifications for the position of Undersheriff. Ross Litman, St. Louis County Sheriff, said the old specifications were badly outdated and revised job descriptions had never been formally adopted. After brief discussion, the revised job specifications were approved; seven yeas - zero nays. Resolution No. 205.

Commissioner Kron, supported by Commissioner Raukar, moved to establish a closed session for labor negotiation purposes on Monday, April 7, 2003, at 9:30 A.M., in the Commissioners' Conference Room, Second Floor, Courthouse, Duluth, MN; seven yeas - zero nays.

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

110

The following Board and Contract Files were created as a result of documents received at this Board meeting:

County Auditor submitting applications for premises permits for the year 2003.--58051

Monthly reports of the Sheriff for cash received and disbursed in the year 2003.--58052

Liquor Licensing Committee submitting minutes for the year 2003.--58053

Greg Carlson, Director, Inspection and Enforcement Unit, Minnesota Department of Corrections, regarding St. Louis County 72 Hour Hold - Virginia Biennial Inspection Status Decision.--58054

Gordon D. McFaul, County Auditor, regarding the final transfer amount for Medical Care Facilities through the end of 2002.--58055

Civil Service Director submitting specifications for various classifications for the year 2003.--58056

Linda Anderson, Public Health/Social Services Director, submitting *Focus on Human Services & Workforce Development*.--58057

Agreement for Professional Services between the County of St. Louis and Northeast Technical Service, Inc., for Regional Landfill Environmental Engineering and Monitoring Services.--03-347

Purchase of Service Agreement between St. Louis County and Denise Letourneau for services of a registered/licensed dietitian.--03-348

Group Residential Housing Rate Agreement between the St. Louis County Board of Commissioners and Arrowhead Senior Living Community - Eveleth.--03-349ss

Purchase of Service Agreement, Contract No. 13454, between the St. Louis County Board of Commissioners and Arrowhead Senior Living Community for assisted living services.--03-350ss

Addendum to Purchase Agreement, Contract No. 13454A, between the St. Louis County Board of Commissioners and Arrowhead Senior Living Community for assisted living services.--03-351ss

State of Minnesota Annual Plan Grant Contract between the State of Minnesota, through its Commissioner of Public Safety, State Patrol Division, and the St. Louis County Sheriff's Department for *Operation NightCAP*.--03-352

Annual County Boat and Water Safety Grant Agreement between the State of Minnesota, through its Commissioner of Natural Resources, and the St. Louis County Sheriff's Department.--03-353

Agreement for Geographic Information System Consulting Services between the County of St. Louis, through its Assessor's Department, and Pro-West & Associates for parcel coverage in Duluth Township.--03-354

Agreement for Professional Services between the County of St. Louis and LHB Engineers & Architects for Duluth Courthouse Chilled Water Project Feasibility Study.--03-355

Agreement for Professional Services between the County of St. Louis and Ayres Associates for Hibbing Annex - Surface Water Drainage Specifications.--03-356

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

111

Amendment to Engineering Services Agreement between the County of St. Louis and Northeast Technical Services, Inc., for Regional Landfill Permitting and Engineering Services.-03-357

Addendum to Agreement for Services between the County of St. Louis and Arrowhead Regional Corrections and Arrowhead Interfaith Council for providing state-mandated religious services to prisoners.-03-358

Upon motion of Commissioner Fay, supported by Commissioner Forsman, Resolutions No. 193 through 204, as submitted to this Board on the Consent Agenda were unanimously adopted as follows:

**BY COMMISSIONER FAY:**

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of March 18, 2003, are hereby approved.

Adopted April 1, 2003. No. 193

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, as set forth by the County Attorney, dated March 21, 2003, on file in the office of the County Auditor, identified as County Board File No. 57995, is hereby received and ratified as payable from Fund 52, Department 12.

Adopted April 1, 2003. No. 194

RESOLVED, that pursuant to the provisions of Minnesota Statutes, Section 340A, as amended, and Rules and Regulations adopted by this Board under St. Louis County Ordinance No. 28, dated May 22, 1978, as amended, the following application for seasonal intoxicating liquor licenses are hereby approved, on file in the office of the County Auditor, identified as County Board File No. 58004; FURTHER RESOLVED, that said licenses are approved contingent upon licenseholder paying real estate or personal property taxes when due and submission of town board approval;

FURTHER RESOLVED, that if named licenseholder sells their licensed place of business, the County Board, at its discretion, may, after an investigation, transfer the licenses to a new owner, but without pro-rated refund of the license fee to the licenseholder;

FURTHER RESOLVED, that said licenses shall be effective through October 31, 2003:

Burntside Lodge, Inc., d/b/a Burntside Lodge, Morse Township, Seasonal On-Sale Intoxicating Liquor License No. SE031 and Seasonal Sunday On-Sale Intoxicating Liquor License No. SES031, change of ownership status-now incorporated.

Adopted April 1, 2003. No. 195

WHEREAS, the Duluth Housing and Redevelopment Authority has offered to purchase the following described tax forfeited parcels for the sale price of \$7,500.00 plus fees:

That part of Lot 85, Block 122, Duluth Proper Third Division, and of Lot 3, Block 15, Nortons Division lying West of a line running from a point 23 feet Easterly of SW corner of Lot 3, Block 15, thence Northerly 76 feet thence Easterly at right angles 4 feet thence Northerly 64 feet to a point on the Northerly line of Lot 85, Block 122, distant 23 feet from the NE corner of said Lot 85; and

That part of Lot 85, Block 122, Duluth Proper Third Division, and of Lot 3, Block 15, Nortons Division lying East of a line running from a point 23 feet Easterly of the SW corner of Lot 3, Block 15, thence Northerly 76 feet thence Easterly at right angles 4 feet thence Northerly 64 feet to a point on the Northerly line of Lot 85, Block 122, distant 23 feet from the NE corner of said Lot 85.

Parcel Code Numbers: 010-3490-2740 and 2750.

for public purpose; and

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

112

WHEREAS, Minnesota Statute 282.01, Subdivision 1(a), authorizes the sale of tax forfeited land to an organized governmental subdivision; and

WHEREAS, said parcels of land have been classified as non-conservation land pursuant to Minnesota Statutes, Section 282.01; and

WHEREAS, these parcels of land are not withdrawn from sale pursuant to Minnesota Statutes, Section 84.012, 92.461, 282.01, Subdivision 8; and 282.018, and other statutes that require the withholding of tax forfeited lands from sale.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board approves the sale of the above described tax forfeited parcels to the Duluth Housing and Redevelopment Authority for the purpose of demolishing existing buildings and moving a house they have to the site, for the sale price of \$7,500.00 plus the following fees: Three Percent Assurance Fee of \$225.00, Deed Fee of \$25.00, Deed Tax of \$24.75, and Recording Fee of \$20.00, for a total of \$7,794.75.

Adopted April 1, 2003. No. 196

RESOLVED, that pursuant to Minnesota Statutes, Section 161.36, the Commissioner of Transportation be appointed as Agent of the County of St. Louis to accept, as its agent, federal aid funds which may be made available for eligible transportation related projects.

FURTHER RESOLVED, the St. Louis County Board of Commissioners hereby authorizes the Chair of the Board and the Auditor to execute an agreement with the Commissioner of Transportation prescribing the terms and conditions of said federal aid participation as set forth and contained in "Minnesota Department of Transportation Agreement No. 84593". The County's share of the cost shall be twenty percent of \$110,000.00 or \$22,000.00 for the project, payable from Fund 2, Agency A11, Object 266 (Engineering) (funds received from the St. Louis and Lake Counties Regional Rail Authority).

Adopted April 1, 2003. No. 197

RESOLVED, that pursuant to Minnesota Statutes, Section 161.36, the Commissioner of Transportation be appointed as Agent of the County of St. Louis to accept, as its agent, federal aid funds which may be made available for eligible transportation related projects.

FURTHER RESOLVED, the St. Louis County Board of Commissioners hereby authorizes the Chair of the Board and the Auditor to execute an agreement with the Commissioner of Transportation prescribing the terms and conditions of said federal aid participation as set forth and contained in "Minnesota Department of Transportation Agreement No. 84164". This agreement corresponds with the Delegated Contract Process (DCP).

Adopted April 1, 2003. No. 198

RESOLVED, that pursuant to Minnesota Statutes 349.213, Subdivision 2, the St. Louis County Board of Commissioners hereby approves the following Premises Permit application, on file in the office of the County Auditor, identified as County Board File No. 58051, for the following organization:

Elks Lodge 1003 Virginia to operate out of The Britt Lounge, Unorganized Township 60-18, new.

Adopted April 1, 2003. No. 199

RESOLVED, that the County Board hereby authorizes the appropriate County officials to execute a renewed lease agreement with Tim Sorenson, President of Incline Station/Keglers, Inc., for the lease of twenty parking spaces in the Incline Station parking lot for the period commencing January 1, 2003, and ending December 31, 2003, for a monthly cost of \$650, \$7,800 annually, payable from Fund 01, Agency 081, Organization 083.

Adopted April 1, 2003. No. 200

WHEREAS, citizens within the affected area petitioned the Planning Commission to initiate a rezoning; and

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

113

WHEREAS, the St. Louis County Planning Commission held a public hearing on the proposed rezoning on February 13, 2003; and

WHEREAS, the St. Louis County Planning Commission recommended by a five to three vote to recommend that the St. Louis County Board of Commissioners adopt the rezoning.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners will hold a public hearing on Tuesday, April 22, 2003, at 9:45 A.M., St. Louis County Courthouse, Virginia, Minnesota, to consider rezoning the area legally described as Plats of Birchview Acres and Jones Homesites from Multiple Use Non-Shoreland-4 to Shoreland Mixed Use-7.

Adopted April 1, 2003. No. 201

RESOLVED, that a public hearing will be held at 9:40 A.M. on April 22, 2003, in the St. Louis County Courthouse, Virginia, Minnesota, for the purpose of considering the granting of an Off-Sale Intoxicating Liquor License to Hwy 5 Bar & Grill, Inc., d/b/a Hwy 5 Bar & Grill, Inc., Unorganized Township 59-21.

Adopted April 1, 2003. No. 202

WHEREAS, bids have been received by the County Auditor for the following project:

C.P. 3629, Richard H. Hansen Transportation and Public Works Complex West of C-SAH 13 (Midway Road), 0.02 mile North of T.H. 53, Canosia Township. Project to consist of Grading, Aggregate Base, P.M. Bituminous Base, Curb and Gutter, and Landscaping;

WHEREAS, said bids or proposals were duly opened in the County Board Room at 10:00 A.M., March 24, 2003, and this Board has, with the County Highway Engineer, determined the lowest bidder of said project for which proposals were invited and submitted; and

WHEREAS, in the judgment of this Board it is for the best interest of St. Louis County that the award of said contract be made to the lowest bidder.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of St. Louis County, Minnesota, in regular session duly convened, that they hereby approve the award of contract on the above project to the lowest bidder:

LOW BIDDER

ADDRESS

S

AMOUNT

Northland Constructors of

4843 Rice Lake Road

\$272,385.34

Duluth, LLC

Duluth, MN 55803

RESOLVED FURTHER, that the Chairman of the County Board, the County Auditor, and the County Attorney, on behalf of the County of St. Louis, are hereby authorized to approve the Contractor's Performance Bonds and to execute the bonds and contracts with the Contractor for the above listed project; payable from Fund 02, Agency A17, Org. 3629, Object 528.

Adopted April 1, 2003. No. 203

WHEREAS, the need for long term care in rural St. Louis County has been established through telephone surveys, St. Louis County Gap analysis, 2030 report, waiting lists, and Minnesota Nursing Home Association survey; and

WHEREAS, St. Louis County continues to provide long term care services for the elderly in the County and recognizes such services as a top priority; and

WHEREAS, the East Range Joint Powers Board, White Community Hospital and surrounding communities have presented a cost effective proposal to provide such services on the Iron Range through construction of a 30-bed long term care facility at White Community Hospital; and

WHEREAS, the White Community Hospital proposes to assume future operating and capital costs for the proposed facility; and

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

114

WHEREAS, the White Community Hospital delivers quality long term care at a low per day cost;  
and

WHEREAS, the White Community Hospital demonstrates fiscally sound management practices;  
and

WHEREAS, the St. Louis County Board of Commissioners and White Community Hospital have identified several revenue sources, such as moratorium exception reimbursements, an IRRRB grant, and proposed legacy trust money to significantly reduce the debt service related to the construction of a long term care facility at White Community Hospital.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board hereby supports White Community Hospital in pursuit of a moratorium exception authorizing 30 licensed beds for White Community Hospital; and

BE IT FURTHER RESOLVED, that the County Administrator will participate in discussions with our legislative leaders concerning increased accessibility of nursing home beds in St. Louis County. Adopted April 1, 2003. No. 204

**BY COMMISSIONER KRON:**

RESOLVED, that the revised job specification for Undersheriff be approved, effective March 25, 2003.

Unanimously adopted. April 1, 2003. No. 205

At 10:16 A.M. on Tuesday, April 1, 2003, upon motion of Commissioner Sweeney, supported by Commissioner Kron, the Board of County Commissioners adjourned.

Dennis Fink, Chair of the Board  
of County Commissioners

Attest:

Gordon D. McFaul, County Auditor  
and Ex-Officio Clerk of the Board  
of County Commissioners

(Seal of the County Auditor)

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

115

**OFFICIAL PROCEEDINGS OF THE MEETING  
OF THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF ST. LOUIS, MINNESOTA,  
HELD ON APRIL 8, 2003**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 8th day of April, 2003, at 9:31 A.M. at the Emergency Operations Center - Pike Lake, 5735 Old Miller Trunk Highway, Duluth, Minnesota. The meeting was called to order by the Chair with the following members present: Commissioners Joanne Fay, Bill Kron, Mike Forsman, Peg Sweeney, Keith Nelson, Steve Raukar, and Chair Dennis Fink - 7. Absent: None.

Jerry Wotczak, Emergency Management Director, welcomed the Board to the new Emergency Operations Center.

Commissioner Sweeney read into the record a proclamation designating the month of April as Child Abuse Prevention Month. Sherry Johnston, St. Louis County Council to Prevent Child Abuse, accepted the plaque.

Commissioner Raukar read into the record a proclamation designating the week of April 13 through 19, 2003, as St. Louis County Public Safety Telecommunications Week. Paul Kent, 9-1-1 Communications Director, accepted plaques on behalf of the north and south divisions of 9-1-1 Communications.

Chair Fink opened the meeting to persons who wanted to address the Board concerning issues not on the agenda, but no one chose to do so.

At the request of Purchasing Department, Item No. 6 of the Consent Agenda (award of bid to Sundance Silviculture) was removed for rebidding at a later date. Item No. 13 of the Consent Agenda (Regional Gang Strike Force Grant) had a revised resolution that corrected funding language. Commissioner Fay, supported by Commissioner Sweeney, moved to approve the Consent Agenda as amended; seven yeas - zero nays.

Commissioner Fay, supported by Commissioner Raukar, moved to request the Minnesota Legislature enact a bill (S.F. 797 and H.F. 1276) allowing issuance by the City of Duluth of one on-sale intoxicating liquor license to the St. Louis County Heritage and Arts Center (Depot) to help attract an "anchor tenant" restaurant to the facility. David Twa, County Administrator, said resolution language was acceptable to the City of Duluth; seven yeas - zero nays. Resolution No. 219.

Commissioner Raukar, supported by Commissioner Forsman, moved to approve execution of an agreement with the City of Duluth for an annual payment of \$40,000 to house prisoners arrested by Duluth Police. Alan Mitchell, County Attorney, said the Sheriff was comfortable with a contract expiration of December 31, 2003, and the makers agreed to amend the motion to add the expiration. Commissioner Sweeney objected to the contract because Duluth would pay an average of \$20 per prisoner day while other jurisdictions are charged \$50 per diem. Administrator Twa said this agreement should stand alone and he reminded the Board of their directive to Administration to bring information/recommendations to the April 22 Committee of the Whole concerning prisoner charges to jurisdictions outside the City of Duluth. Commissioner Nelson, supported by Commissioner Forsman, moved to table the matter to the April 22, 2003, County Board meeting, but the motion failed; three yeas - four nays, Commissioners Fay, Kron, Raukar and Chair Fink. County Attorney Mitchell said the issue was much more complicated than a simple adjustment of per diem charges and budgets already in place would be affected. After further discussion, the

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

116

resolution was approved; five yeas - two nays, Commissioners Sweeney and Nelson. Resolution No. 220.

Commissioner Kron, supported by Commissioner Raukar, moved to suspend the rules to consider a resolution opposing passage of legislation which would allow a reverse referendum on tax levy increases; seven yeas - zero nays. Commissioner Kron, supported by Commissioner Sweeney, moved to approve the resolution. With the continual institution of burdensome mandates and then strict restrictions on how to pay for these services, Commissioner Kron asked why the state didn't just take over local government. Commissioner Raukar cited this bill as just another example of the state passing blame for their fiscal dilemma onto local governments. Commissioner Fay opposed the resolution, noting that reverse referendums allow citizens a voice in local budgets. In response to a question from Chair Fink, Gordon D. McFaul, County Auditor, said a special county-wide referendum would cost between \$85,000 and \$105,000 to conduct. After further discussion, the motion was approved; six yeas - one nay, Commissioner Fay. Resolution No. 221.

At 10:26 AM. in the forenoon of Tuesday, April 8, 2003, Commissioner Raukar, supported by Commissioner Fay, moved to recess the Board until 11:30 A.M. on April 8, 2003, at the Emergency Operations Center - Pike Lake, Duluth, Minnesota.

The Board reconvened at 12:54 P.M. on April 8, 2003, and the regular order of business resumed with all members present.

Commissioner Forsman, supported by Commissioner Raukar, moved to approve a second consent agenda consisting of all items passed unanimously at the just completed Committee of the Whole; seven yeas - zero nays.

Commissioner Raukar, supported by Commissioner Sweeney, moved to approve a resolution encouraging the legislative delegation to pursue legislation allowing creation of special taxing districts for public nursing homes in St. Louis County. Administrator Twa said John Ongaro, County Inter-Governmental Relations Officer, indicated that it would be inadvisable to not pass this resolution today in light of passage of an earlier, related resolution opposing legislation that required equal levy spending for publicly owned nursing homes. Commissioner Fay, supported by Commissioner Nelson, moved to table the matter until after discussion at a County Board Workshop, but the motion failed; two yeas - five nays, Commissioners Kron, Forsman, Sweeney, Raukar and Chair Fink. Commissioner Kron offered a friendly amendment - accepted by the makers - to substitute the word "may" for "will" in the resolution. After further discussion, Commissioner Sweeney moved to call the question. The resolution was then approved; four yeas - three nays, Commissioners Fink, Fay and Nelson. Resolution No. 235.

The following Board and Contract Files were created as a result of documents received at this Board meeting:

Amended Policy on Sick Leave Reserve Fund.-58058

St. Louis County Promotional Bureau Board of Directors submitting minutes of their meetings held in 2003.-58059

Agreement for Professional Services between St. Louis County and NorthStar Policy Associates for direct participation in the development and lobbying efforts on a number of public land use and natural resource related issues.-03-359

Employee Safety and Development Training Contract between St. Louis County and Julie Tilsen

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

117

for *Beyond Diversity* session.–[03-360](#)

Employee Safety and Development Training Contract between St. Louis County and SMDC for Computer Ergonomic Evaluations.–[03-361](#)

Employee Safety and Development Training Contract between St. Louis County and Nutritional Weight and Wellness for *Balanced Foods for Balanced Moods* session.–[03-362](#)

Employee Safety and Development Training Contract between St. Louis County and Jim Vileta for Intra/Internet Training.–[03-363](#)

Duluth Senior Dining Project Title III-C-1 Purchase Agreement between the City of Duluth, through the Parks & Recreation Department, and St. Louis County.–[03-364ss](#)

Agreement for Professional Nursing Services between St. Louis County, through its Health Department, and Christy Martin for Community Alternative Care Client No. 19.–[03-365](#)

Agreement for Professional Nursing Services between St. Louis County, through its Health Department, and Deborah Rosengren for Community Alternative Care Client No. 19.–[03-366](#)

Agreement for Professional Nursing Services between St. Louis County, through its Health Department, and Lisa Brekke for Community Alternative Care Client No. 19.–[03-367](#)

Agreement for Professional Nursing Services between St. Louis County, through its Health Department, and Barbara Kaas for Community Alternative Care Client No. 19.–[03-368](#)

Agreement for Professional Nursing Services between St. Louis County, through its Health Department, and Barbara Kutsi for Community Alternative Care Client No. 19.–[03-369](#)

Agreement for Professional Nursing Services between St. Louis County, through its Health Department, and Sieglinde Wanda Strandberg for Community Alternative Care Client No. 19.–[03-370](#)

Agreement for Professional Services between St. Louis County and Carlson, Lundquist & Company, Ltd., to analyze offset printing operations.–[03-371](#)

Employee Safety and Development Training Contract between St. Louis County and Pat Miller for *Making Meetings Count* session.–[03-372](#)

Minnesota Transportation Department Traffic Control Signal and Intersection Improvements Agreement No. 83203R between the State of Minnesota, Department of Transportation, and the County of St. Louis and the City of Duluth and the City of Hermantown to remove the existing traffic control signal and install a new traffic control signal with street lights and signing and construct intersection improvements on Trunk Highway 53/Trunk Highway 194 (Miller Trunk Highway) at C-SAH 17 (Stebner Road).–[03-373](#)

Upon motion of Commissioner Fay, supported by Commissioner Sweeney, Resolutions No. 206 through 218, as submitted to this Board on the Consent Agenda were unanimously adopted as follows:

**BY COMMISSIONER FAY:**

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of March 25, 2003, are hereby approved.

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

118

Adopted April 8, 2003. No. 206

RESOLVED, that the recommendations of the Finance Committee for payment of claims and bills against the County of St. Louis, on file in the office of the County Auditor, identified as County Board File No. 57999, are hereby approved and the County Auditor shall issue checks in the following amounts:

<u>FUND</u>		<u>TOTAL</u>
T27	Refunds	\$ 9,266.35
T31	Caribou Lake Wastewater Con.	2,800.00
T50	State of Minnesota	203,544.71
T52	Taxes and Penalties	48,803.74
T66	Criminal Fines	145,900.83
T74	Employer/Employee Deductions	712,892.92
T77	Cancelled Checks	802.50
T83	Sheriff Fine Contingency	383.30
T84	Attorneys Forfeitures	1,730.00
T85	Sheriff's State Forfeitures	405.16
T87	Assault Fees	1,966.08
01	General Fund	668,074.66
02	Public Works	373,238.84
03B	State Septic Loan MPCA	12,535.00
04	Social Services	2,960,690.94
08	County Facilities - Capital Projects	149,266.43
08B	Road & Bridge Building Const.	332,215.00
08Q	Duluth Courts Remodeling	142,043.38
08S	Chris Jensen Remodeling	32,923.20
10B	Emer. Shelt. 99/00 Funds	761.10
11A	Home Grant - All Years	213.37
12B	CDBG Grant	137,333.13
127	Enhanced 9-1-1 Fund	3,777.31
128	Law Library	2,849.80
129	City/County Comm. Antenna Site	256.56
13	St. Louis County HRA	332.16
131	Extension Service	3,581.27
15	Forfeited Tax	33,333.20
26	Solid Waste Authorities	44,376.31
49	Postage/Office Supplies	34,270.84
50	Printing	30,344.92
51	County Garage	7,379.26
52B	Workers Compensation	234,115.44
52D	Medical/Dental Self Insurance	7.32
53	Management Information Systems	83,961.99
54	Regional Railroad Authority	13,482.55
55	Telecommunications	26,230.92
57	Retired Employees Health Insurance	44,911.69
64A	Chris Jensen Health & Rehab.	218,623.69
65	Laundry	12,490.74
66	Community Food Services	31,725.31
67	Supervised Living Facilities	4,618.97
73	Arrowhead Regional Corrections	324,278.80
74	Community Health Services	<u>5,711.51</u>

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

119

\$7,098,451.20

Adopted April 8, 2003. No. 207

RESOLVED, that pursuant to the recommendations of the Tax Committee, the applications of the following named persons and firms for reduction and correction of assessed valuations and taxes in the following amounts plus on those abatements of penalty and interest, any additional accrual to the date of this resolution, on file in the office of the County Auditor, identified as County Board File No. 58013, are hereby approved:

Real Estate - David Antus, \$178.52; James Bakke, \$597.80; Daniel Belich, \$180.00; Mark Carlson, \$129.00; Darren Dallum, \$137.20; James Daniels, \$317.06; Joseph Direks, \$456.30; Jason Frantz, \$878.22; Ginny Gibson, \$845.02; Jerry Giefer, \$137.04; Christopher Haidos, \$135.70; Nicholas Hill, \$291.68; Sandra Johnson, \$286.08; Anne Katoch, \$378.24; Terry Kirk, \$558.70; Nikolai Koiviso, \$198.06; Donald LaPrairie, \$176.00; Michael Mathison, \$242.00; Timothy McShane, \$277.58; Donald Mellesmoen, \$69.28; Kelly Micko, \$463.90; Minnesota Power, \$1,878.84; Jared Murray, \$263.40; Chad Nelson, \$269.18; David Nordlund, \$171.36; Nathan Opland, \$568.50; Shanna Pistilli, \$429.78; Justin Riddle, \$394.54; Jason Seliskar, \$204.70; Jackie Steinbach, \$275.48; Jeannie Sterling, \$400.60; William Talbott, \$298.76; Vah Vang, \$247.38; Katheryn Walker, \$271.20; Women's Trans. Housing, \$4,296.52; Robert Zeleznikar, \$169.28.

Personal Property - Angela Blomberg, \$17.28; Lorelei Katzenberger, \$274.58; Joseph Lang, \$22.66.

Adopted April 8, 2003. No. 208

RESOLVED, that the appraisal report for sale of timber, numbered Tract 1, as submitted by the Land Commissioner, on file in the office of the County Auditor, identified as County Board File No. 58000, is approved and the County Auditor is authorized to carry out the recommendations as listed in said appraisal report.

Adopted April 8, 2003. No. 209

RESOLVED, that the application for a Temporary On-Sale 3.2 Percent Malt Liquor License, on file in the office of the County Auditor, identified as County Board File No. 58039, is hereby approved and the County Auditor is authorized to issue the license to the applicant:

Lake 14 - Leander Club, Unorganized Township 60-19, Temporary On-Sale 3.2 Percent Malt Liquor License No. T038, for July 5, 2003 (rain date July 6, 2003).

Adopted April 8, 2003. No. 210

WHEREAS, the Minnesota Pollution Control Agency is in need of information on the mercury and PCB content of abandoned household waste in Northeastern Minnesota; and

WHEREAS, the State and St. Louis County will participate in a project to collect abandoned household waste in the Lake Superior Basin including the Aurora/Hoyt Lakes area; and

WHEREAS, the Minnesota Pollution Control Agency will provide a one-time grant of \$5,000.00 to St. Louis County in order to obtain this information through the collection of abandoned household waste carried out by volunteer groups; and

WHEREAS, the Solid Waste Department will use this grant to cover the costs of collection and recycling of abandoned white goods and disposal of other wastes, lunch and gas used by volunteers.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the Solid Waste Department to enter into a Joint Powers Agreement with the Minnesota Pollution Control Agency for the purposes of this one-time collection process; and

BE IT FURTHER RESOLVED, the Solid Waste Department is authorized to accept \$5,000 in grant funding from the State, payable to Fund 26, Department J34.

Adopted April 8, 2003. No. 211

WHEREAS, the City of Hibbing has offered to purchase the following described State tax forfeited

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

120

parcel for the sale price of \$1,594.95 plus fees: City of Hibbing, Brooklyn Addition, Lots 21 - 23, Block 33; Parcel Code Number: 140-60-1360, for public purpose; and

WHEREAS, Minnesota Statute 282.01, Subdivision 1(a), authorizes the sale of State tax forfeited land to an organized governmental subdivision; and

WHEREAS, said parcel of land has been classified as non-conservation land pursuant to Minnesota Statutes, Section 282.01; and

WHEREAS, this parcel of land is not withdrawn from sale pursuant to Minnesota Statutes, Sections 84.012, 92.461, 282.01, Subdivision 8; and 282.018, and other statutes that require the withholding of tax forfeited lands from sale.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board approves the sale of the above described tax forfeited parcel to the City of Hibbing for the purpose of a Water Management Project, for the sale price of \$1,500.00 plus the following fees: Three Percent Assurance Fee of \$45.00, Deed Fee of \$25.00, Deed Tax of \$4.95, and Recording Fee of \$20.00, for a total of \$1,594.95.

Adopted April 8, 2003. No. 212

WHEREAS, the St. Louis County Planning Commission, on June 13, 2002, held a public hearing regarding the preliminary plat of West Bay Shores; and

WHEREAS, the St. Louis County Planning Commission, on August 8, 2002, granted preliminary plat approval to West Bay Shores; and

WHEREAS, the final prints have been submitted and conform with the requirements set forth by the Planning Commission. The County Attorney and County Surveyor have approved the plat.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners grants final approval to West Bay Shores located in Township 57 North, Range 16 West (Unorganized).

Adopted April 8, 2003. No. 213

WHEREAS, a segment of County-State Aid Highway 116 from a point 2.4 miles north of County-State Aid Highway 88 (Grant McMahon Boulevard) to a point 0.5 miles north of County Road 803 (Passi Road) will be constructed on a new alignment as shown on St. Louis County Highway Right of Way Plat No. 21; and

WHEREAS, the new alignment is in the best interest of the traveling public; and

WHEREAS, some portions of the old highway right of way will no longer be necessary for the County highway system.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Minnesota Statutes 163.11, Subdivision 1, the St. Louis County Board of Commissioners hereby establishes the portion of the Echo Trail - County-State Aid Highway No. 116 originally established by resolution of the County Board March 6, 1925, as a part of the Spring Creek Road on a new alignment as described by St. Louis County Highway Right of Way Plat No. 21, on file and of record in the office of the County Recorder for St. Louis County, Minnesota.

RESOLVED FURTHER, that pursuant to Minnesota Statutes 163.11, Subdivision 4, the St. Louis County Board of Commissioners hereby vacates the following portions of the old Echo Trail right of way, lying outside of St. Louis County Highway Right of Way Plat No. 21, once the new road is complete and open for traffic:

In Section 6, Township 63 North, Range 12 West:

All that part lying in the Southeast Quarter of the Southeast Quarter (SE 1/4 of SE 1/4).

In Section 7, Township 63 North, Range 12 West:

All that part lying in the Northeast Quarter of the Northeast Quarter (NE 1/4 of NE 1/4).

In Section 8, Township 63 North Range 12 West:

All that part lying in the Southeast Quarter of the Southeast Quarter (SE 1/4 of SE 1/4) and

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

121

Government Lot Four (G.L. 4).

All that part in Government Lot Three (G.L. 3) lying adjacent to lots 15 through 21 in the plat of Pete's Burntside Park.

All that part lying in the Southeast Quarter of the Northwest Quarter (SE 1/4 of NW 1/4), the Southwest Quarter of the Northwest Quarter (SW 1/4 of NW 1/4), the Northwest Quarter of the Northwest Quarter (NW 1/4 of NW 1/4).

All that part lying in Government Lot Two (G.L. 2), EXCEPT that the portion lying in the following described parcel shall only be vacated contingent upon the owner of said tract of land granting a permanent easement appurtenant for ingress and egress 33 feet in width along the existing centerline of the Echo Trail to the owners of the unplatted portion of Government Lot One (G.L. 1) and that part of Government Lot Two (G.L. 2) lying westerly of the Echo Trail (County-State Aid Highway 116) as the same is presently located:

A 5 acre more or less parcel along the West side of Government Lot 2 East of County Highway No. 116, Section 8, Township 63, Range 12, more particularly described as follows: That part of Government Lot 2, Section 8, lying Northeasterly of the Southwesterly right-of-way line of County Highway No. 116 and Westerly of the following described line: Assuming the North Boundary of said Government Lot 2 to run 89 degrees 58 minutes 30 seconds East and from the Northwest Corner of said Government Lot 2 run North 89 degrees 58 minutes 30 seconds East along said North boundary a distance of 762.19 feet to the Point of Beginning; thence South 18 degrees 35 minutes 47 seconds West a distance of 678 feet more or less to the shore of Burntside Lake; thence Northwesterly along said shoreline of Burntside Lake a distance of 210 feet; thence North to the Southwesterly right-of-way line of County Highway No. 116.

In Section 9, Township 63 North, Range 12 West:

All that portion lying in Government Lot Five (G.L. 5) and the Southwest Quarter of the Southwest Quarter (SW 1/4 of SW 1/4).

Adopted April 8, 2003. No. 214

RESOLVED, that St. Louis County enter into an agreement with the State of Minnesota, Department of Transportation, for the following purposes: To request that the State perform certain technical, transportation-related services identified in Exhibit A "Available Services" of the agreement. The County will submit a brief written request for each service in accordance with the terms and conditions set forth and contained in the Partnership Contract;

FURTHER RESOLVED, that the proper County officers are authorized to execute such agreement and any amendments, and thereby assume for and on behalf of the County all of the contractual obligations contained therein.

Adopted April 8, 2003. No. 215

WHEREAS, it has been determined to be mutually beneficial to the County and the Forest Service to complete project M.P. 688-1826 for bituminous paving and aggregate shouldering of Bridge No. 69643 and approaches over the Dark River, 14 miles north of Chisholm, Minnesota (Township 62 North, Range 20 West, Section 10); and

WHEREAS, a Road Project Agreement has been developed by the USDA Forest Service, Superior National Forest, for cost participation in the amount of \$16,000.00 by the Forest Service to protect the watershed health of the Dark River.

NOW, THEREFORE, BE IT RESOLVED, that the County of St. Louis authorizes the proper County officials to sign an agreement to accept Forest Service funds in the amount of \$16,000.00 for this project, payable to Fund 02, Agency A17, Object 528.

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

122

Adopted April 8, 2003. No. 216

WHEREAS, the State of Minnesota, pursuant to Minnesota Statutes, Section 299A.625, has created statewide gang task forces; and

WHEREAS, the State and local law enforcement agencies have combined to form the Duluth Regional Gang Strike Force ("Regional Strike Force"), which will include St. Louis County; and WHEREAS, the City of Duluth has agreed to serve as the fiscal agent for the Regional Strike Force; and

WHEREAS, the City of Duluth has entered into a Criminal Gang Strike Force Joint Powers Agreement with the State ("Joint Powers Agreement") whereby the State will make funds available to the City to be used by the City, as fiscal agent for the Regional Strike Force, to reimburse amounts spent by Regional Strike Force member agencies which have contributed equipment and personnel to the Regional Strike Force; and

WHEREAS, the City of Duluth has also entered into a Criminal Gang Strike Force - Reimbursement Grant with the State ("Grant Agreement") whereby the State will make funds available to the City which the City, as fiscal agent for the Regional Strike Force, has agreed to use to reimburse St. Louis County for 75 percent of the salary and benefits of one Deputy the St. Louis County Sheriff has dedicated to the Regional Strike Force; and

WHEREAS, the City of Duluth has agreed in the Grant Agreement to "expend grant funds allocated for this program according to the attached budget outline" which indicates that the City shall reimburse St. Louis County over a twenty-four month (24) period an amount equal to 75 percent of the salary and benefits for the one full-time Deputy that the Sheriff has dedicated to the Regional Strike Force; and

WHEREAS, as part of the Grant Agreement the one Deputy allocated to the Regional Strike Force will be assigned a vehicle which will be leased by the City of Duluth; and

WHEREAS, the one Deputy committed to the Regional Strike Force will have exclusive control of the leased vehicle and the Sheriff will provide funds from the Sheriff's budget for all maintenance for the vehicle which will include funds to the County's self-insurance fund to insure the vehicle; and

WHEREAS, St. Louis County has signed the Joint Powers Agreement and past Grant Agreements and agreed to carry out all its obligations thereunder; and

WHEREAS, the State of Minnesota requests that St. Louis County sign the 2003-05 Grant Agreement and agree to carry out all its obligations thereunder; and

WHEREAS, the State of Minnesota requests that St. Louis County provide proof of self-insurance as to the one leased vehicle to be used exclusively by the Sheriff's Deputy while assigned to the Regional Strike Force.

NOW, THEREFORE, BE IT RESOLVED, that the County Board of Commissioners authorizes the appropriate County officials to sign the 2003-05 Grant Agreement and thereby agree to carry out all of the County's obligations thereunder; and

RESOLVED FURTHER, that the County Board of Commissioners authorizes the Sheriff to assign one full-time Deputy Sheriff to the Regional Strike Force for as long as the Sheriff continues to receive reimbursement from the City of Duluth for 75 percent of the salary and benefits of the one Deputy assigned to the Regional Strike Force, the reimbursement to be credited to Fund 1, Department 091, Account 101; and

RESOLVED FURTHER, that the County Board of Commissioners authorizes the inclusion of the leased vehicle in the St. Louis County self insurance fund for as long as reimbursement continues and authorizes the Sheriff to allocate funds from the Sheriff's Fund 01, Dept. 091, Account 336 to the self insurance fund for that purpose.

Adopted April 8, 2003. No. 217

WHEREAS, the St. Louis County Planning Commission held public hearings on November 14, 2002, and December 12, 2002, relating to amendments to the St. Louis County Zoning Ordinance;

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

123

and

WHEREAS, the Planning Commission on February 13, 2003, made recommendations to the County Board of Commissioners relating to the proposed amendments; and  
NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners will hold a public hearing on Tuesday, May 13, 2003, 9:35 A.M., St. Louis County Courthouse, Duluth, Minnesota, to consider an amendment to the St. Louis County Zoning Ordinance No. 46, Article II, Section 1.04, Permit not Required, Article II, Section 6 Definitions, and Article VI, Section 4, Utility Structures.  
Adopted April 8, 2003. No. 218

**BY COMMISSIONER FAY:**

WHEREAS, the St. Louis County Heritage and Arts Center (SLCHAC) is in danger of closure unless it can be placed on a sound financial basis; and  
WHEREAS, St. Louis County and the City of Duluth desire to see the SLCHAC remain open to the public and continue to house members of the arts and cultural organizations, which will require a strong financial base that will insure continued operation; and  
WHEREAS, an "anchor tenant" that would serve as an additional attraction to draw visitors to the SLCHAC and the downtown Duluth area could serve to provide additional funding to help support the annual operational costs of the SLCHAC; and  
WHEREAS, a liquor license specifically designated for the SLCHAC would make it much easier to attract a restaurant as an "anchor tenant" of the SLCHAC.  
NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners hereby supports S.F. 797 and H.F. 1276 which allows the City of Duluth to issue one on-sale intoxicating liquor license for the St. Louis County Heritage and Arts Center, commonly known as the Duluth Depot.  
Unanimously adopted. April 8, 2003. No. 219

**BY COMMISSIONER RAUKAR:**

WHEREAS, the City of Duluth desires to house its arrestees in the St. Louis County Jail prior to their arraignment; and  
WHEREAS, the St. Louis County Sheriff's Department is agreeable to providing said services.  
NOW, THEREFORE, BE IT RESOLVED, that the necessary County officials are hereby authorized to execute a Jail Use Agreement between the City of Duluth and St. Louis County commencing January 1, 2003, and ending December 31, 2003, which provides that the City will pay to the County an annual fee of \$40,000 paid in equal quarterly installments for use of the St. Louis County Jail to confine arrestees prior to arraignment by a court of competent jurisdiction. Such funds shall be deposited to Fund 01, Agency 101, Org. 101, Revenue 1010.  
Yeas - Commissioners Fay, Kron, Forsman, Raukar, and Chair Fink - 5  
Nays - Commissioner Sweeney and Nelson - 2  
Adopted April 8, 2003. No. 220

Upon motion of Commissioner Kron, supported by Commissioner Raukar, the rules were suspended to adopt Resolution No. 221 which was not on the agenda.

**BY COMMISSIONER KRON:**

WHEREAS, Article 5, Section 1, Subdivision 9, of H.F. 751 as introduced in the 2003 session of the Minnesota Legislature calls for creation of law which would implement a reverse referendum procedure on tax levy increases; and  
WHEREAS, this reverse referendum requirement could lead to the eventual dismantling of local government services to citizens, and to diminishing the quality of life of Minnesotans; and  
WHEREAS, such a proposal breaks with long-standing historical legislative policy allowing for local control and local accountability, two of the most appropriate constraints on property taxes;

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

124

and

WHEREAS, the citizens of Minnesota already have an enhanced role through electing local officials to become knowledgeable and to make informed decisions on behalf of their constituents, and through extensive citizen involvement on a daily basis; and

WHEREAS, the duly elected commissioners of St. Louis County annually construct and prudently adopt an annual budget which results in property tax levies suited to the needs of the county's residents; and

WHEREAS, the St. Louis County Board of Commissioners has set budgets which deliver services to residents at the lowest possible price resulting in an average levy increase of 4.4 percent since 1996, and the lowest levy increase of all other local jurisdictions in St. Louis County for 2003; and WHEREAS, other than raising fees, county governments in Minnesota have only the property tax levy available to meet the inflationary and population-driven demands of the mandated and essential services delivered to citizens;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners hereby opposes passage of legislation which would impose a reverse referendum on tax levy increases.

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to Governor Tim Pawlenty; Senate Majority Leader John Hottinger; Speaker of the House Representative Steve Sviggum; Senator Larry Pogemiller, Chair of the Senate Committee on Taxes; Representative Ron Abrams, Chair of the House Taxes Committee; local state legislators; and the Association of Minnesota Counties (AMC).

Yeas - Commissioners Kron, Forsman, Sweeney, Nelson, Raukar, and Chair Fink - 6

Nays - Commissioner Fay - 1

Adopted April 8, 2003. No. 221

Upon motion of Commissioner Forsman, supported by Commissioner Raukar, Resolutions No. 222 through 234, which were approved at the Committee of the Whole meeting this date, were brought forth to this meeting as a second Consent Agenda and were unanimously adopted as follows:

**BY COMMISSIONER FORSMAN:**

RESOLVED, that the St. Louis County Board of Commissioners authorizes the Chairperson of the County Board, County Auditor, and the Health Director to sign an agreement with Home Care Specialists to provide professional nursing services to Community Alternative Care Client No. 026. Adopted April 8, 2003. No. 222

RESOLVED, that the Chairperson of the County Board, County Auditor, and County Administrator be authorized to sign an addendum to the agreement with the Lake Superior Community Health Center to provide diagnosis and treatment of sexually transmitted diseases in the amount of \$20,000 for the time period of January 1, 2003, through December 31, 2003, payable from Fund 1, Agency 220 (Public Health Nursing), Org. 220. Adopted April 8, 2003. No. 223

RESOLVED, that the County Board of Commissioners authorizes the Chairperson of the Board, County Auditor, and County Administrator to sign an agreement with Interim Healthcare to provide Registered Nurses, Licensed Practical Nurses, and Nursing Assistants Registered upon request of Chris Jensen Health and Rehabilitation Care Center, effective June 9, 2002, through June 8, 2004, payable from Fund 64A (Chris Jensen), Agency N71, Org. 1200 (RNs), 1300 (LPNs), and 1400 (NARs), Object 264. Adopted April 8, 2003. No. 224

RESOLVED, that the County Board of Commissioners authorizes the Chairperson of the Board, County Auditor, and County Administrator to sign an agreement with Health Star Staffing to

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

125

provide Registered Nurses, Licensed Practical Nurses, and Nursing Assistants Registered upon request of Chris Jensen Health and Rehabilitation Care Center, effective June 9, 2002, through June 8, 2004, payable from Fund 64A (Chris Jensen), Agency N71, Org. 1200 (RNs), 1300 (LPNs), and 1400 (NARs), Object 264.

Adopted April 8, 2003. No. 225

RESOLVED, that the County Board of Commissioners hereby authorizes the Chairperson of the Board, County Auditor, and Nursing Home Director to enter into an addendum to the agreement with Bridge Rehabilitation Services, Inc., for physical, occupational, and speech therapy services for the period March 1, 2003, through December 31, 2003, at Chris Jensen Health and Rehabilitation Center, payable from Fund 64A, Org. 4200, Org. 4500, Org. 4600, Object 264.

Adopted April 8, 2003. No. 226

RESOLVED, that the St. Louis County Auditor, by the authority vested in him under Minnesota Statutes, Section 282.04, Subdivision 1, is hereby authorized to offer earthen material at public sale to the highest responsible bidder, a maximum sixty thousand (60,000) cubic yards loose volume measure (thirty thousand cubic yards (30,000) minimum) from a pit to be developed on State tax forfeited land described as NE 1/4 of SW 1/4, Section 17, Township 51 North, Range 15 West (Midway West Pit). This material will be made available at public sale, at the minimum appraised price of \$0.90 per cubic yard loose volume measure. The successful bidder shall make an initial non-refundable payment equal to the bid per cubic yard price times 30,000 cubic yards, plus \$50.00 Administration fee, \$6.00 Publication fee, and a refundable reclamation deposit of \$3,000.00, for a minimum total cost of \$30,056.00 due at the time of sale and subject to the terms and conditions set forth by the St. Louis County Land Commissioner in the earthen material permit.

RESOLVED FURTHER, said sale will be held at 9:30 A.M., April 24, 2003, Room 607, Government Services Center, 320 West Second Street, Duluth, MN 55802.

Adopted April 8, 2003. No. 227

RESOLVED, that the appropriate County officials are authorized to sign an agreement with the St. Louis and Lake Counties Regional Railroad Authority for S.P. 69-090-13, County Project C.P. 3627, whereby the Railroad Authority will pay the local dollar match of twenty percent (20%) of the actual project costs, and other costs including but not limited to advertising, mailing of plans and proposals, and construction materials testing. Funds will be receipted into Fund 08A, Agency 525, Org. 3627.

Adopted April 8, 2003. No. 228

RESOLVED, that the appropriate County officials are hereby authorized to enter into an agreement with the City of Duluth whereby the City will pay the "City of Duluth Non-Participating" local share items listed in the Estimated Quantities in the Plan, provide all necessary construction engineering and inspection for utility items contained in the Plan, and bear its share of the cost of the storm sewer system. The City portion will be receipted into Fund 08A, Agency 525, Org. 8231, Object 527.

Adopted April 8, 2003. No. 229

RESOLVED, that the St. Louis County Board authorizes the necessary County officials to sign agreements with the Minnesota Department of Natural Resources to accept the 2003 Supplemental Boat and Water Safety Grant in the amount of \$10,000 to be used for reimbursement of overtime expenses in enforcing watercraft laws, payable to Fund 01, Boat and Water Safety 092.

RESOLVED FURTHER, that the 2003 revenue budget for Fund 01, 092, be increased by \$10,000.

Adopted April 8, 2003. No. 230

WHEREAS, Citizens Communications Company of Minnesota (formerly GTE) is the local

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

126

exchange carrier providing telephone service in the Alborn, Aurora, Babbitt, Brimson, Brookston, Crane Lake, Ely, Embarrass, Floodwood, Greaney, Hoyt Lakes, Meadowlands, Palo and Tower telephone exchanges, including 9-1-1 telephone service; and

WHEREAS, the original 9-1-1 Agreement between GTE (formerly CONTEL), St. Louis County and the State of Minnesota needs to be amended to reflect Citizens' participation in the County's 9-1-1 Plan and specify costs associated with router-based Automatic Number Identification (ANI) and Automatic Location Identification (ALI) as part of the 9-1-1 telephone service provided; and WHEREAS, the County's 9-1-1 System User Board and Emergency Communications Department recommend approval of the First Amendment to the 9-1-1 Agreement.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners hereby authorizes the Chair of the Board and County Auditor, with approval by the County Attorney, to approve the First Amendment to the 9-1-1 Agreement with the State of Minnesota and Citizens Communications, which identifies Citizens Communications Company of Minnesota as a 9-1-1 telephone service provider in St. Louis County and specifies costs associated with router-based ANI-ALI to be paid by the State of Minnesota, Department of Administration.

Adopted April 8, 2003. No. 231

WHEREAS, bids have been received by the County Auditor for the following project: M.P. 91-1250, C-SAH 91 (Haines Road) between D.M. & I.R. R.R. Tracks and C-SAH 56 (Morris Thomas Road) in Duluth, MN; Length: 2.192 miles. Project to consist of Bituminous Pavement Reclamation, P.M. Bituminous Surface and Aggregate Shouldering;

WHEREAS, said bids or proposals were duly opened in the County Board Room at 10:00 A.M., April 7, 2003, and this Board has, with the County Highway Engineer, determined the lowest bidder of said project for which proposals were invited and submitted; and

WHEREAS, in the judgment of this Board it is for the best interest of St. Louis County that the award of said contract be made to the lowest bidder.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of St. Louis County, Minnesota, in regular session duly convened, that they hereby approve the award of contract on the above project to the lowest bidder:

<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
Northland Materials, LLC	4843 Rice Lake Road Duluth, MN 55803	\$296,650.75

RESOLVED FURTHER, that the Chairman of the County Board, the County Auditor, and the County Attorney, on behalf of the County of St. Louis, are hereby authorized to approve the Contractor's Performance Bonds and to execute the bonds and contracts with the Contractor for the above listed project; payable from Fund 02, Agency A17, Org. 1250, Object 528.

Adopted April 8, 2003. No. 232

RESOLVED, the St. Louis County Board of Commissioners hereby adopts the Amended Policy on Sick Leave Reserve Fund, effective January 1, 2002, as contained in Board File No. 58058.

Adopted April 8, 2003. No. 233

WHEREAS, the current \$4.2 billion state deficit will force Minnesota counties to take hundreds of millions in state funding cuts, including cuts to county owned nursing homes and the ability of counties to offset or absorb these state cuts will be extremely limited; and

WHEREAS, for nearly a century, St. Louis County has been willing to provide a safety net of health care for our aging and oftentimes most difficult to care for citizens; and

WHEREAS, St. Louis County continues to actively study ways to both streamline and stabilize our nursing home operations, some recent legislative initiatives such as H.F. 263, would only lead to further financial instability; and

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

127

WHEREAS, with a continued mammoth-sized state deficit, the State of Minnesota can now only offer nursing homes financial disincentives, instead of needed incentive based funding;  
NOW, THEREFORE, BE IT RESOLVED that the St. Louis County Board of Commissioners goes on record in opposition to H.F. 263.  
Adopted April 8, 2003. No. 234

**BY COMMISSIONER RAUKAR:**

RESOLVED, the St. Louis County Board of Commissioners encourages our legislative delegation to pursue legislation which may allow the creation of a special public nursing home taxing district for the southern part of the county and perhaps, if necessary, an additional special taxing district for the northern half of the county.

Yeas - Commissioners Kron, Forsman, Sweeney, and Raukar - 4

Nays - Commissioners Fay, Nelson, and Chair Fink - 3

Adopted April 8, 2003. No. 235

At 1:08 P.M. on Tuesday, April 8, 2003, upon motion of Commissioner Sweeney, supported by Commissioner Kron, the Board of County Commissioners adjourned.

Dennis Fink, Chair of the Board  
of County Commissioners

Attest:  
Gordon D. McFaul, County Auditor  
and Ex-Officio Clerk of the Board  
of County Commissioners

(Seal of the County Auditor)

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

128

**OFFICIAL PROCEEDINGS OF THE MEETING  
OF THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF ST. LOUIS, MINNESOTA,  
HELD ON APRIL 22, 2003**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 22nd day of April, 2003, at 9:32 A.M. in Courtroom No. 4, Courthouse, Virginia, Minnesota. The meeting was called to order by the Chair with the following members present: Commissioners Joanne Fay, Bill Kron, Peg Sweeney, Keith Nelson, Steve Raukar, and Chair Dennis Fink - 6. Absent: Commissioner Mike Forsman - 1.

Chair Fink opened the meeting by asking Commissioner Raukar, Chair of Public Safety and Corrections Committee, to present the annual 9-1-1 Lifesaver Awards. Commissioner Raukar related the story of Andrew Wagner, who was rescued after spending two sub-zero nights lost in the woods near Hoyt Lakes as result of a snowmobile accident. The following persons were recognized for their part in the rescue: Jordan Wagner, citizen; Emergency Communications Specialists Peggy Keur, Dave Zamlan, Sue Hill, Don Walters, Tim Treacy, Renee Kailanen, Diane Murrer-Laughlin, Lisa Winkler, Linda Vukich and Dana Nelson; Sheriff Deputies Tom Skoglund, John Backman, Jessica Towne, Art Winkelman, Sgt. Bill Lesar and Sgt. J. Patrick McKenzie; the North and South St. Louis County Rescue Squads; Hoyt Lakes Police Officers Mark Wippler and Greg Lekatz; Hoyt Lakes Ambulance/Fire Department personnel Chief Steve Stoks, Randy Houdek, Andy Benes, Dan Popp, Don Lien, Steve House, Linda Stoks, Ann Vreeland, Jeffrey Linnell, Chris Vreeland, Greg Sandau, Shelley Sandau, Jane House and Theresa Swentik; ATV/Snowmobile Club members Arnold Rudolph, Larry Steenerson, Jay Wood and Allen Moisis; St. Mary's Lifeflight personnel J.D. Pearson, Joel Timblin and Karen Engen.

Andrew Wagner was present and thanked everyone involved in his rescue.

At 9:45 A.M., a public hearing was convened, pursuant to County Board Resolution No. 186, adopted March 25, 2003, to consider granting an off-sale intoxicating liquor license to Trails Echo Lake, LLC, d/b/a Trails End Resort, Portage Township. Alan Mitchell, County Attorney, advised the Board that: all required county departments had reviewed the application and recommended approval; the Town of Portage recommended approval; the Liquor Licensing Committee met with the applicants and recommended approval; all required notices had been given; and, the necessary insurance certificate was submitted. Tim and Dawn Tacik, owners of the resort, were present and said they understood and would abide by the provisions of County Liquor Ordinance No. 28. No one else addressed the issue.

At 9:51 A.M., Commissioner Sweeney, supported by Commissioner Raukar, moved to close the public hearing; six yeas - zero nays. Commissioner Sweeney, supported by Commissioner Raukar, moved to approve granting the off-sale, intoxicating liquor license; six yeas - zero nays. Resolution No. 243.

At 9:52 A.M., a public hearing was convened, pursuant to County Board Resolution No. 202, adopted April 1, 2003, to consider granting an off-sale intoxicating liquor license to Hwy 5 Bar & Grill, Inc., d/b/a Hwy 5 Bar & Grill, Inc., Unorganized Township 59-21. County Attorney Alan Mitchell advised the Board that: all required county departments had reviewed the application and recommended approval; the Liquor Licensing Committee met with the applicant and recommended approval; all required notices had been given; and, the necessary certificate of insurance had been submitted. Mary Bertram, owner, was present and said she understood and would abide by the provisions of County Liquor Ordinance No. 28. No one else addressed the issue.

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

129

At 9:57 A.M., Commissioner Sweeney, supported by Commissioner Fay, moved to close the public hearing; six yeas - zero nays. Commissioner Raukar, supported by Commissioner Nelson, moved to approve granting the off-sale, intoxicating liquor license; six yeas - zero nays. Resolution No. 244.

At 9:58 A.M., a public hearing was convened, pursuant to County Board Resolution No. 201, adopted April 1, 2003, to consider rezoning an area legally described as Plats of Birchview Acres and Jones Homesites from Multiple Use Non Shoreland-4 to Shoreland Mixed Use-7 (SMU-7). The following persons addressed the issue:

Barbara Hayden, Planning Director, presented a brief history of the petition request for rezoning. The Planning Commission, by a five to three vote, approved the rezoning but added language doubling lot sizes exempt from obtaining a variance. The County Attorney's Office advised that the language would require an ordinance text amendment and a separate hearing. A revised resolution was submitted, which deleted reference to the additional language.

Scott Smith, Planning Department, described the history of zoning in these plats and said his department recommends SMU-7, which would make all sixteen current parcels conforming and also create potential development of two additional parcels. The petition request for SMU-11 zoning and current MUNS-4 zoning are more restrictive and probably not appropriate for this area, according to Smith.

Arlene Wermter, resident of the area, related problems she encountered constructing a garage on her property and she asked the Board to reinstate original zoning requirements.

Fred Germ, resident of the area, said current zoning restrictions have devalued his property and he also asked for reinstatement of the original zoning (100 feet, one-half acre minimum).

After lengthy discussion, Commissioner Raukar, supported by Commissioner Kron, moved to close the hearing at 11:03 A.M.; six yeas - zero nays.

Rezoning discussion resumed. Chair Fink said the Planning Commission added double lot size requirements because residents appearing before the Planning Commission seemed to favor restricting further development in the area. Commissioner Nelson expressed concern that persons whose property is destroyed by fire or other disaster and wish to rebuild face an expensive and time-consuming variance process. After further discussion, Commissioner Raukar, supported by Commissioner Sweeney, moved to approve the rezoning; five yeas - one nay, Chair Fink. Resolution No. 245.

Chair Fink then opened the meeting to persons who wanted to address the Board concerning issues not on the agenda and the following chose to do so:

Vic Gunderson, Orr, expressed his displeasure with County proposals concerning maintenance of Gold Mine Road. Mr. Gunderson has maintained the road for many years and it is public. The U.S. Forest Service and the County use the road for logging. Attempts to organize a road association, as suggested by the County, have been unsuccessful.

Leif Gunderson, Orr, owner of Gold Mine Resort, urged the County to take over the road.

Gary Eckenberg, Administration, presented a brief summary of County efforts to resolve the Gold Mine Road problem.

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

130

After discussion, it was the consensus of the Board to contact all parties involved and ask for responses prior to May 6, 2003. The issue would then be placed on the agenda of the May 13, 2003, Committee of the Whole meeting for consideration.

At 11:50 AM. in the forenoon of Tuesday, April 22, 2003, Commissioner Sweeney, supported by Commissioner Nelson, moved to recess the Board until 2:00 P.M. on April 22, 2003, in Courtroom No. 4, Courthouse, Virginia, Minnesota.

The Board reconvened at 2:37 P.M. on April 22, 2003, and the regular order of business resumed with all members present except Commissioner Forsman.

Commissioner Raukar, supported by Commissioner Sweeney, moved to approve a second consent agenda consisting of all items passed unanimously at the just-completed Committee of the Whole meeting; six years - zero nays.

Commissioner Sweeney, supported by Commissioner Kron, moved to approve purchase of up to 360 computers by Social Services using the MIS installment plan, payable within four years; four years - two nays, Commissioners Fay and Nelson. Resolution No. 269.

The following Board and Contract Files were created as a result of documents received at this Board meeting:

Documentation from public hearing held on April 22, 2003, regarding amending county zoning map, Ordinance No. 46, to include revised zoning map for Township 57 North, Range 16 West (Unorganized).--58060

Raymond J. Eck, City Clerk, City of Eveleth, relative to their City Council passing a motion in support of renaming the highway by the Eveleth-Virginia Airport "Senator Wellstone Memorial Drive".--58061

Patricia Awada, Minnesota State Auditor, submitting the Office of the State Auditor's (OSA) "Statement of Position on Fund Balances for Counties".--58062

David Twa, County Administrator, and Dave Epperly, Land Commissioner, submitting Board Letter No. 03-172 regarding reclassification of state tax forfeited lands (City of Duluth) and adjoining owner sale of property located in Section 18, Township 50 North, Range 14 West.--58063

David Twa, County Administrator, and Dave Epperly, Land Commissioner, submitting Board Letter No. 03-173 regarding classification of state tax forfeitures - Conservation (Outside the City of Duluth - Town of Cedar Valley).--58064

David Twa, County Administrator, and Dave Epperly, Land Commissioner, submitting Board Letter No. 03-174 regarding classification of state forfeitures - non-conservation (Outside the City of Duluth).--58065

David Twa, County Administrator, and Dave Epperly, Land Commissioner, submitting Board Letter No. 03-175 regarding classification of state tax forfeitures - non-conservation (City of Duluth).--58066

Land Commissioner submitting lists of tax forfeited lands in rural and urban areas of St. Louis County and withdrawals from Memorial Forest to be offered for public sale during the year 2003.--58067

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

131

Documentation from public hearing held on April 22, 2003, to consider the granting of an Off-Sale Intoxicating Liquor License to Trails Echo Lake, LLC, d/b/a Trails End Resort, Portage Township.-58068

Documentation from public hearing held on April 22, 2003, to consider the granting of an Off-Sale Intoxicating Liquor License to Hwy 5 Bar & Grill, Inc., d/b/a Hwy 5 Bar & Grill, Inc., Unorganized Township 59-21.-58069

St. Louis County Emergency Communications Department recognizing individuals by granting the "9-1-1 Lifesaver Award".-58070

Amended 2002/2003 Merit System Basic Unit Bargaining Agreement for implementation of a Post Retirement Health Care Savings Plan.-03-374

Post Retirement Health Care Savings Plan for employees of the Merit System Basic Unit.-03-375

Amended 2002/2003 Civil Service Basic Unit Bargaining Agreement for implementation of a Post Retirement Health Care Savings Plan.-03-376

Post Retirement Health Care Savings Plan for employees of the Civil Service Basic Unit.-03-377

Supply Contract No. 4374 between the County of St. Louis and Saralee Bakery Group, Inc., for bakery products.-03-378

Purchase of Services between St. Louis County and Valley Youth Center for public service.-03-379

Purchase of Services Agreement between St. Louis County and AEOA - Retired Senior Volunteer Program for public service.-03-380

Purchase of Services Agreement between St. Louis County and Bethany Crisis Nursery for public service.-03-381

Purchase of Services Agreement between St. Louis County and AEOA - Lives in Transition for public service.-03-382

Purchase of Services Agreement between St. Louis County and The Salvation Army for public service.-03-383

St. Louis County Community Development Block Grant Program Planning Agreement between St. Louis County and Town of Wuori.-03-384

Group Residential Housing Rate Agreement between the St. Louis County Board of Commissioners and Innovative Living, Inc. (Piedmont).-03-385ss

Group Residential Housing Rate Agreement between the St. Louis County Board of Commissioners and REM Arrowhead, Inc. (Oneida).-03-386ss

Group Residential Housing Rate Agreement between the St. Louis County Board of Commissioners and Randi Almquist Foster Home.-03-387ss

Addendum to Purchase Agreement, Contract No. 13510B, between the St. Louis County Board of

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

132

Commissioners and Personal Staff Senior Care, Inc., for personal emergency response service.-03-388ss

Addendum to Purchase Agreement, Contract No. 13484A, between the St. Louis County Board of Commissioners and Garden House Estates, Ltd., for SLS for adults.-03-389ss

Addendum to Purchase Agreement, Contract No. 13347A, between the St. Louis County Board of Commissioners and Empowerment Services of Minnesota, Inc. (ESI) - Aurora for SLS for adults.-03-390ss

Addendum to Purchase Agreement, Contract No. 13343A, between the St. Louis County Board of Commissioners and Empowerment Services of Minnesota, Inc. (ESI) - Mountain Iron for SLS for children.-03-391ss

Addendum to Purchase Agreement, Contract No. 13344A, between the St. Louis County Board of Commissioners and Empowerment Services of Minnesota, Inc. (ESI) - Heritage for SLS for adults.-03-392ss

Addendum to Purchase Agreement, Contract No. 13342A, between the St. Louis County Board of Commissioners and Empowerment Services of Minnesota, Inc. (ESI) - In-Home Family Support.-03-393ss

Purchase of Service Agreement, Contract No. 13610, between the St. Louis County Board of Commissioners and Trillium Services, Inc. - London Road for SLS for adults.-03-394ss

Addendum to Purchase Agreement, Contract No. 13111E, between the St. Louis County Board of Commissioners and TBI Residential and Community Services, Inc., for adult foster care services.-03-395ss

Purchase of Service Agreement, Contract No. 13513, between the St. Louis County Board of Commissioners and CHOICE, Unlimited, for supported employment.-03-396ss

Contract Amendment No. 1 to the 2002 Nutrition Services Contract, Project No. 303-C2-03, between the County of St. Louis and Arrowhead Regional Development Commission.-03-397ss

Purchase of Service Agreement, Contract No. 13511, between the St. Louis County Board of Commissioners and The Pointe Estates, Inc., for assisted living plus.-03-398ss

Purchase of Service Agreement, Contract No. 13514, between the St. Louis County Board of Commissioners and Stepping Stones for Living, LLC, for adult foster care services.-03-399ss

Group Residential Housing Rate Agreement between the St. Louis County Board of Commissioners and TBI Residential and Community Services.-03-400ss

Group Residential Housing Rate Agreement between the St. Louis County Board of Commissioners and Stepping Stones for Living - Haines.-03-401ss

Group Residential Housing Rate Agreement between the St. Louis County Board of Commissioners and Stepping Stones for Living - Helm.-03-402ss

Group Residential Housing Rate Agreement between the St. Louis County Board of Commissioners and NHS - Northstar Specialized Services, Inc. (Horizons II).-03-403ss

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

133

Group Residential Housing Rate Agreement between the St. Louis County Board of Commissioners and Trillium Services, Inc. (London Road).-03-404ss

Group Residential Housing Rate Agreement between the St. Louis County Board of Commissioners and The Pointe Estates.-03-405ss

Purchase of Service Agreement, Contract No. 13508, between the St. Louis County Board of Commissioners and Bridge Rehabilitation Services, Inc., for specialist services.-03-406ss

Purchase of Service Agreement, Contract No. 13491, between the St. Louis County Board of Commissioners and Lutheran Social Services of Minnesota (Bethany Range Shelter) for supervised visitation services.-03-407ss

Addendum to Grant Agreement, Contract No. 20491B, between the St. Louis County Board of Commissioners and Lutheran Social Services for truancy intervention.-03-408ss

Purchase of Service Agreement, Contract No. 13437, between the St. Louis County Board of Commissioners and the City of Duluth for Food Stamp Employment and Training Services (FSET).-03-409ss

Purchase of Service Agreement, Contract No. 13507, between the St. Louis County Board of Commissioners and REM Arrowhead, Inc. - Oneida for SLS for adults.-03-410ss

Purchase of Service Agreement, Contract No. 13461, between the St. Louis County Board of Commissioners and Benedictine Health Center Adult Day Services for adult day care.-03-411ss

Purchase of Service Agreement, Contract No. 13608, between the St. Louis County Board of Commissioners and St. Francis Health Services of Morris, d/b/a Home Care Service Options of Duluth, for assisted living.-03-412ss

Addendum to Purchase Agreement, Contract No. 13346A, between the St. Louis County Board of Commissioners and Empowerment Services of Minnesota, Inc. (ESI) - Biwabik for SLS for adults.-03-413ss

Addendum to Purchase Agreement, Contract No. 13345A, between the St. Louis County Board of Commissioners and Empowerment Services of Minnesota, Inc. (ESI) - Embarrass for SLS for adults.-03-414ss

Addendum to Purchase Agreement, Contract No. 13340A, between the St. Louis County Board of Commissioners and Empowerment Services of Minnesota, Inc. (ESI), for semi-independent living services.-03-415ss

Grant Agreement, Contract No. 20543, between the St. Louis County Board of Commissioners and Human Development Center for mental health screening of homeless children.-03-416ss

Grant Agreement, Contract No. 20538, between the St. Louis County Board of Commissioners and Human Development Center for adolescent services grant.-03-417ss

Agreement for Professional Services between the County of St. Louis and Scalzo Architects for Duluth Courthouse Coffee Shop Remodel Project.-03-418

Agreement for Economic Development Services between the County of St. Louis and the Duluth

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

134

Seaway Port Authority.–03-419

Employee Safety and Development Training Contract between St. Louis County and United Rentals for *Traffic Control* session.–03-420

Addendum No. 3 to Agreement for Services between the County of St. Louis, through its Department of Public Health, and Lake Superior Community Health Center for providing diagnosis/treatment of sexually transmitted diseases.–03-421

Service Contract, Contract No. 4340, between the County of St. Louis and Dougherty Trucking and Aggregate for transfer trailer haulage services.–03-422

Consulting Agreement between Survey Management Services, Inc., Jenean M. Erickson and St. Louis County, through the Administration Department on behalf of Chris Jensen Health and Rehabilitation Center.–03-423

Agreement for Professional Services between St. Louis County and Cresnet Auctioneering for an auction of kitchen equipment at Nopeming.–03-424

Agreement between the City of Chisholm, City of Hibbing and the County of St. Louis for Housing Inmates at the St. Louis County Holding Facility in Hibbing.–03-425

Upon motion of Commissioner Kron, supported by Commissioner Sweeney, Resolutions No. 236 through 242, as submitted to this Board on the Consent Agenda were unanimously adopted as follows:

**BY COMMISSIONER KRON:**

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of April 1, 2003, are hereby approved.

Adopted April 22, 2003. No. 236

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of April 8, 2003, are hereby approved.

Adopted April 22, 2003. No. 237

RESOLVED, that the recommendations of the Finance Committee for payment of claims and bills against the County of St. Louis, on file in the office of the County Auditor, identified as County Board File No. 57999, are hereby approved and the County Auditor shall issue checks in the following amounts:

<u>FUND</u>		<u>TOTAL</u>
T21	Beer License	\$ 20.00
T27	Refunds	87,466.78
T31	Caribou Lake Wastewater Con.	570.27
T49	Taconite Production Tax	120,284.00
T50	State of Minnesota	251,986.94
T66	Criminal Fines	167,517.22
T74	Employer/Employee Deductions	123,500.43
T77	Cancelled Checks	25,560.54
T84	Attorneys Forfeitures	500.00
T87	Assault Fees	2,652.03
01	General Fund	943,172.25

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

135

02	Public Works	457,291.79
04	Social Services	3,766,338.37
08	County Facilities - Capital Projects	3,864.00
08A	State Aid Road	7,568.10
08B	Road & Bridge Building Const.	10,941.46
10B	Emer. Shelt. 99/00 Funds	4,747.41
11A	Home Grant - All Years	75.00
12B	CDBG Grant	44,141.04
128	Law Library	8,864.00
129	City/County Comm. Antenna Site	3,251.67
13	St. Louis County HRA	20,893.57
131	Extension Service	44,232.78
15	Forfeited Tax	34,233.69
16	Forest Resources	23,499.25
26	Solid Waste Authorities	198,474.03
49	Postage/Office Supplies	35,182.30
50	Printing	9,032.52
51	County Garage	30,879.32
52A	Property, Casualty, Liability	32,740.29
52B	Workers Compensation	91,291.19
52D	Medical/Dental Self Insurance	779.20
53	Management Information Systems	77,864.08
54	Regional Railroad Authority	14,860.89
55	Telecommunications	21,629.20
57	Retired Employees Health Insurance	2,340.89
64A	Chris Jensen Health & Rehab.	186,556.30
64B	Nopeming Care Center	733.56
65	Laundry	17,872.42
66	Community Food Services	26,744.40
67	Supervised Living Facilities	4,753.56
73	Arrowhead Regional Corrections	189,269.55
74	Community Health Services	<u>3,350.59</u>
		<u>\$7,097,526.88</u>

Adopted April 22, 2003. No. 238

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, as set forth by the County Attorney, dated April 4, 2003, on file in the office of the County Auditor, identified as County Board File No. 57995, is hereby received and ratified as payable from Fund 52, Department 12.

Adopted April 22, 2003. No. 239

RESOLVED, that pursuant to the provisions of Minnesota Statutes, Section 340A, as amended, and Rules and Regulations adopted by this Board under St. Louis County Ordinance No. 28, dated May 22, 1978, as amended, the following application for a seasonal intoxicating liquor license is hereby approved, on file in the office of the County Auditor, identified as County Board File No. 58004; FURTHER RESOLVED, that said license is approved contingent upon licenseholder paying real estate or personal property taxes when due; FURTHER RESOLVED, that if named licenseholder sells their licensed place of business, the County Board, at its discretion, may, after an investigation, transfer the license to a new owner, but without pro-rated refund of the license fee to the licenseholder; FURTHER RESOLVED, that said license shall be effective through October 31, 2003:

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

136

Fry & Fry, Inc., d/b/a Northland Lodge, Leiding Township, Seasonal On-Sale Intoxicating Liquor License No. SE035, renewal, change of officers.  
Adopted April 22, 2003. No. 240

RESOLVED, that the appraisal reports for the sale of timber to be offered at Sealed Bid Timber Auction, Tracts 1 through 23 (totaling \$1,148,220.66), as submitted by the Land Commissioner, on file in the office of the County Auditor, identified as County Board File No. 58000, are approved and the County Auditor is authorized to carry out the recommendations as listed in said appraisal reports.  
Adopted April 22, 2003. No. 241

RESOLVED, that pursuant to St. Louis County Ordinance No. 51, the applications for license to sell tobacco products, at retail, on file in the office of the County Auditor, identified as County Board File No. 57994, are hereby approved and the County Auditor is authorized to issue the licenses as follows;  
RESOLVED FURTHER, that if named licenseholders sell their licensed business, the County Board, at its discretion, may, after an investigation, transfer the licenses to a new owner, but without pro-rated refund to the licenseholders:

Cold Springs, Inc., d/b/a Cold Springs, Inc., Unorganized Township 67-20, Tobacco Products License No. T03182, new;

Alan Jenny/Rose Jenny, d/b/a Island Beach Campground, Fredenberg Township, Tobacco Products License No. T0372, renewal;

Nelson's Resort, Inc., d/b/a Nelson's Resort, Inc., Crane Lake Township, Tobacco Products License No. T03100, renewal;

Susan M. Piontek-Kopic, d/b/a Piontek's Minnows & Munchies, Fine Lakes Township, Tobacco Products License No. T03167, renewal.  
Adopted April 22, 2003. No. 242

**BY COMMISSIONER SWEENEY:**

WHEREAS, Trails Echo Lake, LLC, d/b/a Trails End Resort, Portage Township, St. Louis County, Minnesota, has applied for an off-sale intoxicating liquor license; and  
WHEREAS, Minnesota Statutes, Section 340A.405, Subdivision 2(d), requires that a public hearing be held prior to the issuance of an off-sale intoxicating liquor license; and  
WHEREAS, a public hearing was held on April 22, 2003, at or about 9:35 A.M. in the St. Louis County Courthouse, Virginia, Minnesota, for the purpose of considering the granting of the off-sale intoxicating liquor license; and  
WHEREAS, with regard to the application for said license Trails End Resort has complied in all respects with the requirements of Minnesota Law and St. Louis County Ordinance No. 28; and  
WHEREAS, the Liquor Licensing Committee of the St. Louis County Board of Commissioners has considered the nature of the business to be conducted and the propriety of the location and has recommended approval of the application.  
NOW, THEREFORE, BE IT RESOLVED, that Off-Sale Intoxicating Liquor License (License Number CMB0372) shall be issued to Trails Echo Lake, LLC, d/b/a Trails End Resort, Portage Township;  
FURTHER RESOLVED, that said liquor license shall be effective through June 30, 2003;  
FURTHER RESOLVED, that said license is approved contingent upon payment of real estate taxes when due;  
FURTHER RESOLVED, that if named licenseholder sells the licensed place of business, the

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

137

County Board, at its discretion, may, after an investigation, transfer the license to a new owner, but without pro-rated refund of the license fee to the licenseholder.

Unanimously adopted. April 22, 2003. No. 243

**BY COMMISSIONER RAUKAR:**

WHEREAS, Hwy 5 Bar & Grill, Inc., d/b/a Hwy 5 Bar & Grill, Inc., Unorganized Township 59-21, St. Louis County, Minnesota, has applied for an off-sale intoxicating liquor license; and

WHEREAS, Minnesota Statutes, Section 340A.405, Subdivision 2(d), requires that a public hearing be held prior to the issuance of an off-sale intoxicating liquor license; and

WHEREAS, a public hearing was held on April 22, 2003, at or about 9:40 A.M. in the St. Louis County Courthouse, Virginia, Minnesota, for the purpose of considering the granting of the off-sale intoxicating liquor license; and

WHEREAS, with regard to the application for said license Hwy 5 Bar & Grill, Inc., has complied in all respects with the requirements of Minnesota Law and St. Louis County Ordinance No. 28; and

WHEREAS, the Liquor Licensing Committee of the St. Louis County Board of Commissioners has considered the nature of the business to be conducted and the propriety of the location and has recommended approval of the application.

NOW, THEREFORE, BE IT RESOLVED, that Off-Sale Intoxicating Liquor License (License Number CMB0375) shall be issued to Hwy 5 Bar & Grill, Inc., d/b/a Hwy 5 Bar & Grill, Inc., Unorganized Township 59-21;

FURTHER RESOLVED, that said liquor license shall be effective through June 30, 2003;

FURTHER RESOLVED, that said license is approved contingent upon payment of real estate taxes when due;

FURTHER RESOLVED, that if named licenseholder sells the licensed place of business, the County Board, at its discretion, may, after an investigation, transfer the license to a new owner, but without pro-rated refund of the license fee to the licenseholder.

Unanimously adopted. April 22, 2003. No. 244

WHEREAS, citizens within the affected area petitioned the Planning Commission to initiate a rezoning; and

WHEREAS, the St. Louis County Planning Commission held a public hearing on the proposed rezoning on February 13, 2003; and

WHEREAS, the St. Louis County Planning Commission recommended by a five to three vote to recommend that the St. Louis County Board of Commissioners adopt the rezoning with modification; and

WHEREAS, the St. Louis County Board has considered the recommendation of the Planning Commission, the recommendations of staff, and all of the testimony, written and verbal, as presented.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board amends and approves the zoning map for Town 57N, Range 16W (Unorganized), changing Multiple Use Non-Shoreland-4 to Shoreland Mixed Use-7, south of Bass Lake Road as contained in Board File No. 58060; and BE IT FURTHER RESOLVED, that the effective date of this amendment is May 6, 2003.

Yeas - Commissioners Fay, Kron, Sweeney, Nelson, and Raukar - 5

Nays - Chair Fink - 1

Absent - Commissioner Forsman - 1

Adopted April 22, 2003. No. 245

Upon motion of Commissioner Raukar, supported by Commissioner Sweeney, Resolutions No. 246 through 268, which were approved at the Committee of the Whole meeting this date, were brought forth to this meeting as a second Consent Agenda and were unanimously adopted as follows:

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

138

**BY COMMISSIONER RAUKAR:**

RESOLVED, that the St. Louis County Board of Commissioners authorizes the Chairperson of the County Board, County Auditor, and the County Administrator to sign an agreement with Interim Healthcare to provide professional nursing services to Community Alternative Care Client No. 024. Adopted April 22, 2003. No. 246

WHEREAS, the Minnesota Board of Water and Soil Resources has awarded the 2003 Natural Resources Block Grant to St. Louis County for wetland, shoreland, and water plan purposes.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board accepts the 2003 Natural Resources Block Grant in the amount of \$10,949 and authorizes appropriate County officials to execute the grant agreement and documents related thereto;

RESOLVED FURTHER, the St. Louis County Board authorizes the local match of \$10,949 from the Planning Department and Soil and Water Conservation District 2003 budget;

RESOLVED FURTHER, that the St. Louis County Board transfers \$688 to the North St. Louis County Soil and Water Conservation District and \$688 to the South St. Louis County Soil and Water Conservation District;

RESOLVED FURTHER, the Planning Department budget is amended to include \$10,949 from the Natural Resources Block Grant and the funds payable from Fund 01, Agency 021, Org. 2391.

Adopted April 22, 2003. No. 247

RESOLVED, that the St. Louis County Auditor, by the authority vested in him under Minnesota Statutes, Section 282.04, Subdivision 1, is hereby authorized to offer earthen material at public sale to the highest responsible bidder, a maximum sixty thousand (60,000) cubic yards loose volume measure (thirty thousand cubic yards (30,000) minimum) from a pit to be developed on State tax forfeited land described as NE 1/4 of SW 1/4, Section 17, Township 51N, Range 15W (Midway East Pit). This material will be made available at public sale, at the minimum appraised price of \$0.90 per cubic yard loose volume measure. The successful bidder shall make an initial non-refundable payment equal to the bid per cubic yard price times 30,000 cubic yards, plus \$50.00 Administration fee, \$6.00 Publication fee, and a refundable reclamation deposit of \$5,000.00, for a minimum total cost of \$32,056.00 due at the time of sale and subject to the terms and conditions set forth by the St. Louis County Land Commissioner in the earthen material permit.

RESOLVED FURTHER, said sale will be held at 9:30 A.M., May 8, 2003, Room 607, Government Services Center, 320 West Second Street, Duluth, MN 55802.

Adopted April 22, 2003. No. 248

RESOLVED, that the St. Louis County Auditor, by the authority vested in him under Minnesota Statutes, Section 282.04, Subdivision 1, is hereby authorized to offer earthen material at public sale to the highest responsible bidder, a maximum twelve thousand (12,000) cubic yards loose volume measure (five thousand cubic yards (5,000) minimum) from a pit to be developed on State tax forfeited land described as North 34 rods of the West 1/2 of SE 1/4 of NE 1/4, Section 1, Township 50N, Range 17W, known as Highway 2 Pit. This material will be made available at public sale, at the minimum appraised price of \$0.90 per cubic yard loose volume measure. The successful bidder shall make an initial non-refundable payment equal to the bid per cubic yard price times 5,000 cubic yards, plus \$50.00 Administration fee, \$6.00 Publication fee, and a refundable reclamation deposit of \$1,000.00, for a minimum total cost of \$5,556.00 due at the time of sale and subject to the terms and conditions set forth by the St. Louis County Land Commissioner in the earthen material permit.

RESOLVED FURTHER, said sale will be held at 10:30 A.M., May 8, 2003, Room 607, Government Services Center, 320 West Second Street, Duluth, MN 55802.

Adopted April 22, 2003. No. 249

WHEREAS, the parcel described in County Board File No. 58063 is located inside the boundaries

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

139

of the City of Duluth, and Minnesota Statutes, Section 282.01, provides that classification or reclassification and sale of lands situated within a municipality must be approved by the governing body of the municipality; and

WHEREAS, classification or reclassification and sale of the parcel described in County Board File No. 58063 will be deemed approved if the County Board does not receive notice of the City of Duluth's disapproval of the classification and sale of said parcel within 60 days of the date on which this resolution is delivered to the Clerk of the City of Duluth.

WHEREAS, this parcel of land is not withdrawn from sale pursuant to Minnesota Statutes, Sections 84.012, 92.461, 282.01, Subdivision 8; and 282.018, and other statutes that require the withholding of tax forfeited lands from sale; and

WHEREAS, the parcel described in County Board File No. 58063 cannot be improved because of non-compliance with local ordinances and a public sale limited to adjoining landowners will encourage approval of the sale and promote its return to the tax rolls.

BE IT RESOLVED, that said parcel described as follows: 10-2710 Lands in City of Duluth, Section 18, Township 50N, Range 14W; Parcel 4603;

Description - Part of NE 1/4 of SW 1/4 beginning at intersection of North line and the centerline of Sundby Road thence South 87 degrees 51 minutes 24 seconds West along North line 490.27 feet thence South 2 degrees 8 minutes 35 seconds East 200 feet thence North 87 degrees 51 minutes 24 seconds East 495.96 feet to centerline of Sundby Road thence North along centerline to point of beginning except Northerly 200 feet of Easterly 453.98 feet of part West of road;

is hereby classified as non-conservation land as provided for in Minnesota Statutes 282.01, and the County Auditor is hereby authorized to offer said lands at a public sale limited to the adjacent property owners and that the request for approval of the reclassification and sale be transmitted to the Clerk of the City of Duluth.

BE IT FURTHER RESOLVED, that the St. Louis County Board of Commissioners hereby requests approval from the Commissioner of Natural Resources for the sale of said land as described above. Adopted April 22, 2003. No. 250

WHEREAS, the parcel described in County Board File No. 58064 forfeited to the State of Minnesota on November 22, 2002, for nonpayment of real estates taxes; and

WHEREAS, all parcels of land becoming the property of the State of Minnesota in trust through forfeiture for nonpayment of real estate taxes shall be classified or reclassified as "conservation" or "non-conservation" as required by Minnesota Statutes, Section 282.01, Subdivision 1; and

WHEREAS, the County Board has classified the parcel described in County Board File No. 58064, after considering, among other things, the present use of adjacent land; the productivity of the soil; the character of forest or other growth; the accessibility of lands to established roads, schools, and other public services; and the peculiar suitability or desirability of lands for particular uses; and WHEREAS, the parcel described in County Board File No. 58064 is located in an organized town, and Minnesota Statutes, Section 282.01, provides that classification or reclassification and sale of lands situated within a municipality must be approved by the governing body of the municipality; and

WHEREAS, classification of the parcel described in County Board File No. 58064 will be deemed approved if the County Board does not receive notice of the Town of Cedar Valley's disapproval of the classification within 60 days of the date on which this resolution is delivered to the Clerk of the Town of Cedar Valley.

NOW, THEREFORE, BE IT RESOLVED, that the tax forfeited parcel described in County Board File No. 58064, be classified as conservation and that the request for approval of the classification be transmitted by the St. Louis County Land Department to the Clerk of the Town of Cedar Valley. Adopted April 22, 2003. No. 251

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

140

WHEREAS, all parcels described in County Board File No. 58065 forfeited to the State of Minnesota on November 22, 2002, for nonpayment of real estates taxes; and

WHEREAS, all parcels of land becoming the property of the State of Minnesota in trust through forfeiture for nonpayment of real estate taxes shall be classified as "conservation" or "non-conservation" as required by Minnesota Statutes, Section 282.01, Subdivision 1; and

WHEREAS, the County Board has classified all parcels described in County Board File No. 58065, after considering, among other things, the present use of adjacent land; the productivity of the soil; the character of forest or other growth; the accessibility of lands to established roads, schools, and other public services; and the peculiar suitability or desirability of lands for particular uses; and

WHEREAS, Minnesota Statutes, Section 282.01, provides that classification or reclassification and sale of lands situated within a municipality must be approved by the governing body of the municipality; and

WHEREAS, classification of the parcels described in County Board File No. 58065 will be deemed approved if the County Board does not receive notice of the municipalities' disapproval of the classification of any parcels within 90 days of the date on which this resolution is delivered to the Clerks of the Municipalities.

NOW, THEREFORE, BE IT RESOLVED, that the tax forfeited parcels described in County Board File No. 58065, be classified as non-conservation, and when applicable, that the request for approval of the classification be transmitted by the Land Department to the Clerks of the Municipalities.

Adopted April 22, 2003. No. 252

WHEREAS, all parcels described in County Board File No. 58066 forfeited to the State of Minnesota on November 22, 2002, for nonpayment of real estates taxes; and

WHEREAS, all parcels of land becoming the property of the State of Minnesota in trust through forfeiture for nonpayment of real estate taxes shall be classified as "conservation" or "non-conservation" as required by Minnesota Statutes, Section 282.01, Subdivision 1; and

WHEREAS, the County Board has classified all parcels described in County Board File No. 58066, after considering, among other things, the present use of adjacent land; the productivity of the soil; the character of forest or other growth; the accessibility of lands to established roads, schools, and other public services; and the peculiar suitability or desirability of lands for particular uses; and

WHEREAS, the parcels described in County Board File No. 58066 are located inside the boundaries of the City of Duluth, and Minnesota Statutes, Section 282.01, provides that classification or reclassification and sale of lands situated within a municipality must be approved by the governing body of the municipality; and

WHEREAS, classification or reclassification and sale of the parcels described in County Board File No. 58066 will be deemed approved if the County Board does not receive notice of the City of Duluth's disapproval of the classification and sale of any parcels within 90 days of the date on which this resolution is delivered to the Clerk of the City of Duluth.

NOW, THEREFORE, BE IT RESOLVED, that certain tax forfeited parcels be classified or reclassified as indicated in County Board File No. 58066, and that the request for approval of the classification or reclassification be transmitted by the Land Department to the Clerk of the City of Duluth.

Adopted April 22, 2003. No. 253

WHEREAS, the County Board of Commissioners of the County of St. Louis, State of Minnesota, desires to offer for sale, as recommended by the Land Commissioner, certain parcels of land that have forfeited to the State of Minnesota for non-payment of taxes; and

WHEREAS, said parcels of land as described in County Board File No. 58067 have been classified as non-conservation land as provided for in Minnesota Statutes 282.01; and

WHEREAS, said parcels of land are not withdrawn from sale pursuant to Minnesota Statutes 84.012, 92.461, 282.01, Subdivision 8, and 282.018, and other statutes that require the withholding

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

141

of tax forfeited lands from sale.

WHEREAS, the classification and sale of these lands have been approved by the government subdivision in which they are located.

NOW, THEREFORE, BE IT RESOLVED, the County Auditor is hereby authorized to offer said lands at public sale at not less than the basic sale price in accordance with terms set forth in the Land Department Policy No. 5450-1, and in a manner provided for by law on Tuesday, June 10, 2003, at 10:00 A.M. at the Duluth Entertainment and Convention Center, Paulucci Hall, Duluth, MN.

RESOLVED FURTHER, that the St. Louis County Board of Commissioners hereby requests approval from the Commissioner of Natural Resources for the sale of said lands.

Adopted April 22, 2003. No. 254

WHEREAS, the St. Louis County Public Works Department has plans to improve a segment of C-SAH 7 (Industrial Road), County Project 8249, from 0.75 miles east of Trunk Hwy. 33 to 2 miles east of Trunk Hwy. 33. This segment of C-SAH 7 is located in Industrial Township; and

WHEREAS, additional highway right-of-way is required for the reconstruction; and

WHEREAS, certain tax forfeited property adjoins the proposed reconstruction; and

WHEREAS, Minnesota Statutes 282.04, Subdivision 4, permits the County Auditor to grant easements over tax forfeited lands; and

NOW, THEREFORE, BE IT RESOLVED, that the County Board of Commissioners hereby authorizes the County Auditor to grant the necessary right-of-way easements for highway purposes over the following parcels:

Parcel 5 - Northwest Quarter of Northeast Quarter of Northeast Quarter (NW 1/4 of NE 1/4 of NE 1/4), Section Twenty-Three (23), Township Fifty-One (51), Range Seventeen (17). (Auditor's Parcel Number 400-10-3865)

Parcel 6 - Northeast Quarter of Northeast Quarter (NE 1/4 of NE 1/4) except railroad right-of-way containing 3.03 acres and except Northwest Quarter (NW 1/4), Section Twenty-Three (23), Township Fifty-One (51), Range Seventeen (17). (Auditor's Parcel Number 400-10-3860)

Parcel 10 - Northeast Quarter of Northwest Quarter (NE 1/4 of NW 1/4) except 2.06 acres for road, Section Twenty-Four (24), Township Fifty-One (51), Range Seventeen (17). (Auditor's Parcel Number 400-10-4070)

Parcel 11 - West Half of Northeast Quarter (W 1/2 of NE 1/4), except 2.40 acres for road, Section Twenty-Four (24), Township Fifty-One (51), Range Seventeen (17). (Auditor's Parcel Number 400-10-4040)

RESOLVED FURTHER, that the Public Works Department pay any timber damages.

Adopted April 22, 2003. No. 255

WHEREAS, the St. Louis County Public Works Department plans to reconstruct and improve a segment of County-State Aid Highway 7, County Project 8249 (S.A.P. 69-607-39), from 0.75 miles east of Trunk Hwy. 33 to 2 miles east of Trunk Hwy. 33. This segment of C-SAH 7 is located in Industrial Township; and

WHEREAS, the improvement consists of reconstructing said roadway as determined necessary to provide for the safety of the traveling public; and

WHEREAS, in addition to the existing highway right-of-way, certain lands are required for said construction, together with temporary construction easements.

NOW, THEREFORE, BE IT RESOLVED, that the County Board of Commissioners hereby authorizes the Public Works Director to proceed with the acquisition of the necessary lands and

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

142

temporary easements.

Adopted April 22, 2003. No. 256

WHEREAS, the Minnesota Housing Finance Agency awards grant funds to counties to fund services for the homeless and those at risk of homelessness; and

WHEREAS, St. Louis County has received funding from the Minnesota Housing Finance Agency for the past six years to fund services for the homeless and those at risk of homelessness.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board authorizes submission of a grant to the Minnesota Housing Finance Agency for services to homeless and those at risk of homelessness.

Adopted April 22, 2003. No. 257

RESOLVED, that pursuant to the recommendations of the Tax Committee, the applications of the following named persons and firms for reduction and correction of assessed valuations and taxes in the following amounts plus on those abatements of penalty and interest, any additional accrual to the date of this resolution, on file in the office of the County Auditor, identified as County Board File No. 58013, are hereby approved:

Real Estate - Stanley Anderson, \$1,151.04; Shannon Bowers, \$551.96; Kimberly Brunet, \$200.40; Dan Caroon, \$184.90; Betty Chandler, \$607.90; Tammy Dammer, \$215.60; Richard Ferris, \$447.94; Charles Gange, \$572.74; Jack Heikkinen, \$479.90; Frank Horvath, \$138.46; Dawn Kingsley, \$745.94; Danny Long, \$420.68; Brent Maly, \$501.68; Karen Metcalf, \$706.80; David M. Olson, \$99.58; Sean Peterson, \$661.04; Dorothy Poderzay, \$298.20; Peggy Ruhnke, \$230.80; Guy Storck, \$197.08; Beverly Thesing, \$410.22; Teresa Turk, \$244.24; James Dornhecker, \$248.36; Peter Hildre, \$259.00; Kerry Johnson, \$58.80; Leroy Johnson, \$850.80; Danny Lawrence, \$552.60; Scott McCuskey, \$237.60; Sylvia Nissila, \$322.90; Jayne Petrich, \$225.44.

Personal Property - Christine Milliken, \$11.52; Jennifer Nelson, \$267.66.

Adopted April 22, 2003. No. 258

WHEREAS, starting November 1, 2003, the Federal Emergency Management Agency (FEMA) will require that all communities have Hazard Mitigation Plans in place prior to receiving funds under the Pre-Disaster Mitigation Grant Program (PDM) with the objective of reducing future damages as a result of natural disasters, and St. Louis County desires to participate in a hazard mitigation planning process as established under the Disaster Mitigation Act of 2000 to comply with this new requirement; and

WHEREAS, the Act establishes a framework for the development of a county hazard mitigation plan with a planning process requiring public involvement and coordination among local units of government and businesses; and

WHEREAS, the Arrowhead Regional Development Commission has received a \$70,000 Pre-Disaster Mitigation grant through the Minnesota Division of Emergency Management to assist the county in the development and adoption of a hazard mitigation plan; and

WHEREAS, St. Louis County has been requested to provide a total \$6,445 match, of which \$1,000 will be cash, \$3,411 for in-kind staff services, and \$2,034 for in-kind report printing services as part of ARDC's \$23,333.00 match required under the Grant Agreement; and

WHEREAS, technical assistance will also be provided by the State to assist the County and ARDC in preparing the hazard mitigation plan and the draft plan will be shared with the Minnesota Department of Emergency Management for coordination of state agency review and comment on the draft.

NOW, THEREFORE, BE IT RESOLVED, that St. Louis County:

1. Will participate in a hazard mitigation planning process using the framework of the Disaster Mitigation Act of 2000;
2. Will provide \$6,445 match to ARDC for the Pre-Disaster Mitigation Grant, of which

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

143

\$1,000 will be a cash match (01-094, Emergency Management), \$3,411 for in-kind staff services to be performed by the Sheriff's Office, Emergency Management Division staff liaison, and \$2,034 for in-kind report printing services; and

3. Will enter into an Agreement with ARDC, by and through the Sheriff, whereby ARDC agrees, in exchange for the foregoing, to deliver the Plan to St. Louis County upon completion.

Adopted April 22, 2003. No. 259

WHEREAS, the Town of Morse requested that the Planning Commission initiate a rezoning; and WHEREAS, the St. Louis County Planning Commission held a public hearing on the proposed rezoning on April 10, 2003; and

WHEREAS, the St. Louis County Planning Commission voted to recommend that the St. Louis County Board of Commissioners adopt the rezoning.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners will hold a public hearing on Tuesday, May 13, 2003, at 9:40 A.M., St. Louis County Courthouse, Duluth, Minnesota, to consider rezoning the area legally described as the NE 1/4 and the SE 1/4, Section 6, the North 1/2 of the NE 1/4, Section 7, and the NW 1/4 of the NW 1/4, Section 8, all in Town 63N., Range 12W., Town of Morse, from Forest Agricultural Management - 1 to Forest Agricultural Management-3.

Adopted April 22, 2003. No. 260

WHEREAS, the Minnesota Legislature recently passed Minnesota Statute, Section 84.87, Subdivision 4, authorizing any county to adopt an ordinance to raise the speed limit up to 65 miles per hour for snowmobiles traveling on marked trails during daylight hours on lakes greater than 10,000 acres; and

WHEREAS, Burntside Lake, Kabetogama Lake, LacLaCroix, Namakan Lake, Pelican Lake, Rainy Lake, Lake Superior, and Lake Vermilion are all lakes located in St. Louis County that are larger than 10,000 acres.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board authorizes the County Auditor, in accordance with Minnesota Statutes, Section 375.51, to publish a notice of the Board's intent to adopt an ordinance increasing the speed limit on lakes larger than 10,000 acres to 65 miles per hour, and further authorizes the County Auditor to set May 27, 2003, at 9:35 A.M., City Hall Council Chambers, Hibbing, Minnesota, as the public hearing for the proposed new ordinance, Ordinance No. 57.

Adopted April 22, 2003. No. 261

WHEREAS, bids have been received by the County Auditor for the following project:

S.P. 69-703-11, Minnesota Project STPX 6902(155), County Project No. 9218, C-SAH 103 (9th Avenue West), between 8th Street South and 9th Street North in Virginia, Minnesota; length: 1.036 miles. Project to consist of Grading, Aggregate Base, Bituminous Surfacing, Concrete Walk, Curb and Gutter, Storm Sewers, Sanitary Sewer, Watermains, and Bridge No. 69642;

WHEREAS, said bids or proposals were duly opened in the County Board Room at 10:00 A.M., April 14, 2003, and this Board has, with the County Highway Engineer, determined the lowest bidder of said project for which proposals were invited and submitted; and

WHEREAS, in the judgment of this Board it is for the best interest of St. Louis County that the award of said contract be made to the lowest responsible bidder.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of St. Louis County, Minnesota, in regular session duly convened, that they hereby approve the award of contract on the above project to the lowest bidder, subject to proper authorization of the contract, including the Minnesota Department of Transportation EEO Office. Federal Funds 80 percent

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

144

balance Local Funds (State Aid) (Fund 08A, Agency 525, Org. 9218, Object 527, and City of Virginia):

<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
Ulland Brothers, Inc.	P.O. Box 340 Cloquet, MN 55720	\$1,916,368.61

Adopted April 22, 2003. No. 262

WHEREAS, the City of Gilbert acquired title to Lots 6 and 7, Block 15, First Addition to Townsite of Gilbert in September of 1975 for purposes of economic development;  
WHEREAS, through a complicated set of circumstances the City of Gilbert Assessor listed the property as taxable for the taxes payable years of 1982 through 1987; and  
WHEREAS, the property should have been exempt from property taxes through the operation of existing and subsequently passed legislation; and  
WHEREAS, the City of Gilbert desires abatement of those taxes; and  
WHEREAS, the County has no authority to abate those taxes, but can recommend that the Commissioner of Revenue grant such an abatement; and  
WHEREAS, the County Auditor does endorse such a recommendation to the Commissioner of Revenue;  
NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board having reviewed the circumstances of the taxation and the documentation provided by the City of Gilbert and the recommendation of the Auditor, hereby recommends the abatement of said taxes, penalties, and interest accrued in the amount of \$6,660.60 on the above described property to the Minnesota Commissioner of Revenue.

Adopted April 22, 2003. No. 263

RESOLVED, that the amended 2002/2003 Merit System Basic Unit Bargaining Agreement providing for implementation of a Post Retirement Health Care Savings Plan, a copy of which is on file in Contract File No. 03-374, is hereby approved and the appropriate County officials are authorized to execute said contract amendment.

Adopted April 22, 2003. No. 264

WHEREAS, it is the intent of the St. Louis County Board to adopt a policy for implementation of a Post Retirement Health Care Savings Plan for employees of the St. Louis County Merit System Basic Unit;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board hereby adopts the Post Retirement Health Care Savings Plan for Employees of the St. Louis County Merit System Basic Unit, a copy of which is on file in Contract File No. 03-375, effective May 17, 2003.

Adopted April 22, 2003. No. 265

RESOLVED, that the amended 2002/2003 Civil Service Basic Unit Bargaining Agreement providing for implementation of a Post Retirement Health Care Savings Plan, a copy of which is on file in Contract File No. 03-376, is hereby approved and the appropriate County officials are authorized to execute said contract amendment.

Adopted April 22, 2003. No. 266

WHEREAS, it is the intent of the St. Louis County Board to adopt a policy for implementation of a Post Retirement Health Care Savings Plan for employees of the St. Louis County Civil Service Basic Unit;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board hereby adopts the Post Retirement Health Care Savings Plan for Employees of the St. Louis County Civil Service Basic Unit, a copy of which is on file in Contract File No. 03-377, effective May 17, 2003.

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

145

Adopted April 22, 2003. No. 267

RESOLVED, that the Chair of the County Board, the County Auditor, and the County Sheriff are hereby authorized to sign the Agreement for Housing Inmates at the St. Louis County Holding Facility in Hibbing between the City of Chisholm, the City of Hibbing, and St. Louis County, contained in Contract File No. 03-425.

Adopted April 22, 2003. No. 268

**BY COMMISSIONER SWEENEY:**

RESOLVED, that the County Board approves use of the MIS installment plan, payable within four years, for up to 360 units of computer purchases with a maximum cost of \$432,000 for the Social Services Department. Repayment to the MIS installment plan shall be from Fund 04, Agency ADM, Organization 5220, Object Code 653.

Yeas - Commissioners Kron, Sweeney, Raukar, and Chair Fink - 4

Nays - Commissioners Fay and Nelson - 2

Absent - Commissioner Forsman - 1

Adopted April 22, 2003. No. 269

At 2:40 P.M. on Tuesday, April 22, 2003, upon motion of Commissioner Sweeney, supported by Commissioner Fay, the Board of County Commissioners adjourned.

Dennis Fink, Chair of the Board  
of County Commissioners

Attest:  
Gordon D. McFaul, County Auditor  
and Ex-Officio Clerk of the Board  
of County Commissioners

(Seal of the County Auditor)

**OFFICIAL PROCEEDINGS**  
**OF THE**  
**BOARD OF COUNTY COMMISSIONERS**  
**OF ST. LOUIS COUNTY, MINNESOTA**

**MAY, 2003**

**OFFICIAL PROCEEDINGS OF THE MEETING**  
**OF THE BOARD OF COUNTY COMMISSIONERS**  
**OF THE COUNTY OF ST. LOUIS, MINNESOTA,**  
**HELD ON MAY 6, 2003**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 6th day of May, 2003, at 9:31 A.M. in the County Board Room, Courthouse, Duluth, Minnesota. The meeting was called to order by the Chair with the following members present: Commissioners Joanne Fay, Bill Kron, Mike Forsman, Peg Sweeney, Keith Nelson, Steve Raukar, and Chair Dennis Fink - 7. Absent: None.

Chair Fink began the meeting by noting some interesting Minnesota facts - the Steger Polar expedition in 1986, the issuance of the first state automobile license in 1903 and the explosion of a flour plant in 1878.

Marcus Hall, Public Works Director/Highway Engineer, made a presentation about the impact of the state budget crisis on his department. The \$1.89 million state reduction for 2003 will be managed without layoffs. However, the 2004 state reduction of \$4.146 million in highway funding will result in the layoff of 48 employees. In addition, eleven vacant positions will remain unfilled. Projects will be delayed or eliminated and equipment purchases will be deferred to make up the bulk of the reductions, according to Director Hall.

David Twa, County Administrator, presented a legislative update to the Board. With two weeks left in the session, it appears a special session may be necessary to deal with unfinished budget business. Counties are facing dramatic reductions in state aids for Health and Human Services and Community Corrections. Mandate relief is almost nonexistent and imposition of strict levy limits is likely. Reverse referendums may also be available to taxpayers in 2006 if counties decide to increase their levies.

Gordon D. McFaul, County Auditor, estimated that a special, county-wide reverse referendum would cost between \$80,000 and \$100,000 to conduct.

At 10:15 AM. in the forenoon of Tuesday, May 6, 2003, Chair Fink moved to recess the Board until 10:25 A.M. on May 6, 2003, in the County Board Room, Courthouse, Duluth, Minnesota.

The Board reconvened at 10:25 A.M. on May 6, 2003, and the regular order of business resumed with all members present.

Chair Fink opened the meeting to citizens who wanted to address the Board concerning issues not on the agenda and the following chose to do so:

Jo Anne Salmi, Eveleth, is a County Home Health Care Specialist and she urged the Board not to eliminate the program. Many of the clients served are elderly in remote rural areas or with special problems who can not be profitably served by private home care providers.

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

147

Walt Sorenson, Adolph, also a Home Health Care Specialist, said there are rumors abounding that the program will be eliminated in June or at the end of the year. He urged the Board to consider keeping the program to provide necessary services that allow persons to stay in their own homes.

Linda Anderson, Social Services Director, said cuts in her department will be balanced and employees will be consulted when decisions are made.

Commissioner Sweeney said this was an example of distressing budget cuts that go far beyond frills. Commissioner Nelson asked Social Services to provide a map showing where home care clients are served.

The following Board and Contract Files were created as a result of documents received at this Board meeting:

Notice of Filing of Order for Appointment of Receiver for Voluntary Supervised Dissolution in the Sixth Judicial District of the State of Minnesota, County of St. Louis, in the matter of St. Louis County Heritage and Arts Center, Case No. 69-C9-03-600740.-[58071](#)

Larry L. Larson, Chairman, Lake County Board of Commissioners, suggesting the use of Lake County's jail space when the St. Louis County Jail is filled instead of sending inmates to the Aitkin County Jail.-[58072](#)

David Twa, County Administrator, submitting information regarding St. Louis County's Cuts in Response to State Budget Crisis and Minnesota's State Budget Crisis Solutions.-[58073](#)

Agreement between the City of Duluth and the County of St. Louis for sanitary sewer and waterline improvements in the C-SAH 9 (Wallace Avenue) right-of-way located between St. Marie Street and E. Arrowhead Road.-[03-426](#)

St. Louis County Traffic Control Signal Agreement between the County of St. Louis and the City of Virginia to install a new traffic control signal with street lights and signing at the intersection of C-SAH 103 (Ninth Avenue West) and Fourth Street North in Virginia.-[03-427](#)

Minnesota Department of Public Safety Gang Strike Force Grant Application.-[03-428](#)

Federal Boating Safety Supplement Grant Agreement between the State of Minnesota, through the Commissioner of Natural Resources, Bureau of Information, Education and Licensing, and the St. Louis County Sheriff's Department.-[03-429](#)

Grant Contract between the State of Minnesota, through the Commissioner of Public Safety, Division of Emergency Management, and St. Louis County for updating the Emergency Operations Plan.-[03-430](#)

Funding Agreement between the St. Louis & Lake Counties Regional Railroad Authority and the County of St. Louis for the construction of the Gilbert OHV Park portion of the Mesabi Trail.-[03-431](#)

Partnership Contract between the State of Minnesota, through the Commissioner of Transportation, and St. Louis County for technical and transportation related services.-[03-432](#)

Purchase of Service Agreement, Contract No. 13611, between the St. Louis County Board of Commissioners and NHS - Northstar Specialized Service, Inc. - Horizons II for SLS for adults.-[03-](#)

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

148

433

Service Contract No. 4375 between the County of St. Louis and Kangas Excavating, Inc., for purchasing on-call demolition services.–03-434

Agreement No. 03-RO-11090903-024, Road Project Agreement No. 2, County Road 688 Road Paving between St. Louis County and U.S.D.A. Forest Service, Superior National Forest.–03-435

State of Minnesota Agency Agreement, No. 84164, between the Department of Transportation and St. Louis County for federal participation in construction.–03-436

State of Minnesota Agency Agreement No. 84593 between the Department of Transportation and St. Louis County for federal participation in preliminary engineering for S.P. 69-090-16; M.P. HPP MN49(105).–03-437

State of Minnesota, Minnesota State Colleges and Universities, Lake Superior College, Saint Louis County Customized Training Income Contract with St. Louis County for *Introduction to MS PowerPoint 2000*.–03-438

Group Residential Housing Rate Agreement between the St. Louis County Board of Commissioners and Ron and Sue Carey Foster Home.–03-439ss

Group Residential Housing Rate Agreement between the St. Louis County Board of Commissioners and Ann Teske and Mary Wentland.–03-440ss

Group Residential Housing Rate Agreement between the St. Louis County Board of Commissioners and Interim Ventilator Services Unit.–03-441ss

Group Residential Housing Rate Agreement between the St. Louis County Board of Commissioners and Range Center, Inc. (Sequoia).–03-442ss

Purchase of Service Agreement, Contract No. 13609, between the St. Louis County Board of Commissioners and Occupational Development Center for supported employment.–03-443ss

Addendum to Purchase Agreement, Contract No. 13167A, between the St. Louis County Board of Commissioners and McCarthy Manor for assisted living plus.–03-444ss

Addendum to Purchase Agreement, Contract No. 13481A, between the St. Louis County Board of Commissioners and Interim Health Care of Lake Superior for assisted living.–03-445ss

Homes Plus Agreement between the St. Louis County Board of Commissioners and Ann Teske and Mary Wentland for adult foster care/respice care.–03-446ss

Addendum to Purchase Agreement, Contract No. 13124C, between the St. Louis County Board of Commissioners and Step II, Inc., d/b/a Edgewood Vista, for assisted living plus.–03-447ss

Purchase of Service Agreement, Contract No. 13612, between the St. Louis County Board of Commissioners and Range Center, Inc. - Sequoia for SLS for adults.–03-448ss

Professional Services Agreement between St. Louis County and Computer Systems Support, LLC, to install CSIS in St. Louis County offices and follow-up/support training.–03-449

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

149

Second Amendment to Contract between Western Lake Superior Sanitary District and St. Louis County for the Operation of a Household Hazardous Waste Management Program.–[03-450](#)

Employee Safety and Development Training Contract between St. Louis County and Kathlynn McConnell for *Customer Service with an "Attitude"* session.–[03-451](#)

Addendum to Parking Space Lease between Kegler's, Inc., d/b/a The Incline Station Bowling Center, and St. Louis County.–[03-452](#)

Agreement for Professional Nursing Services between St. Louis County, through its Health Department, and Interim Healthcare for Community Alternative Care Client No. 24.–[03-453](#)

Agreement for Professional Nursing Services between St. Louis County, through its Health Department, and Home Care Specialists for Community Alternative Care Client No. 26.–[03-454](#)

Addendum to Agreement for Therapy Services between the County of St. Louis, through its Chris Jensen Health and Rehabilitation Center, and Bridge Rehabilitation Services, Inc.–[03-455](#)

Agreement for Nursing Personnel between the County of St. Louis, on behalf of the Chris Jensen Health and Rehabilitation Center, and Health Star Staffing.–[03-456](#)

Agreement for Nursing Personnel between the County of St. Louis, on behalf of Chris Jensen Health and Rehabilitation Center and Interim Healthcare.–[03-457](#)

Purchase of Services between St. Louis County and Life House for public service.–[03-458](#)

Purchase of Services between St. Louis County and St. Louis County Council on Aging for public service.–[03-459](#)

Agreement for Professional Services between St. Louis County and Ramsland & Vigen, Inc., for real estate appraisals on state tax forfeited lands.–[03-460](#)

Employee Safety and Development Training Contract between St. Louis County and Jackie Phifer for *Getting it all Done in a Fast-Paced Workplace* session.–[03-461](#)

Agreement for Professional Services between the County of St. Louis, through its Employee Safety and Development Division, and Onsite Medical Service, Inc., for audiometric testing, hearing conservation training, and record retention.–[03-462](#)

Agreement for Professional Services between the County of St. Louis and MacNeil Environmental, Inc., for Duluth Motor Pool Mold Mitigation.–[03-463](#)

Project Contract No. 4356 between the County of St. Louis and Future Forests, Inc., for broadcast application of herbicides for tree plantation site preparation and release of existing conifer plantations.–[03-464](#)

Indian Health Grant Project Agreement between the Community Health Board of Carlton-Cook-Lake-St. Louis County and St. Louis County, Minnesota.–[03-465](#)

Upon motion of Commissioner Kron, supported by Commissioner Sweeney, Resolutions No. 270 through 273, as submitted to this Board on the Consent Agenda were unanimously adopted as follows:

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

150

**BY COMMISSIONER KRON:**

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of April 22, 2003, are hereby approved.

Adopted May 6, 2003. No. 270

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, as set forth by the County Attorney, dated April 18, 2003, on file in the office of the County Auditor, identified as County Board File No. 57995, is hereby received and ratified as payable from Fund 52, Department 12.

Adopted May 6, 2003. No. 271

RESOLVED, that the recommendations of the Finance Committee for payment of claims and bills against the County of St. Louis, on file in the office of the County Auditor, identified as County Board File No. 57999, are hereby approved and the County Auditor shall issue checks in the following amounts:

<u>FUND</u>		<u>TOTAL</u>
T11	MN Trail Assistance	\$ 11,549.01
T21	Beer License	10.00
T27	Refunds	4,994.80
T50	State of Minnesota	6,347.56
T74	Employer/Employee Deductions	697,663.90
T77	Cancelled Checks	1,718.05
T85	Sheriff's State Forfeitures	90.53
01	General Fund	828,018.39
02	Public Works	420,718.45
04	Social Services	2,667,195.79
08	County Facilities - Capital Projects	59,040.95
08B	Road & Bridge Building Const.	178,077.93
08S	Chris Jensen Remodeling	64,297.86
10B	Emer. Shelt. 99/00 Funds	8,987.46
11A	Home Grant - All Years	150,019.21
12B	CDBG Grant	22,297.24
127	Enhanced 9-1-1 Fund	3,777.68
128	Law Library	6,096.65
13	St. Louis County HRA	89.50
131	Extension Service	1,407.89
15	Forfeited Tax	37,312.26
26	Solid Waste Authorities	38,778.44
37L	Hibbing Public Works Facility Debt	660.00
49	Postage/Office Supplies	3,412.83
50	Printing	33,171.86
51	County Garage	17,527.03
52B	Workers Compensation	57,661.03
52D	Medical/Dental Self Insurance	611.02
53	Management Information Systems	66,130.89
54	Regional Railroad Authority	18,730.51
55	Telecommunications	31,067.33
57	Retired Employees Health Insurance	944.58
64A	Chris Jensen Health & Rehab.	191,272.82
65	Laundry	35,793.82
66	Community Food Services	25,399.81

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

151

67	Supervised Living Facilities	4,513.71
72	Northern Counties Land Use Coordinating Board	2,461.88
73	Arrowhead Regional Corrections	267,122.91
74	Community Health Services	<u>4,711.43</u>
		\$5,969,683.01

Adopted May 6, 2003. No. 272

RESOLVED, that pursuant to St. Louis County Ordinance No. 51, the application for license to sell tobacco products, at retail, on file in the office of the County Auditor, identified as County Board File No. 57994, is hereby approved and the County Auditor is authorized to issue the license as follows;

RESOLVED FURTHER, that if named licenseholder sells their licensed business, the County Board, at its discretion, may, after an investigation, transfer the license to a new owner, but without pro-rated refund to the licenseholder:

Tim & Jesse, Inc., d/b/a Rudy's Bar, City of Aurora, Tobacco Products License No. T03183, new.  
Adopted May 6, 2003. No. 273

At 10:57 A.M. on Tuesday, May 6, 2003, upon motion of Commissioner Sweeney, supported by Commissioner Kron, the Board of County Commissioners adjourned.

Dennis Fink, Chair of the Board  
of County Commissioners

Attest:  
Gordon D. McFaul, County Auditor  
and Ex-Officio Clerk of the Board  
of County Commissioners

(Seal of the County Auditor)

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

152

**OFFICIAL PROCEEDINGS OF THE MEETING  
OF THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF ST. LOUIS, MINNESOTA,  
HELD ON MAY 13, 2003**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 13th day of May, 2003, at 9:31 A.M. in the County Board Room, Courthouse, Duluth, Minnesota. The meeting was called to order by the Chair with the following members present: Commissioners Joanne Fay, Bill Kron, Mike Forsman, Peg Sweeney, Keith Nelson, Steve Raukar, and Chair Dennis Fink - 7. Absent: None.

Chair Fink began the meeting by noting some interesting Minnesota historical facts - ice on Lake Superior in May and a Charles Lindberg antiwar speech prior to World War II.

At 9:35 A.M., a public hearing was convened, pursuant to County Board Resolution No. 218, adopted April 8, 2003, to consider amendments to St. Louis County Zoning Ordinance No. 46, Article II, Section 1.04, Permit Not Required, Article II, Section 6, Definitions, and Article VI, Section 4, Utility Structures. Barbara Hayden, Planning Director, said the ordinance amendments address problems associated with the proliferation of communication towers. The Planning Commission unanimously recommended approval of the amendment. No one else chose to address the issue.

At 9:52 A.M., Commissioner Sweeney, supported by Commissioner Kron, moved to close the hearing; seven yeas - zero nays. Commissioner Fay, supported by Commissioner Sweeney, moved to approve the ordinance amendment with a June 1, 2003, effectuation date. After some discussion about the definition of "performance standard permits", Commissioner Sweeney, supported by Commissioner Raukar, moved to table the matter to the May 27, 2003, County Board meeting; seven yeas - zero nays.

At 9:55 A.M., a public hearing was convened, pursuant to County Board Resolution No. 260, adopted April 22, 2003, to consider rezoning parts of Sections 6, 7 and 8 in T63-R12 (Town of Morse) from FAM-1 to FAM-3. Planning Director Hayden said the Planning Commission unanimously approved the rezoning, which encourages development by decreasing lot size requirements from 35 acres to 10 acres. No one else chose to address the issue.

At 10:04 A.M., Commissioner Kron, supported by Commissioner Raukar, moved to close the hearing; seven yeas - zero nays. Commissioner Forsman described the effects of the rezoning and said the new classification will help retain wilderness quality while encouraging some development. Commissioner Forsman, supported by Commissioner Nelson, moved to approve the rezoning; seven yeas - zero nays. Resolution No. 295.

Chair Fink then opened the meeting to persons who wanted to address the Board concerning issues not on the agenda and the following chose to do so:

Dennis Fraser, Social Services, Virginia, said there will be devastating effects if Home Care Specialists are eliminated.

Arlene Jersche, Social Services, Virginia, said elimination of Home Care Specialists will cost the County more in the long run.

Peter Krause, Social Services, related stories of exemplary efforts by Home Care Specialists.

Marian Bradley, Home Care Specialist, read three testimonials from Home Care clients.

Selma Lundberg, Duluth, told the Board that services provided by Home Care Specialists are essential

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

153

to her continuing to live in her home.

Brooke Holmes, Duluth, said her life at home would be impossible without Home Care Specialists, adding that the letters read by Marian Bradley said it all.

Commissioner Raukar thanked all those who spoke, noting cuts to services are attributable to fiscal mismanagement by the state. Commissioner Nelson said his door was always open and he urged anyone with an idea or a solution to come forward. Commissioner Forsman compared the budget situation to a family delaying purchase of badly needed tires for their automobile and creating an unsafe situation that will be more costly to fix later.

Commissioner Sweeney, supported by Commissioner Forsman, moved to authorize a contract with Pat Miller, Duluth, to provide process consultation and facilitator services to the Leadership Team studying possible consolidation of Public Health and Social Services. After brief discussion, the resolution was approved; six yeas - one nay, Chair Fink. Resolution No. 296.

Commissioner Forsman, supported by Commissioner Kron, moved to approve the repurchase application of Roger and Daniel Wolfram for Lot 9, Block 19, West Duluth Sixth Division, for a total cost of \$8,833.20. David Epperly, Land Commissioner, said his department recommends approval of the repurchase on a payment plan according to departmental policy. Alan Mitchell, County Attorney, said the Board could decide whether or not to require payment in full. After discussion about owner hardships and tax history of the property, Commissioner Nelson, supported by Commissioner Raukar, moved to amend the motion to require payment in full. After further discussion and some additional unanswered questions, Commissioner Raukar, supported by Commissioner Sweeney, moved to table matter to the May 27, 2003, County Board meeting in Hibbing; seven yeas - zero nays.

At 11:00 A.M. in the forenoon of Tuesday, May 13, 2003, Commissioner Sweeney, supported by Commissioner Kron, moved to recess the Board until 11:55 A.M. on May 13, 2003, in the Commissioners' Conference Room, Courthouse, Duluth, Minnesota.

The Board reconvened at 4:14 P.M. on May 13, 2003, and the regular order of business resumed with all members present except Commissioner Kron and Chair Fink.

Commissioner Forsman, supported by Commissioner Nelson, moved to approve a second consent agenda consisting of all items unanimously passed at the just completed Committee of the Whole meeting; five yeas - zero nays.

Commissioner Fay, supported by Commissioner Nelson, moved to approve a resolution directing Administration to file an application with the State of Minnesota for partial closure of 15 beds and "lay away" of an additional 15 beds at Chris Jensen Health and Rehabilitation Center; four yeas - one nay, Commissioner Sweeney. Resolution No. 315.

The following Board and Contract Files were created as a result of documents received at this Board meeting:

Patrick D. Robben, Rider Bennett, LLP, submitting Third Party Summons and Third Party Complaint in the matter of Dennis Esler and Marlene Esler versus New Holland North America, Inc., f/k/a Ford New Holland, Inc.-58074

Michael J. White, Treasurer, Crane Lake Water & Sanitary District, requesting to know the County's current plan and timeline relating to the appointment of a person to fill the vacancy on the Board of Managers of the Crane Lake Water & Sanitary District.-58075

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

154

Gordon D. McFaul, County Auditor, submitting Current Financial Status of Nursing Homes through December 31, 2002.-58076

Gordon D. McFaul, County Auditor, submitting Current Financial Status of the Nursing Home through March 31, 2003.-58077

Richard E. Chapman, Chair, Veterans' Memorial Hall Advisory Committee, relative to a letter from Steve Savageau who has some issues regarding his termination from the position of Curator/Developer for the Veterans' Memorial Hall.-58078

Documentation from the public hearing held on May 13, 2003, to consider rezoning the NE 1/4 and the SE 1/4, Section 6, the North 1/2 of the NE 1/4, Section 7, and the NW 1/4 of the NW 1/4, Section 8, all in Township 63 North, Range 12 West (Town of Morse), from Forest Agricultural Management-1 to Forest Agricultural Management-3.-58079

Contract between St. Louis County, through its Social Services Department, and the City of Duluth for catering eight senior dining locations during the year 2003.-03-466

Employee Safety and Development Training Contract between St. Louis County and Deborah Allen for *Building Cultural Connections* session.-03-467

Employee Safety and Development Training Contract between St. Louis County and Patrick O'Brien for *Leadership - The Four-Fold Way* session.-03-468

Employee Safety and Development Training Contract between St. Louis County and Casperson Leadership Consultants for *Leadership - The Four-Fold Way* session.-03-469

Supplemental Agreement between Hoover Construction Company and the County of St. Louis for certain construction of Phase 3 of the St. Louis County Regional Landfill.-03-470

Lease Renewal Endorsement for Office Space Lease Extension with D.M. & I.R. Railway Company of Duluth for the Missabe Building.-03-471

Land Department Training Contract between St. Louis County and Allison & Associates for training consultation.-03-472

Land Department Service Contract between St. Louis County and Pro-Lawn & Landscaping for lawn care on tax forfeited property.-03-473

Contract between Northern Constructors of Duluth, LLC, and the County of St. Louis for C.P. 3629 for grading, aggregate base, P.M. bituminous base, curb and gutter, and landscaping.-03-474

Contract between Northland Materials, LLC, d/b/a Northland Bituminous, and the County of St. Louis for M.P. 91-1250 for bituminous pavement reclamation, P.M. bituminous surface and aggregate shouldering.-03-475

First Amendment to 9-1-1 Agreement between the County of St. Louis, the State of Minnesota, and Citizens Communications (formerly GTE of Minnesota).-03-476

Agreement for Professional Services between the County of St. Louis and A.B.E. Environmental Systems for the Government Services Center heating, ventilation and air conditioning systems.-03-477

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

155

Upon motion of Commissioner Sweeney, supported by Commissioner Kron, Resolutions No. 274 through 294, as submitted to this Board on the Consent Agenda were unanimously adopted as follows:

**BY COMMISSIONER SWEENEY:**

RESOLVED, that pursuant to the recommendations of the Tax Committee, the applications of the following named persons and firms for reduction and correction of assessed valuations and taxes in the following amounts plus on those abatements of penalty and interest, any additional accrual to the date of this resolution, on file in the office of the County Auditor, identified as County Board File No. 58013, are hereby approved:

Real Estate - Benedict Aultman, \$311.54; Jamie Buehring, \$223.60; Tod Cosgriff, \$434.84; Tracy Daniels, \$282.80; Carmen De Lucca, \$20.74; David & Jen Dean, \$315.70; DEDA, \$2,029.16; Luther Elness, \$745.60; Lee Erickson, \$1,044.00; Anthony Ferguson, \$303.36; First Unitarian Church, \$8,610.42; Francis Foley, \$418.16; Mylon Griak, \$364.40; George W. Harvey, \$652.30; JMG Land Co., Inc., \$465.18; Charles Knudsen, \$290.40; Jeff Kochar, \$502.30; Charles Lockhart, \$23.02; Troy Maly, \$415.40; Peter Masucci, \$597.04; Miikana Bimaadiziwin, \$1,987.10; Bradley Miller, \$114.80; James Montana, \$539.72; James Moser, \$795.74; Janet Murphy, \$256.80; Ronald Nagel, \$268.00; Larry Nelson, \$296.40; Tamara Nelson, \$375.08; Phu Quang Nguyen, \$1,054.30; Troy Nickila, \$285.36; John Palkie, \$88.00; Joseph Pershern, \$327.28; Daniel Pierce, \$374.00; Andrew Pokorney, \$453.48; Steven Schmitz, \$254.40; Mike Seyfer, \$294.00; Sabrina Slotness, \$559.24; Hans Smith, \$576.60; Nancy Spellerberg, \$265.20; Glenn Tobey, \$225.06; Steven Tomfohrde, \$279.70; Thomas Udovich, \$232.80; Rajiv Vaidyanathan, \$222.10; Patricia Wheeler, \$979.26.

Personal Property - Milton Luoma, \$19.60; Christine Milliken, \$83.62.

Adopted May 13, 2003. No. 274

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, as set forth by the County Attorney, dated May 2, 2003, on file in the office of the County Auditor, identified as County Board File No. 57995, is hereby received and ratified as payable from Fund 52, Department 12.

Adopted May 13, 2003. No. 275

RESOLVED, that pursuant to St. Louis County Ordinance No. 51, the application for license to sell tobacco products, at retail, on file in the office of the County Auditor, identified as County Board File No. 57994, is hereby approved and the County Auditor is authorized to issue the license as follows;

RESOLVED FURTHER, that if named licenseholder sells their licensed business, the County Board, at its discretion, may, after an investigation, transfer the license to a new owner, but without pro-rated refund to the licenseholder:

Elaine Goodrum, d/b/a Birch Grove Resort, Kabetogama Township, Tobacco Products License No. T0311, renewal.

Adopted May 13, 2003. No. 276

RESOLVED, that pursuant to the provisions of Minnesota Statutes, Section 340A, as amended, and Rules and Regulations adopted by this Board under St. Louis County Ordinance No. 28, dated May 22, 1978, as amended, the following application for a 3.2 percent malt liquor license is hereby approved, on file in the office of the County Auditor, identified as County Board File No. 58039;

FURTHER RESOLVED, that said license is approved contingent upon the licenseholder paying real estate or personal property taxes when due and Canosia Township approval;

FURTHER RESOLVED, that if named licenseholder sells their licensed place of business, the County Board, at its discretion, may, after an investigation, transfer the license to a new owner, but without pro-rated refund of the license fee to the licenseholder;

FURTHER RESOLVED, that said license shall be effective through June 30, 2004:

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

156

AAA Minnesota, d/b/a AAA Minnesota, Canosia Township, On-Sale 3.2 Percent Malt Liquor License No. B041, renewal, change of managers.  
Adopted May 13, 2003. No. 277

RESOLVED, that the St. Louis County Board of Commissioners authorizes the County Administrator, the Director of Public Health and Social Services, and one Assistant County Attorney to execute an ongoing Memorandum of Agreement between the St. Louis County Health Department and the St. Louis County Social Services Department, whereby the Social Services Department purchases Registered Nurse services from the Health Department for the period beginning January 1, 2003.

Budget Reference:

Social Services

Expense - Fund 67 Supervised Living Facilities, Agency A67 Supervised Living Facilities, Org. 2100 King Manor & 2200 Midtowne Manor II, Object 264 Medical Professional Services  
Revenue - 9114 ACG Waivered Services, 9514 ACG Waivered Services, 9515 180-Day ACG Services

Public Health

Revenue - Fund 01, Agency 220 Nursing, Org. 220 Nursing, Source 1939 Med Care - Other Fees for Service

Adopted May 13, 2003. No. 278

RESOLVED, that the St. Louis County Board of Commissioners authorizes the County Administrator, the Director of Public Health and Social Services, and one Assistant County Attorney to execute an ongoing Memorandum of Agreement between the St. Louis County Health Department and the St. Louis County Social Services Department, whereby the Social Services Department purchases Public Health Nurse services from the Public Health Department to participate in teams providing Long Term Care Consultation, Relocation Service Coordination, and Reassessments for the period beginning July 1, 2002.

Budget Reference:

Social Services

Revenue - Fund 04, Agency SSV, Source 1118 Long Term Care Consultation & MMIS for Reassessments  
Expense - Fund 04, Agency SSV, Org. 1000 Elderly Services, Object 6050 Long Term Care Consultation

Public Health

Revenue - Fund 01, Agency 220 Nursing, Org. 220 Nursing, Source 1435 Long Term Care Consultation  
Adopted May 13, 2003. No. 279

WHEREAS, the St. Louis County Director of Purchasing solicited bids for Mechanical Site Preparation by Disc Trenching on state tax forfeited lands for the year 2003; and

WHEREAS, Future Forests, Inc., of Askov, Minnesota, submitted the low bid in the amount of \$44,910.00;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Director of Purchasing is hereby authorized to execute a contract with Future Forests, Inc., of Askov, Minnesota, for the mechanical site preparation by disc trenching of 15 sites totaling 499 acres during the fall of 2003, in accordance with the specifications of Bid No. 43601 and subject to approval of the County Attorney, at their low specification bid price of \$44,910.00, payable from Fund 16 (Forest Resources), Agency F41 (Resources Development).

Adopted May 13, 2003. No. 280

WHEREAS, the St. Louis County Public Works Department plans to reconstruct and improve a segment of County-State Aid Highway 144 (Elba Avenue and Harrison Street) between Jones Street and Fayal

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

157

Avenue in the City of Eveleth; and

WHEREAS, the improvement consists of widening and reconstructing said roadway as determined necessary to provide for the safety of the traveling public; and

WHEREAS, in addition to the existing highway right-of-way, certain lands are required for said construction, together with temporary construction easements and the relocation of a light standard at the football field.

NOW, THEREFORE, BE IT RESOLVED, the County Board of Commissioners hereby authorized the Public Works Director to proceed with the acquisition of the necessary lands and temporary easements, together with relocation of light standard at Football Field, payable from Public Works, Fund 02, Agency A17, Objects 365 and 375.

Adopted May 13, 2003. No. 281

WHEREAS, in the interest of public safety and convenience, it is necessary for the County of St. Louis to reconstruct and widen a segment of C-SAH 16, between County Road 108 and County-State Aid Highway (C-SAH) 4 located in Unorganized Townships T56N - R16W, T57N - R16W, Town of White (T57N - Range 15W), and Town of Colvin (T56N - R15W).

WHEREAS, in order to perform said reconstruction, it is necessary for the County of St. Louis to obtain additional highway right of way; and

WHEREAS, the following numbered parcels have not been acquired by negotiation and direct purchase:

<u>Parcel(s)</u>	<u>Owner(s)</u>
45	Verna Koivisto, Minnesota Housing Finance Agency
46	Verna Koivisto, Helga Hill (life estate interest)

NOW, THEREFORE, BE IT RESOLVED, that under the authority granted by Minnesota Statute 163.02, Subdivision 2, and Minnesota Statute 163.11, the Board of Commissioners for the County of St. Louis hereby authorizes Alan L. Mitchell, St. Louis County Attorney, to proceed under Minnesota Statutes, Chapter 117, to acquire the necessary highway right-of-way by condemnation proceedings.

Adopted May 13, 2003. No. 282

RESOLVED, that the Public Works Department is hereby authorized to enter into an agreement with the City of Hermantown authorizing the appropriate County officials to sign the agreement whereby the County will pay the "Stebner Road St. Louis County" items listed in the Estimated Quantities on Page 2 and 3 of the Utility and Road Reconstruction Plans. The estimated total costs of these items is \$279,000.00, payable from Fund 02A, Agency A17, Org. 1242, Object 528.

Adopted May 13, 2003. No. 283

RESOLVED, that the Public Works Department, at the request of the Township of Duluth, is hereby authorized to establish a "No Parking from 10 P.M. to 6 A.M." zone as follows: On County Road 222 from the intersection of C-SAH 61 on the South to C-SAH 61 on the North.

Adopted May 13, 2003. No. 284

RESOLVED, that the Public Works Director and the Purchasing Agent are authorized to enter into an agreement with Office North of Hibbing, Minnesota, for furnishings, equipment, and installation in an amount not to exceed \$232,250.00; \$54,000.00 payable from Fund 01, Department 062, Object 403, and \$178,250.00 payable from Fund 02, Department A11, Object 403. This will be accomplished in two separate orders.

Adopted May 13, 2003. No. 285

RESOLVED, St. Louis County operates a Computer Aided Dispatch System (CAD) as a key component of its 9-1-1 Emergency Communications System; and

WHEREAS, the on-going vendor support of the CAD system is essential to its reliable operation; and

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

158

NOW, THEREFORE, BE IT RESOLVED, that the County Board hereby authorizes the Director of Purchasing, with the approval of the County Attorney, to renew the CAD software maintenance contract with Tiburon, Inc., for the period of June 1, 2003, through May 31, 2004, in the amount of \$31,521.00, payable from Fund 127, Agency E911, Object 348.  
Adopted May 13, 2003. No. 286

WHEREAS, the Bureau of Justice Assistance is offering a program for partial reimbursement of the costs to house criminal illegal aliens during the period of July 1, 2001, through June 30, 2002; and  
WHEREAS, St. Louis County qualifies for said assistance; and  
WHEREAS, St. Louis County authorizes the on-line transactions necessary to implement this project and appropriate staff shall sign or execute the necessary agreements.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the St. Louis County Sheriff's Office to apply for the reimbursement of a percentage of the costs to house criminal illegal aliens as part of the State Criminal Alien Assistance Program Funds available through the Bureau of Justice Assistance;

RESOLVED FURTHER, that the Sheriff and appropriate county staff may conduct on-line transactions necessary to implement this project and sign or execute the necessary agreements;

RESOLVED FURTHER, that the Jail Administrator will be the contact person for the program;

RESOLVED FURTHER, that revenues from this program shall be allocated to Fund 01, Agency 101.  
Adopted May 13, 2003. No. 287

RESOLVED, that the St. Louis County Board authorizes addendums, effective May 1, 2003, to the Agreements with St. Luke's Hospital and Miller Dwan Medical Center, Inc., to increase the reimbursement of these facilities to \$25.08 (salary and benefits) per hour for the salaries of the Eligibility Specialist Senior Financial Workers to take Medical Assistance and General Assistance Medical Care applications on the sites.

Budget Reference:

Fund 04 Social Service, Agency SSV Social Services

Revenue Source Rev 5999 Other Revenue (St. Luke's Hospital and Miller Dwan Medical Center, Inc.)

Adopted May 13, 2003. No. 288

WHEREAS, the Trust of Doloris A. Davis provides for a gift to the Land Department in memory of Ms. Davis' father, John Ward and her son, Michael Davis, of the following described real estate located in St. Louis County: NW1/4 of NW1/4, Section 28, Township 58 North, Range 13 West; and

WHEREAS, Minnesota Statute 465.03 allows cities, counties, or towns to accept a gift of property and to maintain it for the benefit of its citizens in accordance with the terms prescribed by the donor. Acceptance of a conveyance of this type requires a resolution of the governing body adopted by a two-thirds majority of its members; and

WHEREAS, the Land Department has recommended that the County Board accept the parcel described above as a gift from the Davis Trust, after considering, among other things, the present use of adjacent land; the existing infrastructure; potential hazards; the productivity of the soil; and the suitability or desirability of the land for particular uses.

NOW, THEREFORE, BE IT RESOLVED, that St. Louis County accepts the gift of land described above from the Trust of Doloris A. Davis as fee land to be managed for the County by the Land Department for the benefit of the citizens of St. Louis County.

RESOLVED FURTHER, that all costs and fees associated with transfer of the gifted property to the County will be paid from appropriate funds as determined by the County Administrator, County Attorney, and County Auditor.

Adopted May 13, 2003. No. 289

WHEREAS, an effective household hazardous waste (HHW) program is an essential component of a comprehensive solid waste management program; and

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

159

WHEREAS, the Western Lake Superior Sanitary District (WLSSD) has acted as an effective regional coordinator for the Solid Waste Department, and

WHEREAS, WLSSD has entered into a new contract with the Minnesota Pollution Control Agency as a result of a competitive bid, and

WHEREAS, St. Louis County's contract with WLSSD to provide regional coordinator services needs to be renewed; and

WHEREAS, the County contracts with WLSSD to provide the following services with the following estimated expenses and fees:

WLSSD Estimated Annual Fee	\$ 6,800
Estimated HHW disposal cost	\$68,000
Estimated hourly charge for WLSSD site-manager staffing	\$ 4,000
Estimated hourly WLSSD staff charge for unloading, repackaging, re-labeling	\$ 1,000
Three Clean Shop Collections @ \$1000 each	<u>\$ 3,000</u>
	<u>\$82,800</u>

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners authorizes the appropriate County officials to enter into a four year, eight month contract with the Western Lake Superior Sanitary District for regional coordinator services which will include the collection and disposal of household hazardous waste; and

BE IT FURTHER RESOLVED, the St. Louis Board of Commissioners authorizes the appropriate County officials to enter into an agreement to pay WLSSD for performance of the following services for the period of the contract from May 1, 2003, through December 31, 2007: pro-rated annual service fee of \$6,800; HHW disposal costs estimated at \$68,000; the services for the HHW site manager on an as-needed basis at a rate of \$35 per hour (regular time) and \$50 per hour (over-time); the services of WLSSD staff for unloading, re-packing, and re-labeling HHW at a rate of \$25 per hour; and the \$3,000 for the three Clean Shop collections; for a total payment of \$393,300 payable from Fund 26, J-38 HHW. Adopted May 13, 2003. No. 290

WHEREAS, the St. Louis County Board of Commissioners has established a citizen advisory committee to review CDBG applications and to make funding recommendations to the County Board; and

WHEREAS, the citizen advisory committee is commencing its review of applications for FY 2004; and

WHEREAS, the anticipated FY 2004 HUD allocation for CDBG is approximately \$2.9 million with \$2.5 million available for community projects; and

WHEREAS, funding is distributed to four categories of activity--housing, physical improvement, economic development, and public service--and guidelines within each category assist the advisory committee in their decision making process; and

WHEREAS, allocations to each category reflect the level of requests received for the program year in combination with the priorities established in the *St. Louis County Consolidated Plan 2000-2004*; and

WHEREAS, the Consolidated Plan states the county's primary objectives to address priority needs of citizens.

NOW, THEREFORE, BE IT RESOLVED, that allocation of 2004 CDBG funds will be based upon the priorities as established in the *St. Louis County Consolidated Plan 2000-2004*.

Adopted May 13, 2003. No. 291

WHEREAS, the St. Louis County 2003 Action Plan was submitted on November 15, 2002, to the U.S. Department of Housing and Urban Development for the FY 2003 Emergency Shelter Grant (ESG), HOME Investment Partnerships (HOME), and Community Development Block Grant (CDBG) programs; and

WHEREAS, the U.S. Department of Housing and Urban Development has approved the FY 2003 Action Plan and has allocated St. Louis County \$110,000 for the ESG program, \$752,672 for the HOME program and \$2,971,000 for the CDBG program; and

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

160

WHEREAS, the St. Louis County Board of Commissioners has approved the FY 2003 Community Development Block Grant (CDBG) program awards to 32 communities and agencies totaling \$2,480 million; and

WHEREAS, the advisory committee for the Emergency Shelter grant program recommends FY 2003 funding of \$106,025 for seven nonprofit organizations to support essential services, homeless prevention activities, and emergency shelter and transitional housing operations.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners accepts the 2003 HUD grants and authorizes the County Planning Director to execute the grant agreements on behalf of St. Louis County, along with all the necessary forms, attachments, addendums, and certifications to implement the program and complete the agreements between St. Louis County and the U.S. Department of Housing and Urban Development; and

RESOLVED FURTHER, grant funds will be allocated as follows:

\$ 110,000	ESG Grant to Fund 10
\$ 752,672	HOME Grant to Fund 11
\$ 2,971,000	CDBG Grant to Fund 12

RESOLVED FURTHER, the St. Louis County Board of Commissioners allocates 2003 projects and authorizes the Planning Director and a representative of the County Attorney to execute agreements for approved projects and that disbursements related to the CDBG subrecipient agreements be made from CDBG Fund 12 and ESG agreements from ESG Fund 10:

<u>Project #</u>	<u>Amount</u>	<u>Project Name</u>	<u>CDBG Fund 12</u>
200301	75,000	AEOA Homeownership Assistance Program	
200302	600,000	AEOA Single Family Housing Rehabilitation Program	
200303	25,000	Lutheran Social Service Shamrock Transitional Living Program	
200304	75,000	Northeast Entrepreneur Fund - Microenterprise and Small Business Development	
200306	40,000	Breitung Township Recreation Area	
200307	90,000	Cook 5th Street SE Improvements	
200308	82,500	Duluth/North Shore Sewer Collection System	
200309	290,000	Ely Camp Street Improvements	
200310	5,000	Embarrass Historic Finnish Homes Restoration	
200311	10,000	Eveleth Blight Removal Program	
200312	200,000	Eveleth Sanitary Sewer Improvements	
200313	7,500	Floodwood Services & Training ADA Improvements	
200314	100,000	Floodwood Water and Sewer Extension	
200315	50,000	Grand Lake Accessibility Improvements	
200316	175,000	Hibbing Kitzville Force Main	
200317	130,000	Proctor Water and Sanitary Sewer Extension	
200318	40,000	St. Louis County - 911 Communications	
200319	40,000	Tower Blight Removal	
200320	100,000	Virginia City Center Park	
200321	100,000	Winton Water Tower Improvements	
200322	38,000	AEOA Homeless/Shelter Operations	
200323	10,000	AEOA Raising Our Children's Kids (ROCK)	
200325	45,000	Legal Aid Housing Counseling, Information & Litigation Project	
200326	20,000	Life House - Proctor House	
200328	10,000	Project SOAR Career Development & Self Employment Training	
200329	35,000	Range Transitional Housing	
200330	22,000	Range Women's Advocates Children's Program	
200331	15,000	Salvation Army - Northern St. Louis County Money Management	

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

161

		Program
200332	12,000	Salvation Army - Hibbing Melting Pot Meals Program
200333	15,000	Salvation Army - Virginia Supper Club
200334	23,000	Sexual Assault Outreach Services

<b><u>Agency - ESG Fund 10</u></b>	<b><u>Amount</u></b>
Arrowhead Economic Opportunity Agency	\$ 33,925
Legal Aid Service of NE Minnesota	\$ 12,325
Life House	\$ 12,975
Range Transitional Housing	\$ 26,425
Salvation Army - Duluth	\$ 1,925
Salvation Army - Hibbing	\$ 9,225
Salvation Army - Virginia	\$ 9,225
Adopted May 13, 2003. <u>No. 292</u>	

WHEREAS, the Arrowhead Regional Development Commission ("ARDC") and the Metropolitan Interstate Commission ("MIC") have requested Community Development Block Grant Funds in the amount of \$15,000 to undertake the Duluth Urbanized Area Growth Impact Study; and WHEREAS, the study will lay the groundwork for where and how utilities should be expanded in the most effective and cost efficient manner to accommodate future growth. NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners authorizes the County Planning Director and a representative of the County Attorney to execute an agreement with ARDC/MIC for \$15,000, payable from CDBG, Fund 12, and further, that the Planning Director shall serve as the county representative on the study steering committee. Adopted May 13, 2003. No. 293

WHEREAS, the City of Hoyt Lakes is requesting CDBG funding to undertake an economic development project, which would create full-time employment opportunities; and WHEREAS, the City is requesting \$75,000 to loan to Premier Plastics, Inc., for the purchase of specialized equipment which will provide an opportunity for the company to expand its operating space. Premier Plastics, a manufacturer of plastic components for recreational industries, will create an additional 50 full-time jobs over 5 years; and WHEREAS, funding is available through the CDBG economic development set-aside approved January 22, 2002, by County Board Resolution 2002-101; and WHEREAS, the CDBG Citizen Advisory Committee met on April 7, 2003, and recommended funding for the project. NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners approves the \$75,000 grant to Hoyt Lakes, and authorizes the County Planning Director and a representative of the County Attorney to execute a grant agreement with Hoyt Lakes for \$75,000, payable from CDBG Fund 12. Adopted May 13, 2003. No. 294

**BY COMMISSIONER FORSMAN:**

WHEREAS, the Town of Morse requested that the Planning Commission initiate a rezoning; and WHEREAS, the St. Louis County Planning Commission held a public hearing on the proposed rezoning on April 10, 2003; and WHEREAS, the St. Louis County Planning Commission recommended by a five to two vote to recommend that the St. Louis County Board of Commissioners adopt the rezoning; and WHEREAS, St. Louis County conducted a public hearing on May 13, 2003; and WHEREAS, the St. Louis County Board has considered the recommendation of the Planning Commission, the recommendations of staff, and all of the testimony, written and verbal, as presented. NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board affirms the Planning

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

162

Commission recommendation and revises the zoning map for Town 63 North, Range 12 West, part of the Town of Morse, changing Forest Agricultural Management-1 to Forest Agricultural Management-3; and

BE IT FURTHER RESOLVED, that the effective date of this amendment is May 27, 2003.  
Unanimously adopted. May 13, 2003. No. 295

**BY COMMISSIONER SWEENEY:**

WHEREAS, that the St. Louis County Board of Commissioners hereby authorizes the Director of Public Health and Social Services to enter into a contract with Pat Miller of Duluth to provide process consultation and facilitator services to the Leadership Team studying possible reorganization of the Public Health and Social Service Departments. Contract services will be provided at a rate of \$70 per hour, not to exceed a contract maximum of \$9,500, for the time period of April 22, 2003, to October 31, 2003. If the reorganization study extends beyond November 1, 2003, due to the extent of the project (as opposed to project delays), a new contract or a contract extension will be entered into.

Budget Reference:

Fund 1, Agency 210, Organization 210, Object Code 299 (Professional Fees)  
Yeas - Commissioners Fay, Kron, Forsman, Sweeney, Nelson, and Raukar - 6  
Nays - Chair Fink - 1  
Adopted May 13, 2003. No. 296

Upon motion of Commissioner Forsman, supported by Commissioner Nelson, Resolutions No. 297 through 314, which were approved at the Committee of the Whole meeting this date, were brought forth to this meeting as a second Consent Agenda and were unanimously adopted as follows with Commissioner Kron and Chair Fink absent:

**BY COMMISSIONER FORSMAN:**

RESOLVED, the St. Louis County Board of Commissioners hereby authorizes the appropriate County officials to enter into a three-year agreement with Quality Reimbursement Services (QRS) from June 1, 2003, through May 31, 2006, to identify patient eligibility for Medicaid, Medicare, General Assistance Medical Care, MinnesotaCare, and other health-related public programs for healthcare services provided by St. Mary's Duluth Clinic Health System. Quality Reimbursement Services would be due no compensation from the County under the contract.

RESOLVED FURTHER, the Board authorizes the appropriate St. Louis County officials to enter into an agreement with St. Mary's Duluth Clinic Health System (SMDC) whereby SMDC pays St. Louis County \$5,200 annually for three years in compensation for services.

Budget Reference:

Fund 04 Social Services, Agency SSV Social Services  
Revenue Source Rev 5999 Other Revenue - St. Mary's Duluth Clinic Health System  
Adopted May 13, 2003. No. 297

RESOLVED, the St. Louis County Board of Commissioners hereby authorizes the St. Louis County Social Services Department to apply for a grant of \$10,500 for the purchase of Family Group Decision Making Services for the period of June 1, 2003, to June 30, 2004.

Adopted May 13, 2003. No. 298

WHEREAS, the St. Louis County Board of Commissioners adopted Resolution No. 47, dated January 14, 2003, which authorized the Social Services Departments to accept a grant from the Minnesota Department of Human Services in the amount of \$200,000 for two years and authorized the Department to increase its FTE by 1.0 Social Worker; and

WHEREAS, the County Board instituted a hiring freeze, and therefore, the Department did not hire a 1.0 FTE Social Worker, but now wishes to appropriate funds instead to the Human Development Center which would allow that agency to hire a 1.0 FTE Social Worker.

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

163

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners hereby authorizes the Social Services Department to enter into a Grant Agreement with the Human Development Center at an amount of \$100,000 per year for the two-year period beginning January 1, 2003, or as soon as a Social Worker can be hired, which will allow the Human Development Center to hire a full-time Social Worker for the Assertive Community Treatment ("ACT") Team for Co-Occurring Disorders and to provide mental health support for that team.

RESOLVED FURTHER, the Social Services budget is decreased by the 1.0 FTE Social Worker previously authorized in Resolution No. 47.

Budget Reference:

Fund 04, Agency SSV, Org. 6800

Adopted May 13, 2003. No. 299

RESOLVED, that St. Louis County Board of Commissioners approves the contract between St. Louis County and the Carlton, Cook, Lake, St. Louis Community Health Board for the provision of Child and Teen Checkup administrative services and MA outreach from January 1, 2003, through December 31, 2003. Reimbursement, which will not exceed \$408,500, will be budgeted in the Health Department's 2003 budget, Fund 01, Agency 220.

Adopted May 13, 2003. No. 300

WHEREAS, the Land Department has reviewed a request of Lake Country Power for a permanent power utility easement across state tax forfeited land and recommends approval.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Auditor, by the authority vested through Minnesota Statutes 282.04, Subdivision 4, is hereby authorized to grant a permanent power utility easement to Lake Country Power over the following state tax forfeited parcel: A 40.00 foot utility easement over, under and across the Northwest Quarter of Northeast Quarter (NW 1/4 of NE 1/4) and the Northeast Quarter of Northwest Quarter (NE 1/4 of NW 1/4), Section Thirty-Five (35), Township Fifty (50) North, Range Nineteen (19) West of the Fourth Principal Meridian.

The centerline of said easement is described as follows: Beginning at the Northwest corner of said Northwest Quarter of Northeast Quarter (NW 1/4 of NE 1/4) and assuming the North line of the Northwest Quarter of Northeast Quarter (NW 1/4 of NE 1/4) bears North 89 degrees 21 minutes 43 seconds West, thence South 18 degrees 51 minutes 11 seconds West a distance of 23.56 feet; thence South 02 degrees 02 minutes 47 seconds West a distance of 850.00 feet; thence South 03 degrees 51 minutes 49 seconds West a distance of 285.00 feet, and line there terminating.

The granting of this easement is conditioned on payment of \$39.75 Timber Damages, \$636.00 Land Use Fee, \$100.00 Administration fee, \$6.00 Publication Fee, \$20.00 Recording Fee, for a total cost of \$801.75.

Adopted May 13, 2003. No. 301

WHEREAS, the Land Department has reviewed a request of Lake Country Power for a permanent power utility easement across state tax forfeited land and recommends approval.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Auditor, by the authority vested in him by Minnesota Statutes 282.04, Subdivision 4, is hereby authorized to grant a permanent power utility easement to Lake Country Power over the following state tax forfeited parcels: A 20.00 foot utility easement over, under and across the Northeast Quarter (NE 1/4), Section Seven (7) and the Northwest Quarter (NW 1/4), Section Eight (8), and the Southeast Quarter (SE 1/4), Section Seven (7), Township Fifty (50) North, Range Nineteen (19) West of the Fourth Principal Meridian.

The centerline of said easement is described as follows: Commencing at the Northeast corner of said Northeast Quarter (NE 1/4) thence North 89 degrees 42 minutes 47 seconds West (assumed bearing) along the North line of said Northeast Quarter (NE 1/4) a distance of 18.00 feet to the beginning of the

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

164

centerline to be described; thence South 09 degrees 17 minutes 17 seconds West a distance of 365.00 feet; thence South 02 degrees 54 minutes 15 seconds East a distance of 798.00 feet; thence South 13 degrees 37 minutes 23 seconds West a distance of 498.00 feet; thence Southerly along a tangential curve concave to the East, having a radius of 400.67 feet and a central angle of 21 degrees 27 minutes 01 seconds, a distance of 150.00 feet; thence South 07 degrees 49 minutes 37 seconds East a distance of 230.00 feet; thence Southerly along a tangential curve concave to the West, having a radius of 188.48 feet and a central angle of 39 degrees 03 minutes 44 seconds, a distance of 128.50 feet; thence South 31 degrees 14 minutes 07 seconds West a distance of 300.00 feet; thence South 44 degrees 55 minutes 03 seconds West a distance of 200.60 feet to point on the South line of said Northeast Quarter (NE 1/4) being 293.64 feet Westerly of the Southwest corner of said Northeast Quarter (NE 1/4), and said line there terminating; and

Commencing at the Northeast corner of said Southeast Quarter (SE 1/4) thence South 88 degrees 48 minutes 53 seconds West (assumed bearing) along the North line of said Southeast Quarter (SE 1/4) a distance of 293.64 feet to the beginning of the centerline to be described; then South 44 degrees 55 minutes 03 seconds West a distance of 54.40 feet; thence Southerly along a tangential curve concave to the East, having a radius of 343.79 feet and a central angle of 47 degrees 21 minutes 56 seconds, a distance of 284.21 feet; thence South 02 degrees 26 minutes 53 seconds East a distance of 350.00 feet; thence South 22 degrees 38 minutes 48 seconds West a distance of 315.00 feet; thence South 11 degrees 45 minutes 58 seconds West a distance of 505.00 feet, and said line there terminating.

The granting of this easement is conditioned on payment of \$1,152.00 Land Use Fee, \$100.00 Administration Fee, \$6.00 Publication Fee, \$20.00 Recording Fee, for a total cost of \$1,278.00. Adopted May 13, 2003. No. 302

WHEREAS, the St. Louis County Public Works Department is preparing a grant application to the USDA Forest Service Wood in Transportation Program to fund the replacement of County Bridge 152; and

WHEREAS, the improvements would consist of removing and replacing a deficient bridge on the County road system as determined necessary to provide for the safe and reasonable use of the traveling public as well as an improved route for future logging work/timber transport; and

WHEREAS, the U.S. Department of Agriculture, through the U.S. Forest Service, administers financial assistance for the improvement of local transportation networks through the Wood in Transportation Program; and

WHEREAS, the County's 50 percent local match will be from Fund 2, Agency A17, Object 528, and Salaries/Fringe Benefits and equipment costs as needed for erection of the new timber structure; and

WHEREAS, St. Louis County desires financial assistance under the USDA Forest Service's Wood in Transportation Program for replacement of County Bridge 152 and is willing to work with Forest Service personnel to complete this project; and

WHEREAS, St. Louis County is willing to keep records of the project to include such things as semi-annual progress reports, a final report summarizing the success of the project, photographs, as-built plans, and cost data which can be made available to potential users and those advocating the furtherance of timber bridge technology;

NOW, THEREFORE, BE IT RESOLVED, the County Board of Commissioners hereby expresses its support for the grant application to the Wood in Transportation Program administered by USDA Forest Service.

Adopted May 13, 2003. No. 303

RESOLVED, that the appropriate County officials are hereby authorized to enter into an agreement with the Town of Rice Lake for the reconstruction of T.R. No. 2932 (Third Avenue South) in Rice Lake Township whereby the Township will pay the entire cost of the project, and preliminary engineering and engineering and inspections costs. The project will be funded by Fund 02, Agency A17, Org. 3635,

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

165

Object 528, and reimbursed by the Town of Rice Lake.  
Adopted May 13, 2003. No. 304

RESOLVED, that the appropriate County officials are hereby authorized to enter into an agreement with the Town of Canosia for the reconstruction of T.R. No. 5519 (Wilderness Trail) in Canosia Township whereby the Township will pay the entire cost of the project, and preliminary engineering and engineering and inspections costs. The project will be funded by Fund 02, Agency A17, Org. 3635, Object 528, and reimbursed by the Town of Canosia.  
Adopted May 13, 2003. No. 305

RESOLVED, that pursuant to the recommendations of the Tax Committee, the applications of the following named persons and firms for reduction and correction of assessed valuations and taxes in the following amounts plus on those abatements of penalty and interest, any additional accrual to the date of this resolution, on file in the office of the County Auditor, identified as County Board File No. 58013, are hereby approved:

Real Estate - Joni Bundy, \$232.74; City of Duluth, \$648.76; Kevin Coulter, \$593.00; Steven Disch, \$200.60; James Enzmann, \$48.96; Loretta Erickson, \$237.50; John Fish, \$460.30; Jerome Gustafson, \$608.20; William Hink, \$0.00; John Ivanca, \$555.82; William Johnson, \$245.22; Gary King, \$211.60; Kenneth Knowles, \$563.10; Dennis Larson, \$566.60; Harry Loughran, \$289.24; Danielle Merritt, \$286.80; Priscilla Mickle, \$117.24; Carl W. Pfeifer, \$151.50; Florence Pietrs, \$817.06; Jean Regal, \$144.84; Regional Rail Authority, \$236.72; John Ruvelson, \$556.58; James Ryan, \$1,214.32; Frank Sherman, \$173.98; Hans Smith, \$0.00; State of MN, \$4,079.56; Clare Stromlund, \$245.20; Patrick Surface, \$1,110.74.

Personal Property - James Pastore, \$65.92.  
Adopted May 13, 2003. No. 306

RESOLVED, the St. Louis County Board of Commissioners hereby reappoints the following individuals to the Sewage Treatment Systems Technical Advisory Committee for a three-year term; January 1, 2003, through December 31, 2005: Keith Anderson, James Bertucci, Mark Lindhorst, Barbara McCarthy, Tom Rovinsky, and Bob Whitmyer.

RESOLVED FURTHER, an additional vacancy shall be advertised stating applications are preferred from the northern half of the County.  
Adopted May 13, 2003. No. 307

RESOLVED, the St. Louis County Board of Commissioners hereby schedules a public hearing on June 3, 2003, at 9:35 A.M. in the St. Louis County Courthouse, Duluth, Minnesota, to consider amendments to Ordinance No. 49, the Septic System Loan Ordinance.  
Adopted May 13, 2003. No. 308

WHEREAS, the Town of Normanna has completed its local planning effort and recommended the County adopt the plan; and

WHEREAS, the St. Louis County Planning Commission held a public hearing on the proposed plan on April 10, 2003; and

WHEREAS, the St. Louis County Planning Commission, at its April 10, 2003, meeting, recommended approval of the Town of Normanna plan to the St. Louis County Board of Commissioners.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners will hold a public hearing on Tuesday, June 10, 2003, at 9:35 A.M., St. Louis County Courthouse, Duluth, Minnesota, to consider an amendment to the St. Louis County Land Use Plan - Ordinance No. 27, to include a section for the Normanna Land Use Plan.

Adopted May 13, 2003. No. 309

RESOLVED, that a public hearing will be held at 9:40 A.M. on May 27, 2003, in the Hibbing City Hall

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

166

Council Chambers, Hibbing, Minnesota, for the purpose of considering the granting of an Off-Sale Intoxicating Liquor License to Timbuktu Marina, LLC, d/b/a Timbuktu Marina, LLC, Greenwood Township.

Adopted May 13, 2003. No. 310

WHEREAS, Minnesota Statutes 282.04, Subdivision 1, authorizes the County Auditor to issue a temporary lease on tax forfeited land with the approval of the County Board, and upon such terms and conditions as the County Board may prescribe; and

WHEREAS, the Land Department has considered, among other things, potential liabilities; safety issues; maintenance issues, and the suitability or desirability of the land for this particular use, and has recommended that the County Board issue a temporary lease to the End of the Road Rendezvous subject to the following terms and conditions:

- Submission of a traffic control plan approved by the Sheriff's Department
- Submission of a parking plan approved by the Sheriff's Department
- Acquisition of insurance coverage
- Submission of a safety plan approved by the Sheriff's Department
- Acquisition of sanitation permit(s) from the Health Department
- Acquisition of food vendor permit(s) from the Health Department
- Submission of a site layout and activity plan
- Submission of a black powder shooting plan approved by the Sheriff's Department
- Submission of a site maintenance and clean up plan
- Notification of adjacent landowners
- Notification of Sheriff's Department and Public Works' Department
- Payment of land use fees

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Auditor is hereby authorized to issue a temporary land use lease to the End of the Road Rendezvous to hold a public event on the following described tax forfeited land: S 1/2 - SW 1/4 -SW-1/4, Section 4, Township 62 North, Range 12 West, for the consideration of \$500.00 land use fee; for a total cost of \$500.00.

RESOLVED FURTHER, that said lease is subject to the approval by the Land Commissioner, Sheriff's Department, and Health Department of plans submitted by the lessee, and approval of the County Attorney as required herein.

Adopted May 13, 2003. No. 311

WHEREAS, bids have been received by the County Auditor for the following project:

S.A.P. 69-744-02, County Project 9279, C-SAH 144 (Harrison Street & Elba Ave.) between Fayal Ave. and Jones Street in Eveleth, MN; length 0.411 miles. Project to consist of Grading, Aggregate Base, Bituminous Surfacing, Concrete Walk, Concrete Curb and Gutter, Storm Sewers;

WHEREAS, said bids or proposals were duly opened in the County Board Room at 10:00 A.M., May 12, 2002, and this Board has, with the County Highway Engineer, determined the lowest bidder of said project for which proposals were invited and submitted; and

WHEREAS, in the judgment of this Board it is for the best interest of St. Louis County that the award of said contract be made to the lowest bidder.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of St. Louis County, Minnesota, in regular session duly convened, that they hereby approve the award of contract on the above project to the lowest bidder:

<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
Jola & Sopp Excavating	1011 Hwy. 53	\$384,087.28

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

167

P.O. Box 738  
Eveleth, MN 55734

RESOLVED FURTHER, that the Chairman of the County Board, the County Auditor, and the County Attorney, on behalf of the County of St. Louis, are hereby authorized to approve the Contractor's Performance Bonds and to execute the bonds and contracts with the Contractor for the above listed project; Fund 08A, Agency 525, Org. 9279, Object 527, City of Eveleth (for Non-Participating Items, and 13 percent of Storm Sewer Costs).  
Adopted May 13, 2003. No. 312

WHEREAS, bids have been received by the County Auditor for the following project:

M.P. 61-3590, County Project 3590, Parking Areas located: 0.51 miles NE of C-SAH 33 (McQuade Rd.), 0.76 miles NE of C-SAH 33, and 0.15 miles SW of C-SAH 42 (Homestead Rd.) On C-SAH 61 (North Shore Scenic Drive). Construction to consist of Grading, Aggregate Base, P.M. Bituminous Base & Surface;

WHEREAS, said bids or proposals were duly opened in the County Board Room at 10:00 A.M., May 12, 2002, and this Board has, with the County Highway Engineer, determined the lowest bidder of said project for which proposals were invited and submitted; and

WHEREAS, in the judgment of this Board it is for the best interest of St. Louis County that the award of said contract be made to the lowest bidder.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of St. Louis County, Minnesota, in regular session duly convened, that they hereby approve the award of contract on the above project to the lowest bidder:

<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
Glacier Paving, Inc.	1000 Tall Pine Lane Cloquet, MN 55720	\$78,709.23

RESOLVED FURTHER, that the Chairman of the County Board, the County Auditor, and the County Attorney, on behalf of the County of St. Louis, are hereby authorized to approve the Contractor's Performance Bonds and to execute the bonds and contracts with the Contractor for the above listed project; payable from Fund 2, Agency A17, Org. 3590, Object 528, Minnesota Lake Superior Coastal Grant - approximately 50/50 split.  
Adopted May 13, 2003. No. 313

WHEREAS, the Purchasing Department obtained bids for 2003 model year vehicles; and  
WHEREAS, the County's bid results were compared to the State of Minnesota 2003 model year vehicle contracts; and

WHEREAS, the Purchasing Department is a member of the Cooperative Purchasing Venture with the State of Minnesota and may use the State of Minnesota's contracts;

NOW, THEREFORE, BE IT RESOLVED, that the Director of Purchasing is hereby authorized to purchase, in accordance with Bid No. 4352, 2003 model year vehicles as follows:

- 3.0 One (1) Class IIA, mid-size 4 door sedan, from Mike Motors of Ely, MN, at their low specification bid price of \$13,807.00, plus 6.5 percent state sales tax of \$897.46 per unit, and delivery charge to Duluth of \$40.00 per unit, for a total purchase price of \$14,744.46, payable from Fund 02 (Public Works), Agency A14 (Equipment & Maintenance Shops), Org. 0005 (Pike Lake), Object Code 661 (Automobiles).
- 3.2 One (1) Class IIA, mid-size 4 door sedan, from Mike Motors of Ely, MN, at their low

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

168

specification bid price of \$13,807.00, plus 6.5 percent state sales tax of \$897.46 per unit, and delivery charge to Duluth of \$40.00 per unit, for a total purchase price of \$14,744.46, payable from Fund 02 (Public Works), Agency A14 (Equipment & Maintenance Shops), Org. 0008 (Engineering), Object Code 661 (Automobiles).

- 3.4 One (1) Class IIA, mid-size 4 door sedan, from Mike Motors of Ely, MN, at their low specification bid price of \$13,807.00, plus 6.5 percent state sales tax of \$897.46 per unit, and delivery charge to Duluth of \$40.00 per unit, for a total purchase price of \$14,744.46, payable from Fund 02 (Public Works), Agency A14 (Equipment & Maintenance Shops), Org. 0017 (Engr. Construction-South), Object Code 661 (Automobiles).
- 5.0 Two (2) 6000 GVWR Full Size, 2 Wheel Drive Pickup, from Eggebrecht Chevrolet of Duluth, MN, at their low specification bid price of \$13,427.00 each, for a total of \$26,854.00, plus 6.5 percent state sales tax of \$872.76 per unit, and no delivery charge to Duluth, for a total purchase price of \$28,599.51, payable from Fund 02 (Public Works), Agency A14 (Equipment & Maintenance Shops), Org. 0002 (Jean Duluth), Object Code 662 (Pickups/Vans).
- 5.3 One (1) 6000 GVWR Full Size, 2 Wheel Drive Pickup, from Eggebrecht Chevrolet of Duluth, MN, at their low specification bid price of \$13,427.00, plus 6.5 percent state sales tax of \$872.76 per unit, and no delivery charge to Duluth, for a total purchase price of \$14,299.76, payable from Fund 02 (Public Works), Agency A14 (Equipment & Maintenance Shops), Org. 0005 (Pike Lake), Object Code 662 (Pickups/Vans).
- 5.4 One (1) 6000 GVWR Full Size, 2 Wheel Drive Pickup, from Eggebrecht Chevrolet of Duluth, MN, at their low specification bid price of \$13,427.00, plus 6.5 percent state sales tax of \$872.76 per unit, and no delivery charge to Duluth, for a total purchase price of \$14,299.76, payable from Fund 02 (Public Works), Agency A14 (Equipment & Maintenance Shops), Org. 0006 (Virginia), Object Code 662 (Pickups/Vans).

Adopted May 13, 2003. No. 314

**BY COMMISSIONER FAY:**

RESOLVED, that the County Administrator shall file an application to the State of Minnesota, pursuant to Minnesota Statutes, Section 256B.437, for partial closure of fifteen (15) beds at Chris Jensen Health and Rehabilitation Center.

RESOLVED FURTHER, that the County Administrator shall file an application to the State of Minnesota, pursuant to Minnesota Statutes, Section 144A.071, Subdivision 4b, for "lay away" of fifteen (15) additional beds at Chris Jensen Health and Rehabilitation Center.

Yeas - Commissioners Fay, Forsman, Nelson and Vice-Chair Raukar - 4

Nays - Commissioner Sweeney - 1

Absent - Commissioner Kron and Chair Fink - 2

Adopted May 13, 2003. No. 315

At 4:16 P.M. on Tuesday, May 13, 2003, upon motion of Commissioner Nelson, supported by Commissioner Fay, the Board of County Commissioners adjourned.

Dennis Fink, Chair of the Board  
of County Commissioners

Attest:

Gordon D. McFaul, County Auditor  
and Ex-Officio Clerk of the Board

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

169

of County Commissioners

(Seal of the County Auditor)

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

170

**OFFICIAL PROCEEDINGS OF THE MEETING  
OF THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF ST. LOUIS, MINNESOTA,  
HELD ON MAY 27, 2003**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 27th day of May, 2003, at 9:37 A.M. in the Hibbing City Council Chambers, City Hall, Hibbing, Minnesota. The meeting was called to order by the Chair with the following members present: Commissioners Joanne Fay, Bill Kron, Mike Forsman, Peg Sweeney, Keith Nelson, Steve Raukar, and Chair Dennis Fink - 7. Absent: None.

At 9:38 A.M., a public hearing was convened, pursuant to County Board Resolution No. 261, adopted April 22, 2003, to consider adoption of an ordinance increasing the snowmobile speed limit on lakes larger than 10,000 acres to 65 miles per hour. David Twa, County Administrator, said the new speed limits, which are authorized by statute, are subject to certain restrictions and affect only larger lakes such as Burntside, Kabetogama and Vermilion. Commissioner Forsman said the limits would only be in effect for marked trails on the lakes. No one else chose to address the issue.

At 9:46 A.M., Commissioner Raukar, supported by Commissioner Sweeney, moved to close the hearing; seven yeas - zero nays. Commissioner Forsman, supported by Commissioner Raukar, moved to approve adoption of the ordinance effective September 1, 2003. Alan Mitchell, County Attorney, noted language included in the ordinance stipulated effectuation "upon passage". Because the Minnesota Department of Natural Resources must approve the ordinance, Attorney Mitchell suggested the effectuation remain "upon passage". The makers agreed to the suggestion and the ordinance was adopted effective upon passage; seven yeas - zero nays.

Chair Fink asked that a copy of the ordinance be forwarded to Koochiching County because of an anticipated challenge to any speed limit changes on Rainy Lake.

At 9:52 A.M., a public hearing was convened, pursuant to County Board Resolution No. 310, adopted May 13, 2003, to consider granting an off-sale intoxicating liquor license to Timbaktu Marina, LLC, d/b/a Timbaktu Marina, LLC, Greenwood Township. County Attorney Mitchell advised the Board that: all required County Departments had reviewed the application and approved granting the license; the County Liquor Licensing Committee met with the applicants and recommended approval; the Town of Greenwood recommended approval; all required notices had been given; and, the necessary certificate of insurance has been submitted. Matthew Clines and Christine Clines, Managers of the marina, were present and said they understood and would abide by the provisions of Ordinance No. 28 (Liquor Ordinance). No one else chose to address the issue.

At 9:58 A.M., Commissioner Kron, supported by Commissioner Sweeney, moved to close the hearing; seven yeas - zero nays. Commissioner Forsman, supported by Commissioner Sweeney, moved to approve granting the off-sale intoxicating liquor license; seven yeas - zero nays. Resolution No. 321.

Chair Fink opened the meeting to persons who wanted to address the Board concerning issues not on the agenda and the following chose to do so:

Bob Pajunen, Dewey Lake resident, described the deplorable condition of a portion of Dewey Lake Road.

Andy Stone, Dewey Lake resident, asked the Board for assistance fixing the unsafe section of road.

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

171

Tim Larson, Dewey Lake resident, said the poor road condition posed safety problems for school buses and residents.

Marcus Hall, Highway Engineer, was present and said he would meet with the residents and discuss the issue.

An amendment to St. Louis County Zoning Ordinance No. 46, Article II, Section 1.04, Permit Not Required, Article II, Section 6, Definitions, and Article VI, Section 4, Utility Structures was then discussed. The public hearing on the proposed amendment was held on May 13, 2003. A motion by Commissioner Fay, supported by Commissioner Sweeney, to approve the amendment was tabled after the hearing was closed. Scott Smith, Planning Department, briefly described the definition and language changes that were made to the proposed amendments. After further discussion, the amendment was approved effective June 1, 2003; seven yeas - zero nays.

A repurchase application of Roger and Daniel Wolfgram, tabled at the May 13, 2003, County Board meeting, was then considered. County Administrator Twa asked the Board to table the matter until the June 3, 2003, County Board meeting to allow a representative for the Wolfgrams to be present. Commissioner Sweeney, supported by Commissioner Forsman, moved to table consideration of the repurchase until June 3, 2003; seven yeas - zero nays.

Commissioner Kron, supported by Commissioner Sweeney, moved to schedule a closed session for litigation purposes at the close of the Board meeting; seven yeas - zero nays.

Commissioner Nelson, supported by Commissioner Sweeney, moved to award the contract for application of calcium chloride on busy gravel roads to Univar USA, Inc., St. Paul, MN, on their low bid of \$316,305. Marcus Hall, Public Works Director, in response to Commissioner questions, said even though the price is higher than anticipated, the County would live up to its obligations. Commissioner Raukar noted that \$19,305 state sales tax will be paid for the calcium chloride. The resolution was then approved; seven yeas - zero nays. Resolution No. 322.

Commissioner Fay, supported by Commissioner Sweeney, moved to authorize an agreement with LHB Architects and Engineers for various design and project management services associated with Phase II and III of the Duluth Courthouse remodeling at a cost not to exceed \$318,086. Tony Mancuso, Property Manager, described the scope of the agreement and the status of the remodeling. After brief discussion, the resolution was approved; seven yeas - zero nays. Resolution No. 323.

**ORDINANCE NUMBER 57**

The Board of Commissioners of St. Louis County ordains:

**ARTICLE 1 - ADMINISTRATION**

**Authority:**

Minnesota Statutes § 84.87, subd. 4 authorizes counties to enact an ordinance to raise the speed limit of snowmobiles to 65 miles per hour on lakes greater than 10,000 acres.

**Purpose:**

The purpose of this Ordinance, which is enacted pursuant to Minnesota Statutes, is to increase the speed limit up to 65 miles per hour for snowmobiles traveling on marked trails during daylight hours on lakes greater than 10,000 acres.

**Title:**

Ordinance 57.

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

172

**ARTICLE 2 - DEFINITIONS**

- A. Daylight Hours - "Daylight Hours" means the hours between sunrise and sunset.
- B. Lakes Greater Than 10,000 Acres - The following are lakes in St. Louis County that are greater than 10,000 acres:
  - Burntside
  - Kabetogama
  - LacLaCroix
  - Namakan
  - Pelican
  - Rainy
  - Superior
  - Vermilion
- C. Marked Trail - "Marked Trail" means snowmobile trails established and posted in accordance with 6100.5300 of the Minnesota Rules.
- D. Operate - As defined in Minn. Stat. § 84.81, Subd. 5, "Operate" means to ride in or on and control the operation of a snowmobile.
- E. Snowmobile - As defined in Minn. Stat. § 84.81, subd. 3, "Snowmobile" means a self-propelled vehicle designed for travel on snow or ice steered by skis or runners.

**ARTICLE 3 - GENERAL PROVISION**

Snowmobiles operating within St. Louis County may travel up to the rate of 65 miles per hour when traveling on marked trails during daylight hours on lakes greater than 10,000 acres.

**ARTICLE 4 - UNLAWFUL ACTIVITY**

Notwithstanding the general provision of Article 3 of this Ordinance, it remains unlawful for any person to drive or operate any snowmobile at a rate of speed greater than is reasonable or proper under all of the surrounding conditions or circumstances.

**ARTICLE 5 - ENFORCEMENT**

Conservation officers and other licensed peace officers are authorized to enforce the provisions of this Ordinance consistent with any authority imposed by statute.

**ARTICLE 6 - EFFECTUATION**

This Ordinance shall be effective upon passage by the St. Louis County Board of Commissioners and approval of the Commissioner of Natural Resources. Upon approval by the Commissioner of Natural Resources, Ordinance No. 57, shall be disseminated to the appropriate law enforcement agencies.

This Ordinance was declared adopted by the St. Louis County Board of Commissioners on the 27th day of May, 2003.

Commissioner Fay moved for the adoption of this Ordinance, and Commissioner Sweeney duly seconded the motion. It was adopted on the following vote:

Yeas: Commissioners Fay, Kron, Forsman, Sweeney, Nelson, Raukar, and Chair Fink - 7  
Nays: None  
Absent: None

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

173

DENNIS FINK  
Chairman, County Board

Certified as a complete and accurate copy  
of Ordinance Number 57

GORDON D. McFAUL, County Auditor

ATTEST:  
Paul Tynjala, Deputy Auditor

After review, and in accordance with Minn. Stat. § 84.87, Subd. 4, this Ordinance is hereby approved this \_\_\_\_ day of \_\_\_\_\_, 2003.

GENE MERRIAM  
Commissioner, Dept. of Natural Resources

Amendments to  
ZONING ORDINANCE of  
St. Louis County, Minnesota  
Ordinance No. 46  
*Article II, Section 1.04 - Permit Not Required*  
*Article II, Section 6 - Definitions*  
*Article VI, Section 4 - Utility Structures*

**Article II General Provisions, Section 1.04 Permit Not Required: Add the Following at End of Paragraph A (Page 3):**

No permit will be required for communication towers used by amateur radio operators which are authorized by the Federal Communications Commission (FCC) or other towers incidental to the principal use. These towers must meet the following standards: All principal structure setback requirements are met, tower is no higher than 200 feet, and the tower is not illuminated. Amateur radio or other incidental towers higher than 200 feet may be authorized through a performance standard permit as outlined in Article VI, Section 4 of this Ordinance. This exemption does not apply to any illuminated towers. This exemption also applies to non-illuminated windmills for personal use located in the FAM zone district which comply with all principal structure setbacks.

**Article II Section 6 Definition Add:**

**Amateur Radio Operator:** A person having a written authorization to be the control operator of an amateur radio facility. This authorization shall be in the form of a license or permit issued by the Federal Communications Commission. Amateur radio operators provide communication services, including the amateur-satellite service and the amateur service, which are for the purpose of self-training, intercommunication and technical investigations carried out by amateurs who are duly authorized persons interested in radio technique solely with a personal air and without pecuniary interest, as defined in Title 47, Code of Federal Regulations, [97.3(a)(4)].

**Camouflaged Tower:** Any tower or supporting structure that, due to design, location or appearance, partially or substantially hides, obscures, conceals or otherwise disguises the presence of the tower and one or more antennas or antenna arrays affixed thereto.

**Communication Tower:** A principal structure that is intended to support communication equipment for wireless, broadcast, and similar communication purposes. Communication towers include, but

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

174

are not limited to, monopole (free standing), lattice (self-supporting), or guyed (anchored with guy wires or cables). This definition applies to all towers intended for communication purposes.

**Commercial Communication Towers:** A facility that transmits and/or receives electromagnetic signals. It includes antennas, microwave dishes, horns, and other types of equipment for the transmission or receipt of such signals, telecommunication towers or similar structures supporting said equipment, equipment buildings, parking areas and other accessory development. The facility provides licensed commercial wireless telecommunication services, including cellular, personal communication services (PCS), specialized mobilized radio (SMR), enhanced specialized mobilized radio (ESMR), paging, and similar services that are marketed to the general public.

**Electrical Substation:** A facility consisting of electrical equipment that switches/changes and/or regulates the voltage of electricity. This assemblage of equipment is physically located on the ground and is enclosed by a fence. A grouping of electrical service equipment, line or pad transformers, or minor electrical equipment are not classified as an electrical substation.

**Performance Standard Permit:** Authorization given for a use which must meet a minimum set of pre-defined standards or criteria.

**Utility Structures:** A use, building, or structure, including communication towers, electrical substations, windmills, solid waste dump stations and recycling centers, telephone maintenance centers and other similar facilities that are normally uninhabited, do not contain sanitary facilities and are not intended as a long-term work site.

**Article VI Section 4 Utility Structures and Commercial Communication Towers:**

**4.01** Utility Structures and Commercial Communication Towers are permitted in all zone districts on lots or leased parcels as small as 20,000 square feet provided the following standards are met. All commercial communication towers and electrical substations will require a conditional use permit unless they meet the requirements for exemption. A performance standard permit may be issued for other utility structure, camouflaged towers 100 feet or less in height or other incidental towers not meeting the standards for an exemption if all of the following provisions are followed:

- A. All property owners within one quarter mile of the utility site sign a petition. The Director will approve of the petition, which must describe the project and provide property owners a place to sign their name and address; and
- B. The utility structure or communication tower does not encroach within the shore or road setback standards for the zone district in which it is located. Encroachment onto a side yard setback is permitted when authorized by the adjacent property owner. A variance is required when these setback standards cannot be implemented; and
- C. Tower is not illuminated. Lighting for other utility structures shall not be directed towards roads, public waters or adjacent properties; and
- D. All state and federal regulations relating to the facility are being implemented.

Utility structures and communication towers not meeting the above requirements may apply for a conditional use permit.

All conditional use and performance standard permits will be submitted on an application form approved by the Director which will contain but is not limited to the following information: explanation of the reasons a particular site has been selected; documentation that the structure or

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

175

communication tower has been designed to conform to applicable state structural building standards and to conform to accepted electrical engineering methods and practices as specified in applicable provisions of the National Electric Code, and identification of a qualified engineer licensed by the State of Minnesota who will inspect the facility when required, fencing plan and other information as determined by the Director as necessary to review the application. If the structure or tower is higher than 100 feet, excluding amateur radio towers, a visual study depicting where within one mile of the facility that it will be visible from a developed land use and the visibility from the surface water of any classified lake within two miles of the structure or communication tower. "C"

**4.02 Minimum Standards.** The following minimum standards will apply to all utility structures and commercial communication towers under the jurisdiction of this Ordinance:

- A. Commercial communication towers will be outside of significant migratory bird flight paths as determined by the Minnesota Department of Natural Resources or the U.S. Fish and Wildlife Service. It is the responsibility of the county to demonstrate that the tower is within significant migratory bird paths. Towers within significant migratory bird flight paths will comply with standards of the United States Fish and Wildlife Service in designing towers.
- B. The following height standards will apply to commercial communication towers:
  - 1. Towers within 1,000 feet of a classified lake or a residential zone district are restricted to a height of 100 feet and will not be a guyed tower.
  - 2. Towers located between 1,000 feet and one half mile of a lake are restricted to less than 200 feet in height.
  - 3. Towers located within one quarter mile of types three, four, or five wetlands, and protected rivers and streams, public parks and recreation areas, or public, private or personal use airstrip, or Minnesota Highway #61 are restricted to less than 200 feet in height.
  - 4. Towers located elsewhere have no specific height limitations, but all other standards of this Ordinance will be followed and the Planning Commission may limit height of a tower based on the criteria set forth in this Ordinance for conditional use approval.

In order for a conditional use permit to be approved for a higher tower in the areas listed in 1, 2, and 3 above, the applicant must demonstrate that the selected site requires a higher tower to meet gaps in service that cannot be addressed by alternative sites and that the service gaps exist due to unique topographic, land ownership, or other environmental issues that can only be resolved by construction of a higher tower.

- C. Night time strobe lights will not be permitted unless specifically approved through the conditional use permit, then only when necessary to meet federal standards or protection of migratory birds.
- D. Towers will not be closer than two times the tower height to the nearest structure off of the property. The placement of a structure off of the property after the issuance of the permit for a tower does not create a non conformity for the tower. The applicant must provide written authorization from the land owner regarding the location of the tower in relation to any structures or uses on the property which the tower is located. The tower will be located a distance from property lines equal to the tower height. This setback will also apply from the ordinary highwater mark for properties on a lake or river. All other utility structures are required to follow principal structure setback requirements.
- E. All facilities, including commercial communications towers, will have a landscaping or vegetative protection plan and property maintenance, including litter, vegetation and a structural care plan approved by the Director. No advertisement will be placed on utility

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

176

structures and towers except for the name of facility owners. A fencing plan will be required as part of the application review.

- F. The co-location of antennas is encouraged and the applicant will demonstrate that the facility will be constructed in a manner that will accommodate multiple users. No additional permits are required for the placement of additional antennas on an approved tower provided tower height is not increased by more than 20 feet and the new tower height does not exceed 200 feet or lighting is required where previously lighting was not required. The tower owner, including successor owners, will provide information that the site will be a shared use facility provided other users meet reasonable industry terms. The conditional use requirement for towers is waived for antennas placed on utility structures such as water towers, utility poles, steeples, public buildings or similar facilities if the overall height does not increase more than 20 feet. No land use permit will be required for any co-location on an existing facility.
- G. Prior to submission of any application, the applicant will discuss emergency and public information needs with the appropriate government agencies.
- H. Structures will not exceed 600 square feet in area. This may be in a single structure or a series of structures at the site provided total area does not exceed 600 square feet.
- I. One parking place will be provided.
- J. If the site is on a private road, there must be an agreement to use such a road from the appropriate party.
- K. Facilities that are no longer being utilized for their intended purposes will be considered an inactive permit subject to permit revocation. The Director will follow inactive permit requirements stated in Article VIII, Section 10.02, of this Ordinance. Facility owners that had their permit revoked will remove the facility and tower within 12 months of revocation.
- L. All appropriate government permits and authorizations are followed and evidence of compliance with these regulations will be submitted to the Director.
- M. Windmills must follow all setback requirements for the zone district in which they are located except that the side yard setback shall be equal to the height of the windmill. A land use permit, but no performance standard permit or conditional use hearing is required for windmills following the height standards for towers found in B in this section. A performance standard permit is required for personal use windmills that exceed the height standards stated in B or if the proposed side yard setback is less than the windmill height but greater than the side yard setback for the zone district the windmill is located. A conditional use permit is required for all towers not intended for personal use.
- N. All utility structures within parcels containing active or inactive borrow pits will require a conditional use permit, and as part of the review, these facilities must demonstrate that they will not interfere with the reclamation of the borrow pit or deny access to aggregate material and that the borrow pit is in compliance with Article VI, Section 25, of this Ordinance.
- O. The applicant will demonstrate that the facilities, including roads, are in compliance with county, state and federal wetland regulations.
- P. All facilities, prior to receiving a permit from St. Louis County, will obtain an address from

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

177

County Communications.

- 4.03 Pre-existing Commercial Communication Towers: All commercial tower facilities which have not obtained a permit from St. Louis County will have two years from the effectuation date of this Ordinance to make an application for the facility. The facility permit may not be denied by the county, but the facility owner of the commercial communication tower shall document the following:
- A. The use of the tower;
  - B. Structural condition of the tower;
  - C. Plans for tower removal or expansion of use;
  - D. Date tower was constructed and its original purpose;
  - E. Extent the tower complies with the standards of this ordinance; and
  - F. Other information as determined by the Director to establish the extent of the nonconformity.

The information from the permit shall be utilized to determine the level in which the tower has nonconformity rights as per Minnesota Statute Chapter 394.36.

**ADDENDUM  
EFFECTUATION**

Article II, Section 1.04, Permit Not Required; Article II, Section 6, Definitions; and Article VI, Section 4, Utility Structures, St. Louis County Zoning Ordinance Number 46 amendments shall take effect and be in full force on the first day of July, 2003, upon its adoption by the St. Louis County Board of Commissioners and shall be published in the official newspaper(s) of St. Louis County as provided by Minnesota Statutes.

Public hearings were held by the St. Louis County Planning Commission on November 14, 2002, and December 12, 2002, and by the St. Louis County Board of Commissioners on May 27, 2003.

Recommended by the Planning Commission to the County Board for adoption on the 13th day of February, 2003.

Commissioner Fay moved the adoption of this Ordinance, and Commissioner Sweeney duly seconded the motion, and it was adopted on the following vote:

Yeas: Commissioners Fay, Kron, Forsman, Sweeney, Nelson, Raukar, and Chair Fink - 7  
Nays: None  
Absent: None

Dennis Fink  
Chair, County Board

Certified as a complete and accurate copy of  
an Addendum to Ordinance No. 46 - St. Louis  
County Zoning Ordinance

Gordon D. McFaul, County Auditor

ATTEST:  
Paul Tynjala, Deputy Auditor  
Clerk of the County Board

The following Board and Contract Files were created as a result of documents received at this

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

178

Board meeting:

Sixth Judicial District, County of St. Louis, State of Minnesota, submitting Notice of Filing of Order for Dismissal with Prejudice and Judgment and Stipulation for Dismissal with Prejudice regarding Citizens Research Council versus St. Louis County.-58080

Julie Skullman, State Aid Engineer, State Aid for Local Transportation, Minnesota Department of Transportation, submitting a certified copy of the Amended Commissioner of Transportation's Order No. 87089.-58081

F. Kishel, M.D., President, Range Medical Society, requesting that the St. Louis County Board continue funding Smoke Free Coalitions and groups trying to abolish smoking in public and other places.-58082

Documentation from public hearing held on May 27, 2003, to consider the granting of an Off-Sale Intoxicating Liquor License to Timbuktu Marina, LLC, d/b/a Timbuktu Marina, LLC, Greenwood Township.-58083

Agreement for Professional Services between the County of St. Louis and Oneida Realty Company for certain management, general services and cleaning services for the Depot property.-03-478

Employee Safety and Development Training Contract between St. Louis County and Carolyn Brooks for *Balanced Foods for Balanced Moods* February session.-03-479

Agreement for Professional Nursing Services between St. Louis County, through its Health Department, and Jo Ann Higgins for Community Alternative Care Client No. 06.-03-480

Agreement between the City of Ely and the County of St. Louis for the reconstruction of a portion of C-SAH 152 (Camp Street) in the City of Ely.-03-481

Same Day Pay Received Services Agreement between Bank Serv, Inc., and St. Louis County.-03-482

Grant Agreement between St. Louis County Housing and Redevelopment Authority and Town of Breitung for a utility extension in Soudan's Mineview Addition.-03-483

Agreement for Professional Services between St. Louis County, through its Solid Waste Department, and Diversified Engineers & Consultants for assistance in the modification of software and electrical equipment used to monitor and operate the County's leachate collection and spray irrigation system.-03-484

Medica Health Plans, Medica Insurance Company, Medica Health Plans of Wisconsin and Medica Self-Insured, d/b/a Medica Self-Insured, Public Health Agency Participation Agreement with St. Louis County.-03-485

State of Minnesota, Minnesota Board of Water and Soil Resources, 2003 Natural Resources Block Grant Agreement with St. Louis County.-03-486

State of Minnesota Amendment No. 1 to Lease Agreement No. 11260 between St. Louis County and the State of Minnesota, Department of Administration, on behalf of the Department of Human Services, for office space on the seventh floor of the Duluth Government Services Center.-03-487

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

179

Addendum to Purchase Agreement, Contract No. 13269A, between the St. Louis County Board of Commissioners and Slowinski Construction, Inc., for adaptive aids.-03-488

Employee Safety and Development Training Contract between St. Louis County and Carolyn Brooks for *Balanced Foods for Balanced Moods* April session.-03-489

Upon motion of Commissioner Sweeney, supported by Commissioner Fay, Resolutions No. 316 through 320, as submitted to this Board on the Consent Agenda were unanimously adopted as follows:

**BY COMMISSIONER SWEENEY:**

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of May 6, 2003, are hereby approved.

Adopted May 27, 2003. No. 316

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of May 13, 2003, are hereby approved.

Adopted May 27, 2003. No. 317

RESOLVED, that the appraisal report for the sale of timber, numbered Tract 1, as submitted by the Land Commissioner, on file in the office of the County Auditor, identified as County Board File No. 58000, is approved and the County Auditor is authorized to carry out the recommendations as listed in said appraisal report.

Adopted May 27, 2003. No. 318

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, as set forth by the County Attorney, dated May 16, 2003, on file in the office of the County Auditor, identified as County Board File No. 57995, is hereby received and ratified as payable from Fund 52, Department 12.

Adopted May 27, 2003. No. 319

RESOLVED, that the recommendations of the Finance Committee for payment of claims and bills against the County of St. Louis, on file in the office of the County Auditor, identified as County Board File No. 57999, are hereby approved and the County Auditor shall issue checks in the following amounts:

<u>FUND</u>		<u>TOTAL</u>
T11	MN Trail Assistance	\$ 9,188.66
T21	Beer License	30.00
T27	Refunds	15,077.72
T48	Taconite Relief/Other	1,383,254.00
T50	State of Minnesota	247,467.26
T66	Criminal Fines	142,894.47
T74	Employer/Employee Deductions	806,111.42
T75	Savings Bonds	1,750.00
T77	Cancelled Checks	375.00
T84	Attorneys Forfeitures	79.60
T85	Sheriff's State Forfeitures	90.53
T86	Attorney Trust Accounts	179.85
T87	Assault Fees	1,526.79
01	General Fund	1,203,459.14
02	Public Works	469,458.46

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

180

03C	State Erosion Loan MPCA	7,000.00
04	Social Services	6,317,096.92
08	County Facilities - Capital Projects	113,297.57
08A	State Aid Road	486,437.16
08B	Road & Bridge Building Const.	160,473.73
08N	Hibbing Courthouse Improvements	27,913.59
08Q	Duluth Courts Remodeling	56,074.70
08S	Chris Jensen Remodeling	2,158.00
10B	Emer. Shelt. 99/00 Funds	2,878.96
11A	Home Grant - All Years	39,115.24
12B	CDBG Grant	114,273.16
128	Law Library	8,155.29
129	City/County Comm. Antenna Site	249.57
13	St. Louis County HRA	1,663.29
131	Extension Service	18,575.24
15	Forfeited Tax	153,949.83
16	Forest Resources	133,188.85
26	Solid Waste Authorities	133,462.09
49	Postage/Office Supplies	39,487.38
49A	Plat Book Revolving	1,690.00
50	Printing	1,703.23
51	County Garage	23,457.83
52A	Property, Casualty, Liability	1,674.21
52B	Workers Compensation	99,233.64
52D	Medical/Dental Self Insurance	3,614.72
53	Management Information Systems	93,304.32
54	Regional Railroad Authority	56,339.97
55	Telecommunications	39,088.24
57	Retired Employees Health Insurance	5,927.39
64A	Chris Jensen Health & Rehab.	245,769.48
65	Laundry	29,973.65
66	Community Food Services	33,942.55
67	Supervised Living Facilities	4,279.52
72	Northern Counties Land Use Coordinating Board	3,482.25
73	Arrowhead Regional Corrections	224,817.71
74	Community Health Services	<u>3,439.78</u>
		\$12,968,131.96

Adopted May 27, 2003. No. 320

**BY COMMISSIONER FORSMAN:**

WHEREAS, Timbuktu Marina, LLC, d/b/a Timbuktu Marina, LLC, Greenwood Township, St. Louis County, Minnesota, has applied for an off-sale intoxicating liquor license; and  
 WHEREAS, Minnesota Statutes, Section 340A.405, Subdivision 2(d), requires that a public hearing be held prior to the issuance of an off-sale intoxicating liquor license; and  
 WHEREAS, a public hearing was held on May 27, 2003, at or about 9:35 A.M. in the Hibbing City Hall Council Chambers, Hibbing, Minnesota, for the purpose of considering the granting of the off-sale intoxicating liquor license; and  
 WHEREAS, with regard to the application for said license Timbuktu Marina, LLC, has complied in all respects with the requirements of Minnesota Law and St. Louis County Ordinance No. 28; and  
 WHEREAS, the Liquor Licensing Committee of the St. Louis County Board of Commissioners has considered the nature of the business to be conducted and the propriety of the location and has recommended approval of the application.

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

181

NOW, THEREFORE, BE IT RESOLVED, that Off-Sale Intoxicating Liquor License (License Number OFSL0313) shall be issued to Timbuktu Marina, LLC, d/b/a Timbuktu Marina, LLC, Greenwood Township;

FURTHER RESOLVED, that said liquor license shall be effective through June 30, 2003;

FURTHER RESOLVED, that said license is approved contingent upon payment of real estate taxes when due;

FURTHER RESOLVED, that if named licenseholder sells the licensed place of business, the County Board, at its discretion, may, after an investigation, transfer the license to a new owner, but without prorated refund of the license fee to the licenseholder.

Unanimously adopted. May 27, 2003. No. 321

**BY COMMISSIONER NELSON:**

RESOLVED, that the Director of Purchasing is hereby authorized to execute a contract with Univar USA, Inc. (formerly Vopak USA, Inc.), of St. Paul, MN, in accordance with the plans and specifications of Bid No. 4383, to furnish and apply 500,000 gallons of 38 percent Liquid Calcium Chloride, at their low specification bid of \$316,305.00, which includes approximately \$19,305.00 of state sales tax based on both material and application cost being taxable, from Fund 02 (Public Works), Agency A12 (Road Maintenance), and Agency A17 (Road Construction), Object 517 (Road Chemicals).

Unanimously adopted. May 27, 2003. No. 322

**BY COMMISSIONER FAY:**

WHEREAS, the St. Louis County six-year capital plan includes \$5,253,100 for the installation of the central HVAC, mechanical fire safety and electrical systems in the Duluth Courthouse identified as Phase II and Phase III; and

WHEREAS, this project is proposed to receive bond financing in 2003; and

WHEREAS, the services of an architectural firm are required for this project.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners authorizes the appropriate County officials to execute an agreement with LHB Architects and Engineers not to exceed \$318,086, and appropriates \$318,086 from Fund 8 unreserved undesignated fund balance for this project to Fund 08, Agency 090, Project PH2.

Unanimously adopted. May 27, 2003. No. 323

At 10:38 A.M. on Tuesday, May 27, 2003, upon motion of Commissioner Fay, supported by Commissioner Sweeney, the Board of County Commissioners adjourned.

Dennis Fink, Chair of the Board  
of County Commissioners

Attest:  
Gordon D. McFaul, County Auditor  
and Ex-Officio Clerk of the Board  
of County Commissioners

(Seal of the County Auditor)

**OFFICIAL PROCEEDINGS**  
**OF THE**  
**BOARD OF COUNTY COMMISSIONERS**  
**OF ST. LOUIS COUNTY, MINNESOTA**

**JUNE, 2003**

**OFFICIAL PROCEEDINGS OF THE MEETING**  
**OF THE BOARD OF COUNTY COMMISSIONERS**  
**OF THE COUNTY OF ST. LOUIS, MINNESOTA,**  
**HELD ON JUNE 3, 2003**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 3rd day of June, 2003, at 9:33 A.M. in the County Board Room, Courthouse, Duluth, Minnesota. The meeting was called to order by the Chair with the following members present: Commissioners Bill Kron, Mike Forsman, Peg Sweeney, Keith Nelson, Steve Raukar, and Chair Dennis Fink - 6. Absent: Commissioner Joanne Fay - 1.

Chair Fink noted historical facts about Minnesota from the mid 1850s.

At 9:37 a.m., a public hearing was convened, pursuant to County Board Resolution No. 308, adopted May 13, 2003, to consider amendments to Ordinance No. 49, the Septic System Loan Ordinance. The following persons addressed the issue:

Rich Hyrkas, Health Department, detailed changes to the ordinance, including revised language, a variable interest rate tied to the prime rate and raising of the maximum from \$7,000 to \$50,000 per project. Mr. Hyrkas also distributed an updated Septic Loan Program Policy which included the changes.

Alan Mitchell, County Attorney, recommended continuing the hearing for one week to allow time to reconcile conflicting language in the ordinance.

Commissioner Sweeney had concerns about the composition of the Septic Loan Committee. Chair Fink thought the \$50,000 maximum may be too high and the ten-year payment plan too long.

At 10:22 A.M., Commissioner Kron, supported by Commissioner Sweeney, moved to continue the public hearing until 9:40 A.M. on Tuesday, June 10, 2003; six yeas - zero nays.

Commissioner Sweeney asked that Item No. 9 of the Consent Agenda (public hearing to receive public comment on the proposed 2003-2008 Capital Improvement Plan) be amended to adjust the hearing time to 9:40 A.M. Commissioner Raukar, supported by Commissioner Forsman, moved to approve the Consent Agenda with the change to Item No. 9; six yeas - zero nays.

The repurchase application of Roger and Daniel Wolfgram for Lot 9, Block 19, West Duluth Sixth Division, was then considered. This matter was tabled at the May 13 and May 27 Board meetings. The original motion to approve the repurchase was made by Commissioner Forsman and supported by Commissioner Kron. An amendment proposed by Commissioner Nelson, supported by Commissioner Raukar, would require payment in full at the time of repurchase. The following persons addressed the issue:

David Epperly, Land Commissioner, clarified ownership concerns and said his department

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

183

recommends that payment in full be required at the time of repurchase.

Jean Wolfgram, Coon Rapids, detailed the history of her family's ownership and said her family members have and will reside in the home when they are attending the University of Minnesota, Duluth. Arrangements are being made to maintain the property to prevent it from becoming an eyesore. Ms. Wolfgram asked the Board to consider a short payment plan of \$2,000 immediately upon approval of the repurchase and payments of \$1,000 per month thereafter until paid in full.

Commissioner Nelson withdrew his amendment requiring full payment upon approval and offered a friendly amendment - accepted by the makers - to permit the Wolfgrams a payment plan of \$2,000 upon approval and \$1,000 per month thereafter beginning on or before July 15, 2003. Commissioner Raukar supported payment in full or institution of the normal ten-year payment plan for consistency. After further discussion, the repurchase was approved; four years - one year, Commissioner Sweeney. Commissioner Raukar was temporarily away from the meeting. Resolution No. 344.

At 10:54 AM. in the forenoon of Tuesday, June 3, 2003, Chair Fink moved to recess the Board until 11:00 A.M. on June 3, 2003, in the County Board Room, Courthouse, Duluth, Minnesota.

The Board reconvened at 11:00 A.M. on June 3, 2003, and the regular order of business resumed with all members present except Commissioner Fay.

Commissioner Raukar, supported by Commissioner Kron, moved to authorize an agreement with Architectural Resources, Inc., Hibbing, MN, for planning, drafting of specifications and construction documents, construction administration and project closeout for the Hibbing Annex at a cost not to exceed \$130,000. The following persons addressed the issue:

Commissioner Raukar said the project will eliminate the need to lease office space in the Hibbing area and consolidate services in a "one-stop" government center. Social Security and the AEOA are interested in locating in the Annex if space is available - a good example of intergovernmental cooperation.

Tony Mancuso, Property Manager, broke costs down by amount and percentage for each phase of the proposed agreement.

Homer Manney, Hibbing, lessor to the Social Services Department, presented a cost analysis showing that it would be cheaper to continue leasing space rather than remodeling the Annex. During difficult economic times, government should not be expanding and acquiring additional properties, according to Mr. Manney.

Bill Manney, Jr., Hibbing, said a comprehensive space/cost analysis is needed prior to renovation of the Hibbing Annex. Mr. Manney said the proposed resolution leaves the impression that remodeling is a done deal.

Commissioner Raukar said the Manneys have been good landlords and this is a philosophical difference about the role of government. Commissioner Forsman said he preferred ownership instead of rental because of long term savings. Commissioner Sweeney said the consolidation was fiscally responsible. Commissioner Nelson asked for more detail about costs and the impact on individual taxpayers. Chair Fink said this was a political decision and convincing economic justification has not been demonstrated. After further discussion, the resolution was approved; five years - one year, Chair Fink. Resolution No. 345.

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

184

Commissioner Kron, supported by Commissioner Sweeney, moved to approve premises permit renewal applications for the Minnesota Licensed Beverage Association to operate out of the Dry Dock Bar, Midway Township, and Munger Tavern & Grill, Solway Township; five years - one year, Chair Fink. Resolution No. 346.

The following Board and Contract Files were created as a result of documents received at this Board meeting:

Homer Manney, Hibbing, submitting a cost analysis relative to continuing leasing space rather than remodeling the Hibbing Annex (former Mesaba Clinic).-58084

Amended 2002/2003 Merit System Supervisory Unit Bargaining Agreement for implementation of a Post Retirement Health Care Savings Plan.-03-490

Post Retirement Health Care Savings Plan for employees of the Merit System Supervisory Unit.-03-491

Amended 2002/2003 Teamsters Unit Bargaining Agreement for implementation of a Post Retirement Health Care Savings Plan.-03-492

Post Retirement Health Care Savings Plan for employees of the Teamsters Unit.-03-493

Amended 2002/2003 Deputy Sheriffs' Unit Bargaining Agreement for implementation of a Post Retirement Health Care Savings Plan.-03-494

Post Retirement Health Care Savings Plan for employees of the Deputy Sheriffs' Unit.-03-495

Amendment No. 1 to St. Louis County Solid Waste Department Service Agreement with Greenman Technologies of Minnesota, Inc., for Collection and Proper Disposal of Tires.-03-496

Project Contract No. 43601 between the County of St. Louis and Future Forests, Inc., for Mechanical Site Preparation by Disc Trenching.-03-497

St. Louis County Community Development Block Grant Program FY 2002 Agreement between St. Louis County and the City of Hoyt Lakes for Premier Plastics, Inc.-03-498

Grant Contract between the State of Minnesota, acting through its Commissioner of Public Safety, Division of Emergency Management, and St. Louis County for the 2002 Federal Domestic Preparedness Equipment Grant.-03-499

Agreement for Professional Services between the County of St. Louis and Duluth Archaeology Center, L.L.C., for a Phase I archaeological survey of gravel pit in Gnesen Township to test for buried archaeological sites.-03-500

Upon motion of Commissioner Raukar, supported by Commissioner Forsman, Resolutions No. 324 through 343, as submitted to this Board on the Consent Agenda were unanimously adopted as follows:

**BY COMMISSIONER RAUKAR:**

RESOLVED, the St. Louis County Board of Commissioners authorizes the appropriate County officials to execute a permanent utility easement agreement with the City of Duluth for water supply lines to the Chris Jensen, County Laundry and Juvenile Corrections facilities.

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

185

Adopted June 3, 2003. No. 324

WHEREAS, the St. Louis County Public Works Department plans to improve a segment of C-SAH 34, Howard Gnesen Road, County Project 1241, M.P. 34-1241. The project will be from C-SAH 9, Martin Road, to C-SAH 43, Emerson Road, a distance of approximately six miles; and WHEREAS, the improvement consists of a reclaim and overlay of said roadway along with improving site distances as determined necessary to provide for the safety of the traveling public; and

WHEREAS, in addition to the existing highway right-of-way, certain lands are required for said construction, together with temporary construction easements.

NOW, THEREFORE, BE IT RESOLVED, the County Board of Commissioners hereby authorizes the Public Works Director to proceed with the acquisition of the necessary lands and temporary easements, payable from Public Works, Fund 02, Agency A17, Objects 365 and 375.

Adopted June 3, 2003. No. 325

WHEREAS, the County of St. Louis has applied to the Commissioner of Transportation for a grant from the Minnesota State Transportation Fund for the construction of project S.P. 69-703-11, County Bridge No. 69642, on 9th Avenue West in Virginia, Minnesota, on County-State Aid Highway No. 103; and

WHEREAS, the Commissioner of Transportation has given notice that funding for this bridge is available; and

WHEREAS, the amount of the grant is anticipated to be \$181,797.94 by reason of the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED, that the County of St. Louis does hereby agree to the terms and conditions of the grant consistent with Minnesota Statutes, Section 174.50, Subdivision 5, Clause (3), and will pay any additional amount by which the cost exceeds the estimate from Municipal State Aid funds available to the County of St. Louis, and will return to the Minnesota State Transportation Fund any amount appropriated for the bridge but not required.

BE IT FURTHER RESOLVED, that whereas federal aid funds are being used to participate in the cost of the project, the Minnesota State Transportation Fund grant shall be deposited directly into the federal aid agency account and that the records of the County shall so state.

Storm Sewer:	\$173,987.55 Federal
	\$43,496.89 County Municipal State Aid Funds
	\$54,371.11 Local Funds (City of Virginia)
Roadway:	\$856,351.88 Federal
	\$214,087.97 County Municipal State Aid Funds
Bridge:	\$181,797.94 Fund 29 (Grant)
Signal:	\$98,240.00 Federal
	\$6,140.00 County Municipal State Aid Funds
	\$18,420.00 Local Funds (City of Virginia)
Utilities:	\$269,475.28 Local Funds (City of Virginia)
Total Project:	\$1,916,368.61 S.P. 69-703-11

Adopted June 3, 2003. No. 326

WHEREAS, St. Louis County has reviewed the pertinent data on bridges requiring replacement, rehabilitation, or removal supplied by local citizenry and local units of government; and

WHEREAS, St. Louis County has identified those bridges that are high priority and has previously established a list of those that require replacement, rehabilitation, or removal in Resolution No. 589, Board File No. 57427, dated August 10, 1999; and

WHEREAS, the following additional bridge has since been identified as also requiring replacement, rehabilitation, or removal;

NOW, THEREFORE, BE IT RESOLVED that the following deficient bridge is added to the list

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

186

of high priority bridges and St. Louis County intends to replace this bridge under S.P. 69-703-11 in 2003;

Old Bridge Number	Road Number or Name	Total Bridge Project Cost	Township or State Bridge Funds	Federal Funds	Local or State Aid Funds	Proposed Construction Year
N.A.	C-SAH 103	\$181,797.94	\$181,797.94	N.A.	N.A.	2003

Storm Sewer:	\$173,987.55 Federal \$43,496.89 County Municipal State Aid Funds \$54,371.11 Local Funds (City of Virginia)
Roadway:	\$856,351.88 Federal \$214,087.97 County Municipal State Aid funds
Bridge:	\$181,797.94 Fund 29 (Grant)
Signal:	\$98,240.00 Federal \$6,140.00 County Municipal State Aid Funds \$18,420.00 Local Funds (City of Virginia)
Utilities:	\$269,475.28 Local Funds (City of Virginia)
Total Project:	\$1,916,368.61 SP 69-703-11

FURTHERMORE, St. Louis County does hereby request authorization to replace, rehabilitate, or remove such bridge; and

FURTHERMORE, St. Louis County does hereby request financial assistance with eligible approach grading and engineering costs on township bridges, as provided by law.

Adopted June 3, 2003. No. 327

RESOLVED, that the appropriate County officials are hereby authorized to enter into an agreement with the Town of Fayal for the reconstruction of T.R. No. 6705 (Scout Camp Road) in Fayal Township whereby the Township will pay the entire cost of the project, and preliminary engineering and inspections costs in an amount not to exceed ten percent (10%) of the final pay quantities cost of the project. The project will be funded by Fund 02, Agency A17, Organization 3599, Object 528, and reimbursed by the Town of Fayal.

Adopted June 3, 2003. No. 328

RESOLVED, the Board rescinds Resolution No. 59, dated January 14, 2003.

RESOLVED FURTHER, the Board authorizes the County Board Chair, Auditor, and Attorney to execute a lease agreement with Kim Fuller, owner of *Coffee Connections* of Proctor, Minnesota, for the cafeteria area in the Duluth Courthouse for the revised period beginning May 1, 2003, for one year at a rate of \$400 per month, for the operation of a coffee shop and deli.

Adopted June 3, 2003. No. 329

RESOLVED, that the St. Louis County Board Chair, County Auditor, and County Attorney are authorized to execute a lease with the City of Ely for the rental of the St. Louis County Sheriff's Office in Ely City Hall, Ely, Minnesota, for the period January 1, 2004, through December 31, 2009, in an amount not to exceed \$3,924.96 annually. Funding for this expenditure shall be from Fund 01, Agency 091, Organization ADMN, Object 349.

Adopted June 3, 2003. No. 330

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

187

RESOLVED, that pursuant to Minnesota Statutes 349.213, Subdivision 2, the St. Louis County Board of Commissioners hereby approves the following Premises Permit applications, on file in the office of the County Auditor, identified as County Board File No. 57850, for the following organization:

Cook Timberwolves Snowmobile Club to operate out of Vermilion Club, Greenwood Township, new.

Adopted June 3, 2003. No. 331

**RESOLUTION CALLING FOR A PUBLIC HEARING ON A CAPITAL  
IMPROVEMENT PLAN UNDER MINNESOTA STATUTES, SECTION 373.40**  
BE IT RESOLVED, by the Board of Commissioners of St. Louis County, Minnesota (the "County"), as follows:

Section 1. Under and pursuant to Minnesota Statutes, Section 373.40, the Board of Commissioners has authorized preparation of a Capital Improvement Plan for the years 2003 through 2008 (the "Plan").

Section 2. The Board of Commissioners shall hold a public hearing at 9:40 A.M. on Tuesday, June 24, 2003, at Semers Park Pavilion in Ely, Minnesota, to provide an opportunity for residents to express their views on the Plan.

Section 3. The County Auditor shall publish a notice of public hearing for the Plan on a date which is not less than 14 days nor more than 28 days from the hearing in the official newspaper of the County.

Adopted June 3, 2003. No. 332

WHEREAS, bids have been received by the County Auditor for the following project:

M.P. 3633, Aggregate Crushing, Southern St. Louis County. Project to consist of Crush, Screen & Stockpile Aggregate, Class 5 (modified);

WHEREAS, said bids or proposals were duly opened in the County Board Room at 10:00 A.M., May 19, 2003, and this Board has, with the County Highway Engineer, determined the lowest bidder of said project for which proposals were invited and submitted; and

WHEREAS, in the judgment of this Board it is for the best interest of St. Louis County that the award of said contract be made to the lowest bidder.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of St. Louis County, Minnesota, in regular session duly convened, that they hereby approve the award of contract on the above project to the lowest bidder:

<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
Hardrives, Inc.	P.O. Box 579 St. Cloud, MN 56301-0579	\$131,320.00

RESOLVED FURTHER, that the Chairman of the County Board, the County Auditor, and the County Attorney, on behalf of the County of St. Louis, are hereby authorized to approve the Contractor's Performance Bonds and to execute the bonds and contracts with the Contractor for the above listed project; Public Works funds payable from Fund 02, Agency A12, Organization 010, Object 502, and Land Department funds payable from Fund 16, Department F16, Agency F51, Object 502, Township Funds.

Adopted June 3, 2003. No. 333

RESOLVED, that the appropriate County officials are hereby authorized to enter into an agreement with the City of Duluth whereby the County will provide general surface and winter road main-

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

188

tenance on the City of Duluth roads listed in the agreements in Exhibit A, and the City of Duluth will provide general surface and winter road maintenance on the County roads listed in the agreements in Exhibit A, and whereby the definition of the maintenance of these roads are described in Exhibit B. The County portion will be paid from Fund 02, Department A12, Organization 5, Object 951.

Adopted June 3, 2003. No. 334

RESOLVED, the Board authorizes the appropriate County officials to execute an agreement with Duluth Steam Cooperative Association of Duluth, Minnesota, for the purchase of chilled water for building cooling, payable from Fund 01, Agency 081, facility operations.

Adopted June 3, 2003. No. 335

WHEREAS, the St. Louis County Board of Commissioners adopted Resolution No. 5, dated January 7, 2003, establishing the Board and Committee of the Whole meeting schedule for the calendar year 2003; and

WHEREAS, a change in location for the August 5 and August 12 meetings now needs to be made. NOW, THEREFORE, BE IT RESOLVED, the Board of Commissioners shall meet, commencing at 9:30 A.M., on Tuesday, August 5 at the St. Louis County 4-H Camp, Lake Eshquagama.

RESOLVED FURTHER, the Board of Commissioners shall meet, commencing at 9:30 A.M., on Tuesday, August 12 at the Duluth Courthouse.

Adopted June 3, 2003. No. 336

RESOLVED, that the amended 2002/2003 Merit System Supervisory Unit Bargaining Agreement providing for implementation of a Post-Retirement Health Care Savings Plan, a copy of which is on file in Contract File No. 03-490, is hereby approved, and the appropriate County officials are authorized to execute said contract amendment.

Adopted June 3, 2003. No. 337

RESOLVED, that the St. Louis County Board hereby adopts the Post Retirement Health Care Savings Plan for Employees of the Merit System Supervisory Unit, a copy of which is on file in Contract File No. 03-491, effective June 21, 2003.

Adopted June 3, 2003. No. 338

RESOLVED, that the amended 2002/2003 Teamsters Unit Bargaining Agreement providing for implementation of a Post-Retirement Health Care Savings Plan, a copy of which is on file in Contract File No. 03-492, is hereby approved, and the appropriate County officials are authorized to execute said contract amendment.

Adopted June 3, 2003. No. 339

RESOLVED, that the St. Louis County Board hereby adopts the Post Retirement Health Care Savings Plan for Employees of the Teamsters Unit, a copy of which is on file in Contract File No. 03-493, effective June 21, 2003.

Adopted June 3, 2003. No. 340

RESOLVED, that the amended 2002/2003 Deputy Sheriffs' Unit Bargaining Agreement providing for implementation of a Post-Retirement Health Care Savings Plan, a copy of which is on file in Contract File No. 03-494, is hereby approved, and the appropriate County officials are authorized to execute said contract amendment.

Adopted June 3, 2003. No. 341

WHEREAS, it is the intent of the St. Louis County Board to adopt a policy for implementation of a Post Retirement Health Care Savings Plan for employees of the Deputy Sheriffs' Unit;

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

189

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board hereby adopts the Post Retirement Health Care Savings Plan for employees of the Deputy Sheriffs' Unit, a copy of which is on file in Contract File No. 03-495, effective June 21, 2003.  
Adopted June 3, 2003. No. 342

WHEREAS, Minnesota Statutes 274.13 requires that a County Board of Appeal and Equalization be formed each year to hear complaints of taxpayers and review assessments of real and personal property throughout the County; and

WHEREAS, said statute empowers the County Board of Appeal and Equalization to appoint a Special Board of Appeal and Equalization to which it may delegate all powers and duties of the County Board of Appeal and Equalization; and

WHEREAS, the St. Louis County Board, having reviewed the matter, deems it to be in the public interest to appoint said Special Board;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners hereby appoints:

Cynthia Backman, Duluth	(Commissioner District No. 1)
Lee Conradi, Duluth	(Commissioner District No. 2)
Kevin Doyle, Duluth	
(Commissioner District No. 3)	
Roger Skraba, Ely	(Commissioner District No. 4)
William Clements, Town of Rice Lake	(Commissioner District No. 5)
Dawn Cole, Town of Fayal	(Commissioner District No. 6)
Marvin Kampsula, Hibbing	(Commissioner District No. 7)

to serve as the Special Board of Appeal and Equalization for Assessment Year 2003.

RESOLVED FURTHER, that the Special Board is:

1. Delegated all powers and duties of the County Board of Appeal and Equalization;
2. To report the results of their deliberations back to the County Board of Commissioners in the form of minutes kept by the Clerk of the County Board;
3. Directed to hold at least one meeting day in each of the Duluth and Virginia Courthouses;
4. To be compensated at the rate of \$125.00 per meeting day (payable from Assessor's Department 01-56-353 - non-employee fees) and be reimbursed for mileage and expenses at the current County rate (from Assessor's Department 01-56-355 - non-employee travel);
5. Directed to convene at 10:00 A.M., June 17, 2003, in the County Board Room, Courthouse, Duluth, MN.

Adopted June 3, 2003. No. 343

**BY COMMISSIONER FORSMAN:**

WHEREAS, under the provisions of Minnesota Statutes 282.241, state tax forfeited land may be repurchased by the previous owner subject to payment of taxes and/or assessments and penalties, interest and costs; and

WHEREAS, Roger Wolfgram, of 10032 Ibis Street N.W., Coon Rapids, MN 55433, on behalf of his sons, Lee and Daniel Wolfgram, has applied to repurchase the following parcel:

Plat/Parcel Code: 010-4520-17110; City of Duluth, Lot 9, Block 119, West Duluth Sixth Division. Street Address: 4719 West Seventh Street, Duluth, MN 55807;

WHEREAS, approving the repurchase will correct undo hardship and promote the use of lands that will best serve the public interest;

NOW, THEREFORE, BE IT RESOLVED, that the repurchase application of Roger Wolfgram, on behalf of his sons, Lee and Daniel Wolfgram, on file in County Board File No. 58018, is approved for the property described above, and will be subject to payment including taxes and assessments of \$8,645.67, repurchase filing fee of \$114.00, deed tax of \$25.00, deed fee of \$28.53, and a recording fee of \$20.00; for a total of \$8,833.20; plus any other statutory adjustments, payable by

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

190

retention of the ten percent previously received, \$2,000.00 immediately and \$1,000.00 by the 15th of each month thereafter until paid in full.

Yeas - Commissioners Kron, Forsman, Nelson and Chair Fink - 4

Nays - Commissioner Sweeney - 1

Absent - Commissioners Fay and Raukar - 2

Adopted June 3, 2003. No. 344

**BY COMMISSIONER RAUKAR:**

WHEREAS, the St. Louis County five-year capital improvement plan includes \$2,500,000 for the remodeling of the Hibbing Annex building, including roof, windows, HVAC, electrical systems, parking lot repair and miscellaneous interior and exterior repairs and upgrades; and

WHEREAS, this project is identified to receive bond financing in 2003; and

WHEREAS, the services of an architectural firm are required for the project;

NOW, THEREFORE, BE IT RESOLVED, the Board authorizes the appropriate County officials to execute an agreement with Architectural Resources, Inc., of Hibbing, Minnesota, for the space planning, drafting of specifications and construction documents, construction administration and project close out. The amount of this negotiated agreement will not exceed \$130,000.

RESOLVED FURTHER, the Board appropriates \$130,000 from Fund 08 unreserved, undesignated fund balance for this project, to Fund 08, Agency 090, Project HIBA.

Yeas - Commissioners Kron, Forsman, Sweeney, Nelson and Raukar - 5

Nays - Chair Fink - 1

Absent - Commissioner Fay - 1

Adopted June 3, 2003. No. 345

**BY COMMISSIONER KRON:**

RESOLVED, that pursuant to Minnesota Statutes 349.213, Subdivision 2, the St. Louis County Board of Commissioners hereby approves the following Premises Permit applications, on file in the office of the County Auditor, identified as County Board File No. 57850, for the following organization:

Minnesota Licensed Beverage Association Children's Fund to operate out of the following:

Dry Dock Bar, Midway Township, renewal;

Munger Tavern & Grill, Solway Township, renewal.

Yeas - Commissioners Kron, Forsman, Sweeney, Nelson and Raukar - 5

Nays - Chair Fink - 1

Absent - Commissioner Fay - 1

Adopted June 3, 2003. No. 346

At 12:10 P.M. on Tuesday, June 3, 2003, upon motion of Commissioner Sweeney, supported by Commissioner Forsman, the Board of County Commissioners adjourned.

Dennis Fink, Chair of the Board  
of County Commissioners

Attest:

Gordon D. McFaul, County Auditor  
and Ex-Officio Clerk of the Board  
of County Commissioners

(Seal of the County Auditor)

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

191

**OFFICIAL PROCEEDINGS OF THE MEETING  
OF THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF ST. LOUIS, MINNESOTA,  
HELD ON JUNE 10, 2003**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 10th day of June, 2003, at 9:34 A.M. in the County Board Room, Courthouse, Duluth, Minnesota. The meeting was called to order by the Chair with the following members present: Commissioners Joanne Fay, Bill Kron, Peg Sweeney, Steve Raukar, and Chair Dennis Fink - 5. Absent: Commissioners Mike Forsman and Keith Nelson - 2.

Chair Fink opened the meeting by sharing some historical trivia about Minnesota.

David Twa, County Administrator, made a presentation concerning the state budget and the impact on the County. Iron Range cities will be hit particularly hard by the cuts in local government aid and tied reductions in taconite production aids. County reductions were less than originally feared but Health, Social Services and Arrowhead Regional Corrections will be heavily impacted by the budget cuts. Mandate relief was minimal and cost shifts to local governments are an integral part of the legislature's budget scheme. While overall aid cuts to the County only amount to approximately 4.5 percent, much of the county budget is for mandated services and little room is left for discretionary reductions, according to Administrator Twa.

John Ongaro, County Intergovernmental Relations Officer, said state budget woes appear to be at least a four-year problem because of the sluggish economy. The cost shifts and the one-time only use of tobacco settlement funds this year will be unavailable for future budget balancing, so local governments will need to prepare for another round of cuts, possibly as early as the end of 2003.

At 10:30 A.M. in the forenoon of Tuesday, June 10, 2003, Chair Fink moved to recess the Board until 10:40 A.M. on June 10, 2003, in the County Board Room, Courthouse, Duluth, Minnesota.

The Board reconvened at 10:46 A.M. on June 10, 2003, and the regular order of business resumed with all members present except Commissioners Forsman and Nelson.

At 10:46 A.M., a public hearing was convened, pursuant to County Board Resolution No. 309, adopted May 13, 2003, to consider an amendment to the St. Louis County Land Use Plan (Ordinance No. 27) to include a section for the Town of Normanna. The following persons addressed the issue:

Barbara Hayden, Planning Director, said the Planning Commission unanimously approved the Normanna plan, which was three years in the making. Director Hayden recommended approval, effective July 1, 2003, adding there will not be any zoning changes as a result of this plan.

Inez Wildwood, Normanna resident and Chair of the Normanna Land Use Committee, described citizen involvement and how the plan evolved. The ultimate goal of the committee and Normanna residents is to ensure that development in the area occurs in a planned and reasonable manner.

No one else chose to address the issue.

Commissioner Fay, supported by Chair Fink, moved to continue the hearing until the June 24, 2003, County Board meeting to allow Commissioner Nelson, who was in Washington, D.C., an opportunity to have questions about the plan answered. After brief discussion, the motion to continue the hearing failed; two yeas - three nays, Commissioners Kron, Sweeney and Raukar.

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

192

At 11:08 A.M., Commissioner Kron, supported by Commissioner Sweeney, moved to close the public hearing; five yeas - zero nays. Commissioner Sweeney, supported by Commissioner Kron, moved to approve the amendment effective July 1, 2003; five yeas - zero nays.

At 11:14 A.M., a public hearing, continued from the June 3, 2003, County Board meeting, to consider amendments to Ordinance No. 49 (Septic System Loan Ordinance) was reopened. Rich Hyrkas, Health Department, detailed changes that were requested at the June 3, 2003, meeting. Also included with the ordinance was a separate resolution approving a revised Septic Loan Program Policy.

After discussion about the composition of the Septic Loan Committee, applicant eligibility and payoffs in the event a property is sold, Commissioner Sweeney, supported by Commissioner Kron, moved to close the hearing at 11:45 A.M.; five yeas - zero nays. Commissioner Sweeney, supported Commissioner Kron, moved to approve the amendments effective July 1, 2003; five yeas - zero nays.

Commissioner Sweeney, supported by Commissioner Kron, moved to adopt the revised Septic Loan Program Policy; five yeas - zero nays. Resolution No. 365.

Chair Fink then opened the meeting to persons who wanted to address the Board concerning issues not on the agenda, but no one chose to do so.

At 11:55 A.M., Commissioner Raukar left the meeting.

Commissioner Kron, supported by Commissioner Fay, moved to approve repurchase of tax forfeited property located in the City of Hibbing by Rich Greenwood on behalf of the estate of Charles Holderness.

At 11:57 A.M., Commissioner Raukar rejoined the meeting.

David Epperly, Land Commissioner, said a cleanup of the property was completed at a cost of approximately \$500, which will be paid by the repurchaser. Commissioner Raukar asked that cleanup costs be included in the resolution. County Attorney Mitchell suggested - and the makers agreed - adding "plus other statutory cost obligations" to the resolution to cover cleanup costs. After further discussion, the repurchase was approved; five yeas - zero nays. Resolution No. 366.

Commissioner Kron, supported by Commissioner Fay, moved to reappoint three members to the Public Health Advisory Board and to appoint Cynthia Wilson-Nordskog to a three-year term; five yeas - zero nays. Resolution No. 367.

At 12:00 P.M. in the afternoon of Tuesday, June 10, 2003, Commissioner Fay, supported by Commissioner Kron, moved to recess the Board until 12:20 P.M. on June 10, 2003, in the County Board Room, Courthouse, Duluth, Minnesota.

The Board reconvened at 1:20 P.M. on June 10, 2003, and the regular order of business resumed with all members present except Commissioners Forsman and Nelson.

Commissioner Sweeney, supported by Commissioner Kron, moved to approve a second consent agenda consisting of all items unanimously approved at the just-completed Committee of the Whole meeting; five yeas - zero nays.

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

193

ARTICLE II, SECTION 30 OF  
ST. LOUIS COUNTY, MINNESOTA,  
ORDINANCE NO. 27 - Normanna Township  
Comprehensive Land Use Plan

Table of Contents

	<u>Page</u>
I. INTRODUCTION .....	1
A. Statement of Purpose .....	1
B. Land Use Plan Update Process .....	1
C. The Plan .....	1
II. NORMANNA LAND USE PLAN GOALS AND POLICIES .....	2
Goal 1: Rural Character .....	2
Goal 2: Maintain High Quality Environment Relating to Residential Development .....	2
Goal 3: Maintain Buffer Zones Between Incompatible Land Uses .....	3
Goal 4: Residential Development Density .....	3
Goal 5: Large Scale Commercial and Industrial Development .....	4
Goal 6: Small Business .....	4
Goal 7: Public Service and Recreation .....	4
Goal 8: Quality of Roads .....	4
Goal 9: Water Resources .....	5
Goal 10: Agricultural and Forestry Lands .....	6
Goal 11: Mineral Extraction and Borrow Pits .....	6
Goal 12: Energy Conservation .....	8
Goal 13: Air Quality .....	8
Goal 14: Wireless Communication .....	9
Goal 15: Utility Infrastructure .....	9
Goal 16: Local Planning Committee .....	10
Goal 17: Review of Land Use Changes .....	10
III. NORMANNA PLAN CONCEPTS .....	12

**EFFECTUATION**

This amendment to Ordinance No. 27, Article II, Section 30 - Town of Normanna Comprehensive Land Use Plan, shall take effect and be in full force on the 1st day of July, 2003, upon its adoption by the St. Louis County Board of Commissioners and its publication in the official newspaper(s) of St. Louis County as provided by Minnesota Statutes.

A public hearing was held by the St. Louis County Planning Commission on April 10, 2003, and by the St. Louis County Board of Commissioners on May 13, 2003. Recommended by the Planning Commission to the County Board for adoption on the 10th day of April, 2003.

Commissioner Sweeney moved the adoption of this ordinance amendment, Commissioner Kron duly seconded the motion, and the ordinance amendment was adopted on the following vote:

Yeas: Commissioners Fay, Kron, Sweeney, Raukar, and Chair Fink - 5

Nays: None

Absent: Commissioners Forsman and Nelson - 2

DENNIS FINK  
Chair, County Board

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

194

Certified as a complete and accurate copy of  
Ordinance No. 27, Article II, Section 30 -  
Town of Normanna Comprehensive Land  
Use Plan

GORDON D. MCFAUL, County Auditor

ATTEST:  
Paul Tynjala, Deputy Auditor  
Clerk of County Board

**ORDINANCE NO. 49 - ST. LOUIS COUNTY  
INDIVIDUAL SEWAGE TREATMENT  
SYSTEMS LOAN ORDINANCE**

AN ORDINANCE IMPLEMENTING A PUBLIC LOAN  
PROGRAM TO ASSIST ST. LOUIS COUNTY PROPERTY  
OWNERS WITH FINANCING SITE EVALUATION, DESIGN,  
INSTALLATION, REPAIR, AND REPLACEMENT OF  
INDIVIDUAL SEWAGE TREATMENT SYSTEMS.

**SECTION 1. INTRODUCTION**

- 1.1 Authority. Pursuant to the authority granted in Chapter 115 of the Minnesota Statutes and all acts amendatory thereto, the County of St. Louis does ordain as follows:
- 1.2 Purpose and Intent. The purpose of this Ordinance is to create a public loan program that assists St. Louis County property owners with financing site evaluation, design, installation, repair and replacement of individual sewage treatment systems.
- 1.3 Title. This Ordinance shall be known as the St. Louis County Individual Sewage Treatment Systems Loan Ordinance. ("ISTS").
- 1.4 Interpretation. In the interpretation and application of this Ordinance, its provisions shall be held to be minimum requirements and shall be construed so as to fully effect its purpose and shall not be deemed a limitation or repeal of any other power established by law or Ordinance except as specifically provided herein. In the event conflicting requirements are imposed by this Ordinance or by other Ordinances of St. Louis County, the more restrictive provisions shall apply. The Administrator shall rule on what is more restrictive.
- 1.5 Construction. Words used in the present tense include the past and future tense; the singular includes the plural, and the plural includes the singular; the word "shall" is mandatory, and the word "may" is permissive.

**SECTION 2. DEFINITIONS**

The definitions contained in Chapter 115 of the Minnesota Statutes, the rules and regulations of the Minnesota Pollution Control Agency, and any St. Louis County Ordinance governing individual sewage treatment systems are hereby adopted by reference and incorporated as part of this Ordinance, provided that the terms specifically defined herein shall also apply in the interpretation and enforcement of this Ordinance.

- 2.1 Administrator. The St. Louis County Health Department, or its designee, is the

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

195

Administrator for Individual Sewage Treatment System Loans. The Administrator will assume responsibility for soliciting, collecting, and processing applications, developing loan specifications, determining financial ability of property owners, submitting all required information to the Septic Loan Committee for consideration and upon approval by the Septic Loan Committee, monitor construction and approve disbursements of funds to contractors pursuant to this Ordinance and the Septic Loan Program Policy.

- 2.2 ISTS Loan. "ISTS Loan" or "Loan" means the commitment of funds on behalf of recipients for the purpose of making eligible improvements to eligible properties as described in this Ordinance. Loans will be installment--which requires repayment of the principle at an interest rate to be determined by the St. Louis County Board of Commissioners with a maximum 10-year term.
- 2.3 Loan Package. The "Loan Package" consists of an application and all other information required by the St. Louis County Department of Public Health and Long-Term Medical Care (hereinafter "Health Department").
- 2.4 Recipient. "Recipient" means an individual or household meeting the requirements of this Ordinance who applies for and receives a Loan.
- 2.5 Resident. "Resident" means a person, other than a renter, living in the household for at least 9 months of the year.
- 2.6 Septic Loan Committee. The Septic Loan Committee shall be a seven member committee appointed by the St. Louis County Board of Commissioners for the purpose of reviewing and approving ISTS loan applications pursuant to the provisions set forth in this Ordinance and the Septic Loan Program Policy. The members of the Septic Loan Committee shall be representative of the disciplines set forth in the Septic Loan Program Policy.
- 2.7 Septic Loan Program Policy. The St. Louis County Board Policy utilized to establish interest rates, maximum loan amounts and other criteria in ongoing operations of the ISTS Loan Ordinance.

**SECTION 3. ELIGIBILITY**

- 3.1 General Applicability. A person may apply for a Loan pursuant to this Ordinance to finance site evaluation, design, installation, repair and replacement of individual sewage treatment systems. No member of the governing body, employee, or agent of St. Louis County or other agency which exercises policy, decision making or responsibilities in implementing the Individual Sewage Treatment System Program will be eligible for program benefits directly or indirectly.
- 3.2 Property Ownership. The Administrator must obtain the following information from the County Recorder regarding each property to be improved with Loan proceeds:
  - a. The full names of all owners of record, including first name, last name, middle name or initial and any additional names which may appear in the records, such as maiden names.
  - b. A determination of the system under which the property is recorded--either Torrens or Abstract.
- 3.3 Eligible Applicants. Upon obtaining the information in section 3.2, the Administrator must determine that the applicants individually or in the aggregate have a qualifying interest in the property consisting of the least:

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

196

- a. a valid life estate. Such life estate must be recorded and must appear in the records of the County; or
- b. a 1/3 interest in the fee title. Such interest may be subject to mortgage; or
- c. a 1/3 interest as a purchaser in a contract of deed with respect to the structure being improved.

All individuals having an ownership interest in such structure must join in the Loan application.

Any Loan Recipient must be current in payment of St. Louis County property taxes and in payment of a mortgage, if any.

**3.4 Eligible Property**

To be eligible, the property to be improved:

- a. must conform to all applicable zoning ordinances and possess all appropriate use permits.
- b. may be residential or commercial.
- c. must be a permanent structure. Mobile homes and trailers are eligible only if they are located on a permanent foundation, have the wheels and axles removed and are taxed as real property.
- d. must lie outside areas that have a municipal sewer system.
- e. must be within St. Louis County, Minnesota.

**3.5 Eligibility of Improvements**

The following improvements may be financed with Loan proceeds:

- a. Replacement of an existing failing or non-conforming individual Sewage Treatment System and the necessary piping outside the dwelling unit.
- b. Design of new system (plans and specs)
- c. In-place abandonment of existing failed, non-conforming or substandard systems (contractor must be MPCA-certified specific system pumper).
- d. Construction costs of new system.
- e. Easements (for cluster systems).
- f. Land purchase for drain fields.

**3.6 Ineligible Improvements**

- a. ISTS for a new dwelling unit.
- b. Loans may not be used to facilitate new building construction. As used in this subdivision, "facilitate new building construction" includes increasing capacity of an Individual Sewage Treatment System beyond what is reasonably required to serve existing buildings and lots in existing recorded plats.

**3.7 Contractor Requirements**

The contractor must be a Minnesota Pollution Control Agency (MPCA) licensed ISTS installer/evaluator.

**3.8 Applicability of Codes**

Any ISTS improvement must be made in compliance with the Minnesota Statutes, the rules and regulations of the MPCA, and St. Louis County Ordinances.

**3.9 Refinancing**

No improvements are eligible if begun before the issuance of a Proceed to Work Order by the Administrator, except that the fee for the site evaluation can be reimbursed to a Recipient who receives a Loan under this program. No Loan funds, in whole or in part,

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

197

shall be used for the purposes of refinancing or paying off an existing indebtedness.

3.10 Sale

The Recipient shall notify the Administrator immediately upon the sale, transfer, or conveyance of the property. The loan shall become immediately due and payable.

SECTION 4. RESPONSIBILITIES OF ADMINISTRATOR

4.1 Outreach and Public Information

The Administrator will be primarily responsible for the promotion of the Loan program at the local level. The Administrator will exercise care in avoiding any advertising or outreach methods which may be deemed to systematically exclude potentially eligible applicants. Access to program materials may not be denied to any person for any reason.

4.2 Application Selection and Approval

The following factors will be considered in selection of Loan Recipients:

- a. Applications will be accepted throughout the entire length of the program or until funds are expended.
- b. No eligible applicant shall be selected or rejected on the basis of judgments as to personal character or life-style.
- c. The factors set forth as "Prioritization" in the Septic Loan Program Policy shall be applied in determining Recipients. The Administrator shall have sole discretion to determine the minimum number of points required for loan consideration based upon available funding and timing of the application.
- d. Letters of rejection will be issued to applications who are not selected stating the reason for rejection.

4.3 Inspection of Properties

The Administrator shall conduct a minimum of two inspections of each approved property. One inspection shall be accomplished during construction to assure that construction is being performed according to specifications and in a satisfactory manner. After all work is finished, the second inspection shall take place to determine that all work has been completed in a satisfactory manner and compliance with the Minnesota Statutes, the rules and regulations of the MPCA, and St. Louis County Ordinances.

4.4 Preparation of Individual Sewage Treatment System Site Evaluation

An ISTS site evaluation shall be completed before any Loan is made. The site evaluation must be completed by an MPCA licensed evaluator.

4.5 Preparation of Work Write-ups and Cost Estimates

The Administrator may require the submission of a specified number of bids for the authorized improvements by an applicant. At no time shall there be less than two bids per project.

4.6 Preparation of Loans

The Administrator shall be responsible for the thorough and accurate completion of all program documents. The Administrator will provide any necessary assistance to applicants in the preparation of any program forms which are necessary for packaging the Loans.

4.7 Fund Disbursement

Partial disbursement of funds may be authorized by the Administrator after:

- a. an interim inspection is conducted
- b. determines that the specific work for which payment is requested has been completed

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

198

- in a satisfactory manner
- c. appropriate lien waiver forms have been submitted
- d. any other required documentation has been signed

**SECTION 5. CONTENTS FILE**

The Administrator shall maintain, as necessary, the originals of the following items in the applicant's Loan file:

- a. Application for Loan
- b. Privacy Act Release Form
- c. Property Title Verification
- d. Site Evaluation and Work Write-up/Specifications
- e. Contractor General Requirements Letter
- f. Bid Results Form
- g. Contractor "Unsuccessful Bid" Letter
- h. Repayment Agreement, Note, Mortgage
- i. Contractor Notice to Proceed
- j. Change Orders
- k. Lien Waivers
- l. Any Other Loan or Closing Document

**SECTION 6. LOAN TERMS**

- a. An interest rate on the unpaid balance as determined by the St. Louis County Board of Commissioners and established in the Septic Loan Program Policy.
- b. Up to 10 years for repayment.
- c. Balance to be paid off if property ownership changes before end of term of Loan.
- d. Principal and interest payments will be collected by the Administrator. Unpaid installments may result in either foreclosure or certification as an unpaid special assessment to the St. Louis County Auditor for collection with the subsequent year's taxes.
- e. The Recipient is responsible for the first \$500 of any project. The Recipient may receive a loan up to the maximum amount set forth in the Septic Loan Program Policy. Any amount over the limit set forth in the Septic Loan Program Policy is the responsibility of the Recipient.

**SECTION 7. GENERAL PROVISIONS**

- 7.1 **Liability.** This Ordinance shall not relieve or lessen the responsibility or liability of any person owning, operating, controlling, or installing any sewage treatment system or disposing of septage for damage to persons or property or any other injury occasioned thereby. The Administrator assumes no responsibility for the proper, safe, and efficient functioning and performance of sewage treatment systems installed, renovated, or maintained pursuant to the requirements contained herein.
- 7.2 **Severability.** It is hereby declared to be the intention that the provisions of this Ordinance are severable. If any provision or the application thereof to any person or circumstances is held to be illegal or invalid, such invalidity or illegality shall not affect other provisions of this Ordinance or the application of said provisions to any other property, building, or structure not specifically included in said determination. To this end, the provisions of this Ordinance and the various applications thereof are declared to be severable.
- 7.3 **Abrogation and Greater Restriction.** It is not intended by this Ordinance to appeal, abrogate, annul, impair, or interfere with any existing easements, covenants, deeds, restrictions, agreements, Ordinances, rules, regulations, permits previously adopted, or issues pursuant to law. However, where this Ordinance imposes greater restrictions, the

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

199

provisions of this Ordinance shall govern.

**EFFECTUATION**

The amended Ordinance No. 49 shall take effect and be in full force on the 1st day of July, 2003, and shall be published in the official newspaper(s) of St. Louis County as provided by Minnesota Statutes.

Amendments pertain to:  
Section 1 - Introduction;  
Section 2 - Definitions;  
Section 3 - Eligibility;  
Section 4 - Responsibilities of Administrator;  
Section 6 - Loan; and  
Section 7 - General Provisions.

Public hearings were held by the St. Louis County Board of Commissioners on June 3, 2003, and continued to June 10, 2003.

Amendments were recommended by the Health Department to the County Board for adoption on June 10, 2003.

Commissioner Sweeney moved the adoption of this amended Ordinance No. 49, and Commissioner Kron duly seconded the motion, and it was adopted on the following vote:

Yeas: Commissioners Fay, Kron, Sweeney, Raukar, and Chair Fink - 5  
Nays: None  
Absent: Commissioners Forsman and Nelson - 2

DENNIS FINK  
Chair, County Board

Certified as a complete and accurate copy of  
Ordinance No. 49 - St. Louis County  
Primary Structure Address Ordinance

GORDON D. MCFAUL, County Auditor

ATTEST:  
Paul Tynjala, Deputy Auditor  
Clerk of County Board

The following Board and Contract Files were created as a result of documents received at this Board meeting:

Septic Loan Program Policy.--58085

David Twa, County Administrator, submitting documentation relative to the estimated St. Louis County Aid Reductions for 2003 and 2004.--58086

Grant Agreement, Contract No. 20546, between the St. Louis County Board of Commissioners and Lutheran Social Service of Minnesota (Bethany Crisis Shelter) for children's residential services.--03-501ss

Grant Agreement, Contract No. 20547, between the St. Louis County Board of Commissioners and

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

200

Lutheran Social Service of Minnesota (Bethany Range Youth Shelter) for children's residential services.-03-502ss

Agreement, Contract No. 40052, between Independent School District No. 701 and the St. Louis County Social Service Department for school-based Social Worker services.-03-503ss

Grant Agreement, Contract No. 20537, between the St. Louis County Board of Commissioners and Fond du Lac Reservation Business Committee for adolescent services grant.-03-504ss

Contract between St. Louis County and Jola & Sopp Excavating, Inc., for S.A.P. 69-744-02 (C-SAH 144), C.P. 9279, for grading, aggregate base, bituminous surfacing, concrete walk, concrete curb and gutter, and storm sewers.-03-505

Project Contract between the County of St. Louis and Superior Jetting for leachate line cleaning at the regional landfill.-03-506

Contract between St. Louis County and Glacier Paving, Inc., for M.P. 61-3590 for grading, aggregate base. P.M. bituminous base & surface.-03-507

Jail Use Agreement between the City of Duluth and the County of St. Louis.-03-508

Joint Powers Agreement between the State of Minnesota, acting through its Commissioner of Minnesota Pollution Control Agency and St. Louis County for the collection of abandoned household waste in the Hoyt Lakes area.-03-509

Upon motion of Commissioner Kron, supported by Commissioner Fay, Resolutions No. 347 through 364, as submitted to this Board on the Consent Agenda were unanimously adopted as follows with Commissioners Forsman, Nelson and Raukar absent:

**BY COMMISSIONER KRON:**

RESOLVED, that the recommendations of the Finance Committee for payment of claims and bills against the County of St. Louis, on file in the office of the County Auditor, identified as County Board File No. 57999, are hereby approved and the County Auditor shall issue checks in the following amounts:

<u>FUND</u>		<u>TOTAL</u>
T10	Permits to Carry Firearms	\$ 85.00
T27	Refunds	4,395.89
T28	School Districts	4,792,920.00
T74	Employer/Employee Deductions	757,851.82
01	General Fund	589,326.80
02	Public Works	305,871.09
04	Social Services	2,022,206.61
08	County Facilities - Capital Projects	7,594.50
08B	Road & Bridge Building Const.	201.87
10B	Emer. Shelt. 99/00 Funds	2,258.00
11A	Home Grant - All Years	39,375.03
12B	CDBG Grant	83,586.75
127	Enhanced 9-1-1 Fund	30,563.44
128	Law Library	2,773.54
13	St. Louis County HRA	16.00
131	Extension Service	13,926.36

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

201

15	Forfeited Tax	281,375.80
16	Forest Resources	14,105.25
26	Solid Waste Authorities	124,721.84
49	Postage/Office Supplies	37.60
50	Printing	33,773.29
51	County Garage	20,101.66
52B	Workers Compensation	50,593.94
53	Management Information Systems	116,638.31
54	Regional Railroad Authority	25,850.27
55	Telecommunications	49,664.77
57	Retired Employees Health Insurance	1,697.26
64A	Chris Jensen Health & Rehab.	256,848.13
65	Laundry	42,880.14
66	Community Food Services	26,447.05
67	Supervised Living Facilities	4,472.80
73	Arrowhead Regional Corrections	276,965.54
74	Community Health Services	<u>4,553.69</u>
		\$9,983,680.04

Adopted June 10, 2003. No. 347

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, as set forth by the County Attorney, dated May 30, 2003, on file in the office of the County Auditor, identified as County Board File No. 57995, is hereby received and ratified as payable from Fund 52, Department 12.

Adopted June 10, 2003. No. 348

RESOLVED, that pursuant to St. Louis County Ordinance No. 51, the application for license to sell tobacco products, at retail, on file in the office of the County Auditor, identified as County Board File No. 57994, is hereby approved and the County Auditor is authorized to issue the license as follows;

RESOLVED FURTHER, that if named licenseholder sells their licensed business, the County Board, at its discretion, may, after an investigation, transfer the license to a new owner, but without pro-rated refund to the licenseholder:

Rocky Ledge Resort, LLC, d/b/a Rocky Ledge Resort, Kabetogama Township, Tobacco Products License No. T03184, transfer.

Adopted June 10, 2003. No. 349

RESOLVED, that pursuant to Ordinance No. 28, Section 11, Subdivision 11.06, authorization is hereby granted to Riverside Inn of Side Lake, Inc., d/b/a Riverside Inn of Side Lake, Inc., French Township, to sell/serve outside the designated serving area of the County Liquor License for the date of July 4, 2003, as per application on file in the office of the County Auditor, identified as County Board File No. 58004.

Adopted June 10, 2003. No. 350

RESOLVED, that pursuant to Ordinance No. 28, Section 11, Subdivision 11.06, authorization is hereby granted to Hwy 5 Bar & Grill, Inc., d/b/a Hwy 5 Bar & Grill, Inc., Unorganized Township 59-21, to sell/serve outside the designated serving area of the County Liquor License for the date of June 29, 2003, as per application on file in the office of the County Auditor, identified as County Board File No. 58004.

Adopted June 10, 2003. No. 351

RESOLVED, that pursuant to the provisions of Minnesota Statutes, Section 340A, as amended, and

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

202

Rules and Regulations adopted by this Board under St. Louis County Ordinance No. 28, dated May 22, 1978, as amended, the following application for an intoxicating liquor license is hereby approved, on file in the office of the County Auditor, identified as County Board File No. 58004; FURTHER RESOLVED, that said license is approved contingent upon licenseholder paying real estate or personal property taxes when due and submission of proof of liquor liability insurance; FURTHER RESOLVED, that if named licenseholder sells their licensed place of business, the County Board, at its discretion, may, after an investigation, transfer the license to a new owner, but without pro-rated refund of the license fees to the licenseholder;

FURTHER RESOLVED, that said license shall be effective through June 30, 2004:

Rocky Ledge Resort, LLC, d/b/a Rocky Ledge Resort, Kabetogama Township, On-Sale Intoxicating Liquor License No. CMB0476 and Sunday On-Sale Intoxicating Liquor License No. SUN0476, transfer.

Adopted June 10, 2003. No. 352

RESOLVED, that the St. Louis County Board of Commissioners hereby accepts the grant and approves the contract in the amount of \$227,911.00 from the Department of Children, Families, and Learning for the Child Care Resource and Referral operating grant; accepts additional designated funds in the same contract for the following purposes:

- \$56,981.00 for Service Development Grants
- \$33,647.00 for Infant/Toddler Grants
- \$23,168.00 for School-Age Care Grants

Funds to be receipted in Fund 04, Agency SSV.

RESOLVED FURTHER, that the Social Service Department is to include these funds in the 2004 budget request that will be submitted to the County Administrator.

Adopted June 10, 2003. No. 353

WHEREAS, the St. Louis County Attorney's Office, Sheriff's Office, Social Service Department, and other law enforcement agencies across the county work collaboratively in the county to assess, investigate, prosecute, and adjudicate child maltreatment; and

WHEREAS, the Minnesota Department of Human Services has grant funds available to train multi-disciplinary team members in the assessment, investigation, prosecution, and adjudication of child maltreatment and to purchase equipment to reduce trauma to child maltreatment victims.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the Social Service Department to submit a grant application for Children's Justice Act funds from the Minnesota Department of Human Services to fund training, and related equipment purchases in the total amount of \$6,120; and to accept the money if awarded; Fund 04, Agency SS, Org. 1400.

Adopted June 10, 2003. No. 354

RESOLVED, that the St. Louis County Board of Commissioners authorizes the Chairperson of the Board, County Auditor, and Health Director to sign an agreement with St. Luke's Hospital, Duluth, Minnesota, for the provision of Child and Teen Checkup Outreach and follow-up services from May 1, 2003, through December 31, 2003. Reimbursement, which will not exceed \$50,000, will be payable from Fund 01, Agency 220.

Adopted June 10, 2003. No. 355

RESOLVED, that the St. Louis County Board of Commissioners hereby authorizes the Nursing Home Director and County Auditor to write-off as bad debt for Chris Jensen Health and Rehabilitation Center the following amounts:

MR #4077, in the amount of \$23,261.81

MR #4915, in the amount of \$34,885.43

MR #4458, in the amount of \$10,179.90

Adopted June 10, 2003. No. 356

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

203

WHEREAS, the County Board of Commissioners of the County of St. Louis, State of Minnesota, desires to offer for sale, as recommended by the Land Commissioner, certain parcels of land identified in County Board File No. 58003; and  
WHEREAS, the County Auditor has determined that a non-public sale to adjacent property owners will encourage the return of the land to the tax rolls; and  
WHEREAS, these parcels of land are not withdrawn from sale pursuant to Minnesota Statutes, Sections 84.012, 92.461, 282.01, Subdivision 8; and 282.018, and other statutes that require the withholding of tax forfeited lands from sale; and  
WHEREAS, these parcels cannot be improved because they are less than the minimum size required by the applicable zoning ordinance; and  
WHEREAS, Parcels 010-1350-10700, 010-2320-550, and 010-3540-1950 must be reclassified as non-conservation and will be deemed approved if the County Board does not receive notice of the municipality's disapproval of the classification and sale of these parcels within sixty days of the date on which this resolution is delivered to the Clerk of the Municipality.  
NOW, THEREFORE, BE IT RESOLVED, that the parcels identified in County Board File No. 58003, are hereby classified as non-conservation land as provided for in Minnesota Statutes 282.01, and the County Auditor is hereby authorized to offer said lands at a non-public sale limited to the adjacent property owners to encourage return of the land to the tax rolls.  
BE IT FURTHER RESOLVED, that the St. Louis County Board of Commissioners hereby requests approval from the Commissioner of Natural Resources for the sale of said lands and that the request for approval of the reclassification and sale be transmitted by the St. Louis County Land Department to the Clerk of the Municipality.  
Adopted June 10, 2003. No. 357

WHEREAS, under the provisions of Minnesota Statutes 282.241, state tax forfeited land may be repurchased by the previous owner subject to payment of taxes and/or assessments and penalties, interest and costs; and  
WHEREAS, Robert and Darlene Hodge, 8182 Carpenter Road, Angora, MN 55703, has applied to repurchase the following parcel:  
Plat/Parcel Code: 020-10-3070. City of Chisholm, Lot 22, Block 10.  
Street Address: 20 West Lake Street, Chisholm, MN.  
WHEREAS, approving the repurchase will correct undo hardship and promote the use of lands that will best serve the public interest.  
NOW, THEREFORE, BE IT RESOLVED, that the repurchase application of Robert and Darlene Hodge, on file in County Board File No. 58018, is approved for the property described above, and will be subject to payment including taxes and assessments of \$5,138.33, a repurchase filing fee of \$114.00, a deed tax of \$16.96, a deed fee of \$25.00, and a recording fee of \$20.00, for a total of \$5,314.29; payable in full within thirty days after Board approval of the repurchase.  
Adopted June 10, 2003. No. 358

WHEREAS, under the provisions of Minnesota Statutes 282.241, state tax forfeited land may be repurchased by the previous owner subject to payment of taxes and/or assessments and penalties, interest and costs; and  
WHEREAS, F & D, Inc., c/o Alvina and Andrew Sternberg, 5135 North Shore Drive, Duluth, MN 55804, has applied to repurchase the following parcel:  
Plat/Parcel Code: 315-30-90. Town of Duluth, Lot 9, Clifton.  
Street Address: 5135 North Shore Drive (Lakeview Castle Hotel).  
WHEREAS, approving the repurchase will correct undo hardship and promote the use of lands that will best serve the public interest.  
NOW, THEREFORE, BE IT RESOLVED, that the repurchase application of F & D, Inc., c/o Alvina and Andrew Sternberg, on file in County Board File No. 58018, is approved for the property described above, and will be subject to payment including taxes and assessments of \$60,541.33,

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

204

a repurchase filing fee of \$114.00, a deed tax of \$199.79, a deed fee of \$25.00, and a recording fee of \$20.00, for a total of \$60,900.12.

Adopted June 10, 2003. No. 359

WHEREAS, the St. Louis County Public Works Department budgets for rental of equipment which is not economical for the Department to own; and

WHEREAS, the Department annually hauls sand for winter snow and ice control and gravel for road maintenance; and

WHEREAS, quotations were requested from the two area vendors providing bottom dump trailers on a rental basis and Ziegler, Inc., proposed the lower rental rate; and

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners authorizes the Director of Purchasing to issue a purchase order to Ziegler, Inc., of Duluth, MN, totaling \$28,755 for rental of six (6) bottom dump trailers for a period of three (3) months beginning July 1, 2003. Funding for this purchase is payable from Fund 02, Agency A14, Object 341.

Adopted June 10, 2003. No. 360

WHEREAS, St. Louis County is committed to providing waste disposal services to residents in the southwest region of the County; and

WHEREAS, this region of the County has been serviced by "Sit" Sites operated by a Contractor under the terms of an Agreement with the Department for many years; and

WHEREAS, the County and area residents have been satisfied with this service; and

WHEREAS, Crist Garbage Service, Inc., has been performing this service effectively for many years; and

WHEREAS, the Department received two responses to the Requests for Quotes and Crist Garbage Service submitted the only quote for all three "Sit" Sites; and

WHEREAS, Crist Garbage Service, Inc., quoted the lowest hourly rate of \$35 per hour at the Floodwood and Floodwood Lake "Sit" Sites, and \$50 per hour at the Prairie Lake "Sit" Site;

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Solid Waste Department is hereby authorized to enter into a three (3) year Agreement commencing July 1, 2003, with an optional one (1) year extension, with Crist Garbage Service, Inc., of Saginaw, MN, for the hourly rate of \$35 per hour at the Floodwood and Floodwood Lake "Sit" Sites, and \$50 per hour at the Prairie Lake "Sit" Site, payable from Fund 26, Agency J-35.

Adopted June 10, 2003. No. 361

WHEREAS, bids have been received by the County Auditor for the following project:

M.P. 3631, Aggregate Crushing, Northern St. Louis County. Project to consist of Crush, Screen & Stockpile Aggregate, Class 5 (modified);

WHEREAS, said bids or proposals were duly opened in the County Board Room at 10:00 A.M., June 2, 2003, and this Board has, with the County Highway Engineer, determined the lowest bidder of said project for which proposals were invited and submitted; and

WHEREAS, in the judgment of this Board it is for the best interest of St. Louis County that the award of said contract be made to the lowest bidder.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of St. Louis County, Minnesota, in regular session duly convened, that they hereby approve the award of contract on the above project to the lowest bidder:

<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
Hardrives, Inc.	P.O. Box 579 St. Cloud, MN 56302-5079	\$136,170.00

RESOLVED FURTHER, that the Chairman of the County Board, the County Auditor, and the

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

205

County Attorney, on behalf of the County of St. Louis, are hereby authorized to approve the Contractor's Performance Bonds and to execute the bonds and contracts with the Contractor for the above listed project; Fund 02, Agency A12, Organization 010, Object 502.  
Adopted June 10, 2003. No. 362

WHEREAS, bids have been received by the County Auditor for the following project:  
M.P. 3632, Aggregate Crushing, Central St. Louis County. Construction to consist of Crush, Screen & Stockpile Aggregate, Class 5 (modified);  
WHEREAS, said bids or proposals were duly opened in the County Board Room at 10:00 A.M., June 2, 2003, and this Board has, with the County Highway Engineer, determined the lowest bidder of said project for which proposals were invited and submitted; and  
WHEREAS, in the judgment of this Board it is for the best interest of St. Louis County that the award of said contract be made to the lowest bidder.  
NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of St. Louis County, Minnesota, in regular session duly convened, that they hereby approve the award of contract on the above project to the lowest bidder:

<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
Hardrives, Inc.	P.O. Box 579 St. Cloud, MN 56302-5079	\$97,980.00

RESOLVED FURTHER, that the Chairman of the County Board, the County Auditor, and the County Attorney, on behalf of the County of St. Louis, are hereby authorized to approve the Contractor's Performance Bonds and to execute the bonds and contracts with the Contractor for the above listed project; Fund 02, Agency A12, Organization 010, Object 502.  
Adopted June 10, 2003. No. 363

RESOLVED, the St. Louis County Board of Commissioners hereby reappoints the following individuals to serve on the Cooperative Extension Committee for a three-year term, effective January 1, 2003, through December 31, 2005:  
Jerry Meier  
Allen C. Willman  
Loren Stach

RESOLVED FURTHER, the Board hereby appoints Roberta Morrow to serve on the Cooperative Extension Committee for a three-year term ending December 31, 2005.  
Adopted June 10, 2003. No. 364

**BY COMMISSIONER SWEENEY:**

RESOLVED, the St. Louis County Board of Commissioners hereby adopts the Septic Loan Program Policy, as contained in Board File No. 58085, effective July 1, 2003.  
Yeas - Commissioners Fay, Kron, Sweeney, Raukar and Chair Fink - 5  
Nays - None  
Absent - Commissioners Forsman and Nelson - 2  
Adopted June 10, 2003. No. 365

**BY COMMISSIONER KRON:**

WHEREAS, under the provisions of Minnesota Statutes 282.241, state tax forfeited land may be repurchased by the previous owner subject to payment of taxes and/or assessments and penalties, interest and costs; and  
WHEREAS, on behalf of the estate of Charles Holderness, Rich Greenwood, 2305 Minnesota Blvd. SE, St. Cloud, MN 56304-2424, has applied to repurchase the following parcel:  
Plat/Parcel Code: 140-50-3920; City of Hibbing, Lot 27, Block 19, Brooklyn.

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

206

Street Address: 1207 - 13th Avenue, Hibbing, MN.

WHEREAS, approving the repurchase will correct undo hardship and promote the use of lands that will best serve the public interest;

NOW, THEREFORE, BE IT RESOLVED, that the repurchase application of the estate of Charles Holderness, on file in County Board File No. 58018, is approved for the property described above, and will be subject to payment including taxes and assessments of \$2,339.48, repurchase filing fee of \$114.00, deed fee of \$25.00, deed tax of \$7.72, recording fee of \$20.00; for a total of \$2,506.20 plus any statutory cost adjustments; payable in full within thirty days after Board approval of the repurchase.

Yeas - Commissioners Fay, Kron, Sweeney, Raukar and Chair Fink - 5

Nays - None

Absent - Commissioners Forsman and Nelson - 2

Adopted June 10, 2003. No. 366

RESOLVED, the St. Louis County Board of Commissioners hereby reappoints the following individuals to serve on the Public Health Advisory Committee for a three-year term, effective January 1, 2003, through December 31, 2005:

Lorraine Turner, MD

Larry Hurtig

RESOLVED FURTHER, the Board hereby appoints Cynthia Wilson-Nordskog to serve on the Public Health Advisory Committee for a three-year term ending December 31, 2005.

Yeas - Commissioners Fay, Kron, Sweeney, Raukar and Chair Fink - 5

Nays - None

Absent - Commissioners Forsman and Nelson - 2

Adopted June 10, 2003. No. 367

Upon motion of Commissioner Sweeney, supported by Commissioner Kron, Resolutions No. 368 through 376, which were approved at the Committee of the Whole meeting this date, were brought forth to this meeting as a second Consent Agenda and were unanimously adopted as follows with Commissioners Forsman and Nelson absent:

**BY COMMISSIONER SWEENEY:**

WHEREAS, the Housing and Redevelopment Authority has offered to purchase the following described state tax forfeited parcel for the sale price of \$6,000.00 plus fees: City of Duluth, West Duluth 7th Division, Lots 22 - 23, Block 169. Parcel Code Number: 010-4530-460.

for the purpose of a new housing development; and

WHEREAS, Minnesota Statute 282.01, Subdivision 1(a) authorizes the sale of state tax forfeited land to an organized governmental subdivision for a public purpose; and

WHEREAS, said parcel of land has been classified as non-conservation land pursuant to Minnesota Statutes, Section 282.01; and

WHEREAS, this parcel of land is not withdrawn from sale pursuant to Minnesota Statutes, Section 84.012, 92.461, 282.01, Subdivision 8; and 282.018, and other statutes that require the withholding of tax forfeited lands from sale.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board approves the sale of the above described tax forfeited parcel to the Housing and Redevelopment Authority for the purpose of a new housing development, for the sale price of \$6,000.00 plus the following fees: 3 percent assurance fee of \$180.00, deed fee of \$25.00, deed tax of \$19.80, and recording fee of \$20.00, for a total of \$6,244.80. Adopted June 10, 2003. No. 368

RESOLVED, that the Public Works Department is hereby authorized to enter into an agreement with the City of Gilbert to provide administrative services relating to the advertising, award of bid, and processing of payments on State Project No. S.A.P. 69-600-30, County Project No. 3637, and State

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

207

Project No. S.A.P. 69-600-31, County Project No. 3638, for improvements to portions of Cedar Island Drive and Lake Ore-Be-Gone, city streets within the city limits of Gilbert, Minnesota.

RESOLVED FURTHER, that while there will be no financial involvement by the County other than for the administrative duties outlined in the agreement, the projects will be funded through the Minnesota Department of Natural Resources State Park Road Account with project payments to be made from Fund 08A, Agency 525, Organization 3637, Object 527, and Fund 08A, Agency 525, Organization 3638, Object 527, with reimbursement from the Minnesota Department of Natural Resources State Park Road Account.

Adopted June 10, 2003. No. 369

RESOLVED, that the Public Works Department is hereby authorized to enter into an agreement with the City of Duluth to provide administrative services relating to the advertising, award of bid, and processing of payments on State Aid Project No. S.A.P. 69-600-33, County Project No. 3640, for improvements to a portion of Clyde Avenue, a city street within the city limits of Duluth, Minnesota. RESOLVED FURTHER, that while there will be no financial involvement by the County other than for the administrative duties outlined in the agreement, the project will be funded through the Minnesota Department of Natural Resources State Park Road Account with project payments to be made from Fund 08A, Agency 525, Organization 3640, Object 527, with reimbursement from the Minnesota Department of Natural Resources State Park Road Account.

Adopted June 10, 2003. No. 370

RESOLVED, that the St. Louis County Board of Commissioners hereby authorizes the appropriate County officials to enter into an agreement with Ayres Associates whereby the Public Works Department will pay the costs of preliminary services to include meetings and preliminary design to aid in the proposed reconstruction of the Midway Park Sanitary Sewer System. The estimated total costs of these items is \$37,000.00, payable from Fund 02, Agency A11, Object 299.

Adopted June 10, 2003. No. 371

RESOLVED, that pursuant to the recommendations of the Tax Committee, the applications of the following named persons and firms for reduction and correction of assessed valuations and taxes in the following amounts plus on those abatements of penalty and interest, any additional accrual to the date of this resolution, on file in the office of the County Auditor, identified as County Board File No. 58013, are hereby approved:

Real Estate - Ellen Abare, \$113.60; Bill Anderson, \$657.30; Kathryn Aronson, \$1,210.90; Daniel Autio, \$515.28; Patricia Baldwin, \$1,484.68; Cory Binsfield, \$226.16; Barry Bjorklund, \$208.78; Mark Boyer, \$129.14; Ashley Brett, \$166.00; Shawn Callahan, \$303.28; David Cameron, \$232.96; Kevin Carlson, \$125.60; Chad Cherne, \$187.20; Roy Clark, \$241.04; Edward Collins, \$633.50; Sadie Connolly, \$537.44; David Crotty, \$444.74; Kris Dickey, \$275.20; D. Ellis Hollenhorst, \$479.90; Jill Engstad, \$280.32; Jerald Esget, \$242.78; Rebecca Gerber, \$254.00; Eric Goepfinger, \$220.00; Daniel Grzybowski, \$144.14; John Hanson, \$575.44; Ryan Hass, \$245.20; Merlin Hills, \$297.20; Bonnie Holtslander, \$463.20; Lawrence Houdek, \$8.00; HRA - Eveleth, \$101.38; Michael Hubbard, \$550.60; Andrew Jarvi, \$477.10; Kevin Kezar, \$288.22; James Kidd, \$238.80; Stephen Krmptich, \$141.34; Roger Larson, \$196.00; Lorin Lemire, \$291.04; Michelle Matthees, \$410.22; Kenneth McDonald, \$247.38; Dennis Mogensen, \$303.10; Darrin Nelson, \$132.56; David Olson, \$560.94; Terry Olson, \$240.46; Michael Pavich, \$393.52; James Pixler, \$212.40; Scott Poulin, \$102.80; John Rautio, \$407.00; James Ray, \$1,401.56; Jeffrey Rayl, \$82.56; Mark Reinke, \$593.24; John Samuelson, \$1,379.56; James Sever, \$608.70; Teodor Swiere, \$523.96; Gale Truax, \$387.08; Matthew Vuicich, \$555.54; Gregory Walsh, \$608.48; Janice Wandmaker, \$258.02; Robert Young, \$513.00.

Adopted June 10, 2003. No. 372

RESOLVED, that a public hearing will be held at 9:35 A.M. on June 24, 2003, at Semers Park Pavilion,

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

208

Ely, Minnesota, for the purpose of considering the granting of an off-sale intoxicating liquor license to Rocky Ledge Resort, LLC, d/b/a Rocky Ledge Resort, Kabetogama Township.  
Adopted June 10, 2003. No. 373

WHEREAS, the St. Louis County Solid Waste Department maintains a recycled materials collection and processing program, and encourages public and private entities to recycle; and  
WHEREAS, the Department wishes to continue to provide recycled materials collection and processing services to residents of the southern portion of the County's Solid Waste Service Area; and  
WHEREAS, the Department has utilized the services of Dougherty Trucking & Recycling to process recyclable materials collected in south St. Louis County and has been satisfied with those services; and  
WHEREAS, Dougherty Trucking & Recycling desires to continue to collect, process, and market recyclable materials collected in the south St. Louis County recyclables program; and  
WHEREAS, it is in the best interest of the County for Dougherty Trucking & Recycling to collect, process, and market recyclables at their recyclable materials processing facility;  
NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners hereby authorizes the appropriate county officials to enter into a three-year Agreement from July 1, 2003, through June 30, 2006, with Dougherty Trucking & Recycling of Saginaw at the rates contained in the contract payable from Fund 26, J-33, Recycling.  
Adopted June 10, 2003. No. 374

WHEREAS, St. Louis County, through its Solid Waste Department, operates a Regional Landfill in Virginia, Minnesota, which serves as the primary disposal facility for mixed municipal solid waste generated in the County's jurisdictional area; and  
WHEREAS, St. Louis County intends to develop Phase 4 and close portions of Phases 1 and 1A of the Regional Landfill in 2004 and this work will require excavation of material as a part of ongoing Landfill development; and  
WHEREAS, the County has contracted with Kangas Excavating, Incorporated, to operate the Regional Landfill; and  
WHEREAS, Kangas Excavating, Incorporated, has submitted a proposal to excavate material from the Phase 4 development area prior to overall Phase 4 construction in order to most suitably utilize that material and initiate Phase development in a timely fashion; and  
WHEREAS, the County has evaluated the Kangas proposal and determined that it is in the County's best interests to accept the Kangas proposal for Phase 4 excavation and that the costs proposed are reasonable and cost-effective.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners hereby authorizes the appropriate County officials to amend the existing Regional Landfill operations contract with Kangas Excavating Incorporated to include funding for Phase 4 pre-excavation at an estimated cost of \$90,000 based upon the following proposed rates:

- \$1.50 per cubic yard (truck load count) for material used as off site fill.
- No charge for material removed for use as daily cover.
- \$1.50 per cubic yard (truck load count) for stockpiled material.
- No charge for screened material, or for material screening.
- \$70/hour for dozer work.
- \$50/hour for loader for rock removal.

This funding is payable from Fund 26, J-48 Landfill.

Adopted June 10, 2003. No. 375

WHEREAS, the Duluth Economic Development Authority has offered to purchase the following described state tax forfeited parcel for the sale price of \$12,500.00 plus fees: City of Duluth, McFarlane's Grassy Point Addition to Duluth, Lots 7 - 10, Block 23. Parcel Code Number: 010-3140-4520, 4540.

for the construction of two units of affordable housing; and

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

209

WHEREAS, Minnesota Statute 282.01, Subdivision 1(a) authorizes the sale of state tax forfeited land to an organized governmental subdivision for a public purpose; and

WHEREAS, said parcel of land has been classified as non-conservation land pursuant to Minnesota Statutes, Section 282.01; and

WHEREAS, this parcel of land is not withdrawn from sale pursuant to Minnesota Statutes, Section 84.012, 92.461, 282.01, Subdivision 8; and 282.018, and other statutes that require the withholding of tax forfeited lands from sale.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board approves the sale of the above described tax forfeited parcel to the Duluth Economic Development Authority for the purpose of the development of affordable housing, for the sale price of \$12,500.00 plus the following fees: 3 percent assurance fee of \$375.00, deed fee of \$25.00, deed tax of \$41.25, and recording fee of \$20.00, for a total of \$12,961.25.

Adopted June 10, 2003. No. 376

At 1:23 P.M. on Tuesday, June 10, 2003, upon motion of Commissioner Fay, supported by Commissioner Raukar, the Board of County Commissioners adjourned.

Dennis Fink, Chair of the Board  
of County Commissioners

Attest:  
Gordon D. McFaul, County Auditor  
and Ex-Officio Clerk of the Board  
of County Commissioners

(Seal of the County Auditor)

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

210

**OFFICIAL PROCEEDINGS OF THE MEETING  
OF THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF ST. LOUIS, MINNESOTA,  
HELD ON JUNE 24, 2003**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 24th day of June, 2003, at 9:35 A.M. in Semers Park Pavilion, Ely, Minnesota. The meeting was called to order by the Chair with the following members present: Commissioners Joanne Fay, Bill Kron, Mike Forsman, Peg Sweeney, Keith Nelson, Steve Raukar, and Chair Dennis Fink - 7. Absent: None.

Chair Fink opened the meeting by sharing historical facts about severe storms from Minnesota's history.

Commissioner Forsman read a proclamation recognizing the City of Aurora's Centennial Celebration, which will be held from July 1 through 6, 2003.

At 9:42 A.M., a public hearing was convened, pursuant to County Board Resolution No. 373, adopted June 10, 2003, to consider granting an off-sale intoxicating liquor license to Rocky Ledge Resort, LLC, d/b/a Rocky Ledge Resort, Kabetogama Township. Alan Mitchell, County Attorney, advised the Board that: all required Departments reviewed the application and recommended approval; the Town of Kabetogama approved issuance of the license; the Liquor Licensing Committee met with the applicant and recommended approval; all required notices were given; and, the necessary insurance certificate was submitted. Julie Kepler, owner, was present and said she understood and would abide by state statutes and St. Louis County Ordinance No. 28 (Liquor Ordinance). No one else chose to address the issue.

At 9:48 A.M., Commissioner Sweeney, supported by Commissioner Forsman, moved to close the hearing: seven yeas - zero nays. Commissioner Forsman, supported by Commissioner Raukar, moved to approve issuance of the off-sale liquor license; seven yeas - zero nays. Resolution No. 386.

At 9:49 A.M., a public hearing was convened, pursuant to County Board Resolution No. 332, adopted June 3, 2003, to receive public comment on a proposed Capital Improvement Plan for the years 2003 through 2008. Ann Busche, Deputy County Administrator, briefly summarized the plan, which must be submitted to the Minnesota Department of Trade and Economic Development for approval. Deputy Administrator Busche emphasized that approval of the plan by the Board did not constitute approval of any of the projects listed in the plan. The plan lists all capital improvement projects - including public works - more than \$100,000. No one else chose to address the issue.

At 9:57 A.M., Commissioner Raukar, supported by Commissioner Sweeney, moved to close the hearing; seven yeas - zero nays. Commissioner Forsman, supported by Commissioner Sweeney, moved to approve the 2003-2008 Capital Improvement Plan; seven yeas - zero nays.

Chair Fink opened the meeting to citizens who wanted to address the Board concerning issues not on the agenda, but no one chose to do so.

Commissioner Nelson, supported by Commissioner Forsman, moved to approve conveyance of County Unit No. 4070, a 1957 Standard 5000 Gallon Trailer, to the City of Ely at no cost. Commissioner Nelson's motion included deletion of the word "emergency" from the resolution to make it easier for the County and/or the U.S. Forest Service to secure use of the trailer if needed; seven yeas - zero nays. Resolution No. 388.

Commissioner Fay, supported by Commissioner Sweeney, moved to approve a three-year renewal agreement with SSA Global Technologies for maintenance and support of a fleet maintenance software system (ELKE). Martin Buscombe, MIS Director, said there would be significant costs and serious

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

211

disadvantages if a different vendor is chosen. After brief discussion, the resolution was approved; seven yeas - zero nays. Resolution No. 389.

Commissioner Fay, supported by Commissioner Kron, moved to suspend the rules to consider a resolution urging the Minnesota Extension Service to establish two offices in St. Louis County - one north and one south - when the University of Minnesota reorganizes the system; seven yeas - zero nays. Commissioner Fay, supported by Commissioner Nelson, moved to approve the request, which also asks the University of Minnesota to contract with current County Extension staff for a five-year period to insure continuity. Commissioner Forsman offered a friendly amendment - accepted by the makers - to substitute Northern "part" for Northern "half" of St. Louis County for geographical correctness. After further discussion, the motion was approved; seven yeas - zero nays. Resolution No. 390.

The following Board and Contract Files were created as a result of documents received at this Board meeting:

John Ongaro, Inter-Governmental Relations Officer, submitting memorandum summarizing the final results of St. Louis County's 2003 Legislative Agenda.-58087

Mark Olson, Right-of-Way Agent, Public Works Department, submitting documentation relative to the vacation of Echo Trail.-58088

Utility Easement Agreement between St. Louis County and the City of Duluth for the NW 1/4, Section 16, Township 50 North, Range 14 West, for water supply lines to Chris Jensen, County Laundry, and Juvenile Corrections facilities.-58089

Joanne Nachtsheim and Robert Bowers, Crane Lake, submitting a petition from 25 Crane Lake Township property owners in support of the appointment of Bud Bystrom to the Crane Lake Water & Sanitary District Board.-58090

Solid Waste Subcommittee submitting minutes and agendas for their meetings held during the year 2003.-58091

Documentation from public hearing held on June 24, 2003, to consider granting an off-sale intoxicating liquor license to Rocky Ledge Resort, LLC, d/b/a Rocky Ledge Resort, Kabetogama Township.-58092

2003-2008 Capital Improvement Plan for St. Louis County.-58093-D

Addendum to Purchase Agreement, Contract No. 13127B, between the St. Louis County Board of Commissioners and Senior Friend for assisted living plus.-03-510ss

Addendum to Purchase Agreement, Contract No. 13152A, between the St. Louis County Board of Commissioners and Healthline Homecare for assisted living plus. -03-511ss

Addendum to Purchase Agreement, Contract No. 13209A, between the St. Louis County Board of Commissioners and Healthline Homecare for assisted living plus.-03-512ss

Purchase of Service Agreement, Contract No. 40051, between the St. Louis County Board of Commissioners and the Center for Alcohol and Drug Treatment for meals at the Duluth Detox Center.-03-513ss

Project Contract between the County of St. Louis and Wick & Associates, Inc., for upgrading of Headquarter's Lake Road.-03-514

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

212

Addendum to Contract No. 13490 between the St. Louis County Board of Commissioners and Northwood Children's Services for child residential services.-[03-515ss](#)

Group Residential Housing Rate Agreement between the St. Louis County Board of Commissioners and Range Center, Inc. (Cypress).-[03-516ss](#)

Group Residential Housing Rate Agreement between the St. Louis County Board of Commissioners and Duluth Regional Care Center, Inc. (Riverside).-[03-517ss](#)

Purchase of Service Agreement, Contract No. 13515, between the St. Louis County Board of Commissioners and Heritage Haven for assisted living plus.-[03-518ss](#)

Addendum to Purchase Agreement, Contract No. 13162A, between the St. Louis County Board of Commissioners and Brainerd House for residential care services.-[03-519ss](#)

Purchase of Service Agreement, Contract No. 13518, between the St. Louis County Board of Commissioners and TBI Residential and Community Services, Inc., for in-home services.-[03-520ss](#)

Purchase of Service Agreement, Contract No. 13519, between the St. Louis County Board of Commissioners and Interim Health Care of Lake Superior, Inc., for home care.-[03-521ss](#)

Purchase of Service Agreement, Contract No. 13520, between the St. Louis County Board of Commissioners and Accessible Space, Inc., for home care.-[03-522ss](#)

Purchase of Service Agreement, Contract No. 13522, between the St. Louis County Board of Commissioners and Healthline Homecare for home care.-[03-523ss](#)

Purchase of Service Agreement, Contract No. 13530, between the St. Louis County Board of Commissioners and UDAC for supported employment.-[03-524ss](#)

Grant Agreement, Contract No. 20536, between the St. Louis County Board of Commissioners and the Arrowhead Juvenile Center for adolescent services grant.-[03-525ss](#)

Purchase of Service Agreement, Contract No. 13502, between the St. Louis County Board of Commissioners and Duluth Regional Care Center, Inc. - Riverside for SLS for adults.-[03-526ss](#)

Purchase of Service Agreement, Contract No. 13516, between the St. Louis County Board of Commissioners and the Duluth Regional Care Center for CADI services.-[03-527ss](#)

Purchase of Service Agreement, Contract No. 13516, between the St. Louis County Board of Commissioners and the Center for Independent Living of Northeastern Minnesota for independent living skills.-[03-528ss](#)

Purchase of Service Agreement, Contract No. 13613, between the St. Louis County Board of Commissioners and the Range Center, Inc. - Cypress for SLS for adults.-[03-529ss](#)

Child and Teen Checkup Contract between the Carlton-Cook-Lake-St. Louis Community Health Board and St. Louis County.-[03-530](#)

Contract between the County of St. Louis and Hardrives, Inc., for County Project 3633 (various pits in Southern St. Louis County).-[03-531](#)

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

213

St. Louis County Community Development Block Grant Program FY 2003 Agreement between St. Louis County and Town of Breitung.-[03-532](#)

Computer Aided Dispatch System Software Maintenance Contract with Tiburon, Inc.-[03-533](#)

Agreement for Professional Services between the County of St. Louis and Foster Jacobs & Johnson, Inc., for Duluth Motor Pool Storm Drain.-[03-534](#)

Group Residential Housing Rate Agreement between the St. Louis County Board of Commissioners and Anne Auel.-[03-535ss](#)

Group Residential Housing Rate Agreement between the St. Louis County Board of Commissioners and Debra Lenzen.-[03-536ss](#)

Group Residential Housing Rate Agreement between the St. Louis County Board of Commissioners and Chestnut Grove - West.-[03-537ss](#)

Group Residential Housing Rate Agreement between the St. Louis County Board of Commissioners and Chestnut Grove - East.-[03-538ss](#)

Homes Plus Agreement between the St. Louis County Board of Commissioners and Diana Schleinitz for adult foster care/respice care.-[03-539ss](#)

Grant Agreement, Contract No. 20548, between the St. Louis County Board of Commissioners and Life House kids and adolescent transition services.-[03-540ss](#)

Homes Plus Agreement between the St. Louis County Board of Commissioners and Debra Lenzen for adult foster care/respice care.-[03-541ss](#)

Homes Plus Agreement between the St. Louis County Board of Commissioners and Anne Auel for adult foster care/respice care.-[03-542ss](#)

Addendum to Purchase Agreement, Contract No. 13442A, between the St. Louis County Board of Commissioners and Duluth Keystone, LLC, d/b/a Keystone Bluffs, for assisted living plus.-[03-543ss](#)

Addendum to Purchase Agreement, Contract No. 13123B, between the St. Louis County Board of Commissioners and Range Development Company of Chisholm for assisted living plus.-[03-544ss](#)

Addendum to Purchase Agreement, Contract No. 13153A, between the St. Louis County Board of Commissioners and Solstice Corporation, d/b/a Golden Oaks, for assisted living plus.-[03-545ss](#)

Addendum to Purchase Agreement, Contract No. 13311A, between the St. Louis County Board of Commissioners and Peterson Colonial Homes, Inc., for residential care services.-[03-546ss](#)

Addendum to Purchase Agreement, Contract No. 13378A, between the St. Louis County Board of Commissioners and Salmi Homes, Inc., for assisted living plus.-[03-547ss](#)

Addendum to Purchase Agreement No. 13480 between the St. Louis County Board of Commissioners and Miller-Dwan Medical Center for adult foster care.-[03-548ss](#)

Employee Safety & Development Training Contract between the St. Louis County Board of Commissioners and Jim Laumeyer for *Generations and Diversity: The ABC's of XYZ* session.-[03-549](#)

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

214

Employee Safety & Development Training Contract between the St. Louis County Board of Commissioners and Pat Miller for *YES I CAN: Realistic Stress Management* session.—[03-550](#)

Employee Safety & Development Training Contract between the St. Louis County Board of Commissioners and Pat Miller for *Caught in the Middle - Moderating Conflicts between Employees* session.—[03-551](#)

Employee Safety & Development Training Contract between the St. Louis County Board of Commissioners and Susan Mattis Turnham for *WordPerfect to Word: Making the Transition (2); Introduction to Excel (2); and Microsoft Word 2000 - Automating Text Production (1)* sessions.—[03-552](#)

Lease Agreement between St. Louis County and the State of Minnesota, Department of Administration, for two parking stalls in the Government Services Center parking ramp.—[03-553](#)

Cooperative Agreement regarding Law Enforcement Technical Support between the Fond du Lac Band of Lake Superior Chippewa and St. Louis County, Minnesota.—[03-554](#)

Agreement between the St. Louis County Board of Commissioners and the Town of Rice Lake for Third Avenue South Bituminous Overlay Project (portion of Township Road No. 2932).—[03-555](#)

Road Maintenance Agreement between St. Louis County and the City of Duluth for general surface and winter road maintenance on certain county roads.—[03-556](#)

Clinic Based Child and Teen Check-Ups Outreach and Follow-Up between St. Louis County, through its Department of Public Health, and St. Luke's, by and through the Laurentian Medical Center.—[03-557](#)

Agreement between the Town of Fayal and the County of St. Louis for improvement of Fayal Township Road 6705 (Scout Camp Road).—[03-558](#)

Agreement between the Town of Canosia and the County of St. Louis for improvement of Township Road No. 5519 (Wilderness Trail).—[03-559](#)

Coffee Shop Lease between the County of St. Louis and Kimberly R. Fuller for the cafeteria area in the Duluth Courthouse.—[03-560](#)

Contract between the Western Lake Superior Sanitary District and St. Louis County for the operation of a Household Hazardous Waste Management Program.—[03-561](#)

Upon motion of Commissioner Sweeney, supported by Commissioner Kron, Resolutions No. 377 through 385, as submitted to this Board on the Consent Agenda were unanimously adopted as follows:

**BY COMMISSIONER SWEENEY:**

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of May 27, 2003, are hereby approved.  
Adopted June 24, 2003. [No. 377](#)

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of June 3, 2003, are hereby approved.  
Adopted June 24, 2003. [No. 378](#)

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of June 10, 2003, are hereby approved.

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

215

Adopted June 24, 2003. No. 379

RESOLVED, that the recommendations of the Finance Committee for payment of claims and bills against the County of St. Louis, on file in the office of the County Auditor, identified as County Board File No. 57999, are hereby approved and the County Auditor shall issue checks in the following amounts:

<u>FUND</u>		<u>TOTAL</u>
T11	MN Trail Assistance	\$ 7,329.79
T21	Beer License	20.00
T22	Cities and Towns	9,886,199.00
T27	Refunds	18,542.98
T50	State of Minnesota	236,383.92
T52	Taxes and Penalties	67,044.96
T66	Criminal Fines	127,519.80
T74	Employer/Employee Deductions	677,118.70
T77	Cancelled Checks	125.00
T83	Sheriff Fine Contingency	6,799.98
T85	Sheriff's State Forfeitures	150.00
T86	Attorney Trust Accounts	50.00
T87	Assault Fees	1,263.15
T90	Boundary Waters - Forfeiture	9,930.97
01	General Fund	801,549.66
02	Public Works	503,485.54
04	Social Services	2,950,750.63
08	County Facilities - Capital Projects	72,085.59
08A	State Aid Road	1,287,243.09
08B	Road & Bridge Building Const.	141,899.00
08N	Hibbing Courthouse Improvements	271,919.11
08Q	Duluth Courts Remodeling	30,320.59
10B	Emer. Shelt. 99/00 Funds	118.06
11A	Home Grant - All Years	2,668.99
12B	CDBG Grant	195,669.24
13	St. Louis County HRA	6,895.27
131	Extension Service	108,345.82
15	Forfeited Tax	79,599.41
16	Forest Resources	28,816.45
26	Solid Waste Authorities	151,517.65
49	Postage/Office Supplies	37,652.27
49A	Plat Book Revolving	14,365.00
50	Printing	1,380.11
51	County Garage	27,634.13
52A	Property, Casualty, Liability	262.00
52B	Workers Compensation	83,419.39
52D	Medical/Dental Self Insurance	87.82
53	Management Information Systems	29,577.95
54	Regional Railroad Authority	65,781.51
55	Telecommunications	19,089.56
57	Retired Employees Health Insurance	203,320.42
64A	Chris Jensen Health & Rehab.	227,754.32
64B	Nopeming Care Center	1,317.47
65	Laundry	7,621.37

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

216

66	Community Food Services	43,774.92
67	Supervised Living Facilities	4,358.44
72	Northern Counties Land Use Coord. Board	2,969.30
73	Arrowhead Regional Corrections	166,535.21
74	Community Health Services	<u>20,488.16</u>
		\$18,628,751.70

Adopted June 24, 2003. No. 380

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, as set forth by the County Attorney, dated June 13, 2003, on file in the office of the County Auditor, identified as County Board File No. 57995, is hereby received and ratified as payable from Fund 52, Department 12.

Adopted June 24, 2003. No. 381

RESOLVED, that pursuant to the provisions of Minnesota Statutes, Section 340A, as amended, and Rules and Regulations adopted by this Board under St. Louis County Ordinance No. 28, dated May 22, 1978, as amended, the following application for a 3.2 percent malt liquor license is hereby approved, on file in the office of the County Auditor, identified as County Board File No. 58039;

FURTHER RESOLVED, that said license is approved contingent upon the licenseholder paying real estate or personal property taxes when due;

FURTHER RESOLVED, that if named licenseholder sells their licensed place of business, the County Board, at its discretion, may, after an investigation, transfer the license to a new owner, but without prorated refund of the license fee to the licenseholder;

FURTHER RESOLVED, that said license shall be effective through June 30, 2003:

Pine Point Lodge & Resort, LLC, d/b/a Pine Point Lodge & Resort, Crane Lake Township, On/Off-Sale 3.2 Percent Malt Liquor License No. B0363, new.

Adopted June 24, 2003. No. 382

RESOLVED, that pursuant to the provisions of Minnesota Statutes, Section 340A, as amended, and Rules and Regulations adopted by this Board under St. Louis County Ordinance No. 28, dated May 22, 1978, as amended, the following application for a 3.2 percent malt liquor license is hereby approved, on file in the office of the County Auditor, identified as County Board File No. 58039;

FURTHER RESOLVED, that said license is approved contingent upon the licenseholder paying real estate or personal property taxes when due;

FURTHER RESOLVED, that if named licenseholder sells their licensed place of business, the County Board, at its discretion, may, after an investigation, transfer the license to a new owner, but without prorated refund of the license fee to the licenseholder;

FURTHER RESOLVED, that said license shall be effective through June 30, 2004:

James Bradley Lager, d/b/a Norway Point Resort, Leiding Township, On-Sale 3.2 Percent Malt Liquor License No. B0464 (changing from Combination On/Off-Sale and Sunday On-Sale Intoxicating Liquor).

Adopted June 24, 2003. No. 383

RESOLVED, that pursuant to Ordinance No. 28, Section 11, Subdivision 11.06, authorization is hereby granted to Jilliando Properties, Inc., d/b/a Timber's Edge Grill & Bar, Unorganized Township 56-17, to sell/serve outside the designated serving area of the County Liquor License for the date of June 29, 2003, as per application on file in the office of the County Auditor, identified as County Board File No. 58004.

Adopted June 24, 2003. No.384

RESOLVED, that pursuant to St. Louis County Ordinance No. 51, the application for license to sell tobacco products, at retail, on file in the office of the County Auditor, identified as County Board File No. 57994, is hereby approved and the County Auditor is authorized to issue the license as follows;

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

217

RESOLVED FURTHER, that if named licenseholder sells their licensed business, the County Board, at its discretion, may, after an investigation, transfer the license to a new owner, but without pro-rated refund to the licenseholder:

M. & T. Wedin, Inc., d/b/a Wooden Table Inn, Unorganized Township 60-19, Tobacco Products License No. T03185, transfer.

Adopted June 24, 2003. No. 385

**BY COMMISSIONER FORSMAN:**

WHEREAS, Rocky Ledge Resort, LLC, d/b/a Rocky Ledge Resort, Kabetogama Township, St. Louis County, Minnesota, has applied for an off-sale intoxicating liquor license; and

WHEREAS, Minnesota Statutes, Section 340A.405, Subdivision 2(d), requires that a public hearing be held prior to the issuance of an off-sale intoxicating liquor license; and

WHEREAS, a public hearing was held on June 24, 2003, at or about 9:35 A.M. at the Semers Park Pavilion, Ely, Minnesota, for the purpose of considering the granting of the off-sale intoxicating liquor license; and

WHEREAS, with regard to the application for said license Rocky Ledge Resort has complied in all respects with the requirements of Minnesota Law and St. Louis County Ordinance No. 28; and

WHEREAS, the Liquor Licensing Committee of the St. Louis County Board of Commissioners has considered the nature of the business to be conducted and the propriety of the location and has recommended approval of the application.

NOW, THEREFORE, BE IT RESOLVED, that Off-Sale Intoxicating Liquor License (License Number CMB0476) shall be issued to Rocky Ledge Resort, LLC, d/b/a Rocky Ledge Resort, Kabetogama Township;

FURTHER RESOLVED, that said liquor license shall be effective through June 30, 2004;

FURTHER RESOLVED, that said license is approved contingent upon payment of real estate taxes when due;

FURTHER RESOLVED, that if named licenseholder sells the licensed place of business, the County Board, at its discretion, may, after an investigation, transfer the license to a new owner, but without pro-rated refund of the license fee to the licenseholder.

Unanimously adopted. June 24, 2003. No. 386

WHEREAS, the Board of County Commissioners (the "Board") of St. Louis County, Minnesota (the "County"), pursuant to Minnesota Statutes, Section 373.40 (the "Act"), previously approved a Capital Improvement Plan (the "Plan"); and

WHEREAS, the Board has proposed an amendment to the Plan; and

WHEREAS, a public hearing, as required by the Act, was held on the proposed amendment to the Plan on June 24, 2003.

NOW, THEREFORE, BE IT RESOLVED, by the Board that:

1. The Capital Improvement Plan, as amended, presented to the Board of County Commissioners, and on file in County Board Document File No. 58093, is hereby approved.

2. The County Administrator is hereby directed to cause the Capital Improvement Plan to be submitted to the Community Development Division of the Department of Trade and Economic Development for approval.

Unanimously adopted. June 24, 2003. No. 387

**BY COMMISSIONER NELSON:**

WHEREAS, the St. Louis County Public Works Department owns and no longer has need for Unit No. 4070, a 1957 Standard Trailer Model A670D106 5000 gallon tank trailer; and

WHEREAS, the Purchasing Department contacted other St. Louis County departments; and

WHEREAS, there is no need for this trailer in other County departments; and

WHEREAS, the City of Ely requested the trailer be conveyed to the Ely Fire Department; and

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

218

WHEREAS, the trailer will remain available for the County's needs as well as those of the U.S. Forest Service.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners authorizes the Director of Purchasing to convey Unit No. 4070, 1957 Standard Trailer Model A670D106, S/N 24800-84 to the City of Ely at no cost.

Unanimously adopted. June 24, 2003. No. 388

**BY COMMISSIONER FAY:**

RESOLVED, the St. Louis County Board hereby authorizes the appropriate County officials to enter into a Software Maintenance and Support Renewal Agreement with SSA Global Technologies for three years beginning July 1, 2003, and ending on June 30, 2006, at a total cost of \$34,379.64 plus Minnesota state sales tax of \$446.94. All costs associated with this Software Maintenance and Support renewal are to be paid out of the MIS Department, Fund 53, Agency 550, Org. ADMN, Object 348.

Unanimously adopted. June 24, 2003. No. 389

Upon motion of Commissioner Fay, supported by Commissioner Kron, the rules were suspended to adopt Resolution No. 390 which was not on the agenda.

**BY COMMISSIONER FAY:**

WHEREAS, the University of Minnesota Extension Service is proposing to create 20 Regional Extension Centers statewide to address critical needs of targeted regions in the State of Minnesota that will be user friendly and technologically advanced; and

WHEREAS, each Center would house 5 to 10 regional Extension educators, a regional director and support staff, designed to enhance the opportunity for learning for all Minnesotans and maximize the quality of the programs that Extension delivers; and

WHEREAS, the St. Louis County Board values the work of Extension and believes that it is in the best interest of the residents of St. Louis County to have two regional offices located in St. Louis County, one in the Northern part and one in the Southern half of the County; and

WHEREAS, location of two regional offices in St. Louis County would be able to contract with current County Extension support staff to insure continuity of programs in St. Louis County;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners hereby requests the University of Minnesota to locate two regional offices in St. Louis County, one in the Northern part and one in the Southern half of the County; and

NOW, THEREFORE, BE IT FURTHER RESOLVED that the St. Louis County Board of Commissioners requests the University of Minnesota to contract with current County Extension staff in St. Louis County for five years to insure continuity of programs in St. Louis County.

Unanimously adopted. June 24, 2003. No. 390

At 10:11 A.M. on Tuesday, June 24, 2003, upon motion of Commissioner Raukar, supported by Commissioner Fay, the Board of County Commissioners adjourned.

Dennis Fink, Chair of the Board  
of County Commissioners

Attest:  
Gordon D. McFaul, County Auditor  
and Ex-Officio Clerk of the Board  
of County Commissioners

(Seal of the County Auditor)

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

219

**OFFICIAL PROCEEDINGS**  
**OF THE**  
**BOARD OF COUNTY COMMISSIONERS**  
**OF ST. LOUIS COUNTY, MINNESOTA**

**JULY, 2003**

**OFFICIAL PROCEEDINGS OF THE MEETING  
OF THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF ST. LOUIS, MINNESOTA,  
HELD ON JULY 1, 2003**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 1st day of July, 2003, at 9:30 A.M. in the County Board Room, Courthouse, Duluth, Minnesota. The meeting was called to order by the Chair with the following members present: Commissioners Joanne Fay, Bill Kron, Mike Forsman, Peg Sweeney, Keith Nelson, Steve Raukar, and Chair Dennis Fink - 7. Absent: None.

Chair Fink began the meeting by sharing some historical facts from Minnesota's history.

Commissioner Nelson thanked the Sheriff and his staff and the Chisholm Police for their hard work during the search for five-year old Leanna Warner of Chisholm.

Commissioner Sweeney presented the Clean Water Partner for the 21st Century, Certification of Recognition, to the Public Health Department. Dale Schroeder accepted the certification on behalf of the Health Department.

Chair Fink opened the meeting to persons who wanted to address the Board concerning issues not on the agenda, but no one chose to do so.

Commissioner Sweeney, supported by Commissioner Fay, moved to authorize the Purchasing Department to convey surplus vehicles from Chris Jensen Health and Rehabilitation to the South St. Louis County Fair Association at no cost. Commissioner Nelson and Chair Fink supported auctioning the vehicles to raise needed funds for Chris Jensen. Commissioner Raukar noted the North St. Louis County Fair also has occasional need for equipment and he hoped there would be some asset sharing when feasible. After further discussion, the resolution was approved; five yeas - two nays, Commissioner Nelson and Chair Fink. Resolution No. 426.

Commissioner Forsman, supported by Commissioner Raukar, moved to suspend the rules to consider final plat approval of Royalty Division, located in Lot 7, Block 3, Kings Court (Normanna Township); seven yeas - zero nays. Commissioner Forsman, supported by Commissioner Sweeney, moved to grant final approval for Royalty Division; seven yeas - zero nays. Resolution No. 427.

Commissioner Nelson, supported by Commissioner Raukar, moved to award the contract for S.P. 69-090-03 (Floodwood River Trail) to Landwehr Construction, St. Cloud, MN, on their low bid of \$394,678.17. Marcus Hall, Public Works Director, asked the Board to table the matter until the

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

220

July 22, 2003, Board meeting to allow time for Floodwood to determine if local funding is available because the low bid exceeded the engineer's estimate by 6.23 percent. Commissioner Raukar, supported by Commissioner Sweeney, moved to table the matter until July 22, 2003; seven yeas - zero nays.

Commissioner Sweeney, supported by Commissioner Raukar, moved to authorize purchase of eight tandem truck and cab units from North Star International at the state contract price. Public Works Director Hall said information he presented last week at Committee of the Whole was incorrect and local vendors had not been contacted this year about interest in bidding against the state contract. Director Hall said there would be time to secure the state contract prices if the vehicle purchases are opened to bids. Daryl Forti, Fleet Manager for Public Works, said even if the vehicles are bid, the state contract will likely be lower. Commissioner Raukar withdrew his support and the motion died. Commissioner Raukar, supported by Commissioner Nelson, moved to have the vehicles put out for bid. Commissioner Sweeney offered a friendly - accepted by the makers - to authorize purchase of the vehicles under the state contract if bids for similar vehicles come in high. After further discussion, Commissioner Forsman offered a friendly amendment - also accepted by the makers - to include in the bid specifications a provision that all maintenance is performed within St. Louis County. The amended resolution was then approved; seven yeas - zero nays. Resolution No. 428.

Commissioner Nelson, supported by Commissioner Kron, moved to authorize offering the unused Willow Street Public Works garage (located in Duluth) for sale at 9:35 A.M. on Tuesday, August 12, 2003. Tony Mancuso, Property Manager, said buyers have expressed interest in a quick sale. Commissioners Sweeney and Raukar expressed concern about the sale because the Sheriff stores off-season equipment (snowmobiles in summer, boats in winter) in the facility. After further discussion, the resolution was approved; seven yeas - zero nays. Resolution No. 429.

The following Board and Contract Files were created as a result of documents received at this Board meeting:

Sales of County fee land for 2003.--58095

Architectural Services Agreement between the County of St. Louis and Architectural Resources, Inc., for the Hibbing Annex remodeling.--03-562

Agreement for Internship between the County of St. Louis, through its Department of Public Health, and the University of Minnesota, School of Medicine/School of Public Health for public health internship experience for university students.--03-563

Employee Safety & Development Training Contract between St. Louis County and Susan Mattis Turnham for *GroupWise Intermediate* session.--03-564

Employee Safety & Development Training Contract between St. Louis County and the Center for Policy, Planning and Performance for *Increasing Resiliency: Being Agile During Extraordinary Times* session.--03-565

Upon motion of Commissioner Kron, supported by Commissioner Forsman, Resolutions No. 392 through 425, as submitted to this Board on the Consent Agenda were unanimously adopted as follows:

**BY COMMISSIONER KRON:**

RESOLVED, that pursuant to the recommendations of the Tax Committee, the applications of the

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

221

following named persons and firms for reduction and correction of assessed valuations and taxes in the following amounts plus on those abatements of penalty and interest, any additional accrual to the date of this resolution, on file in the office of the County Auditor, identified as County Board File No. 58013, are hereby approved:

Real Estate - Joseph Baber, \$843.54; Robert Boisjoli, \$116.46; Francis Cappo, \$564.36; Steven Carlson, \$258.28; City of Duluth, \$95.04; James Hampton, \$244.42; Gregg M. Hennek, \$104.36; Lance Johnson, \$70.64; Todd Johnson, \$368.96; Wade Kassing, \$589.90; Kevin Kemp, \$520.66; Roger Klaven, \$561.12; Sarah Kokal, \$482.70; Daniel Lepisto, \$940.84; Dennis Nelson, \$786.60; Leslie Nilsson, \$472.18; Elizabeth Noreen, \$189.60; Peter Novoselac, \$23.64; Corrine Olson, \$549.10; Alan Roswold, \$567.88; Raymond Scarlett, \$274.76; Paula Schaeftbauer, \$1,170.22; William Soderlind, \$286.28; State of MN, \$1.80; State of MN - DNR, \$2,517.54; Rev. Dan Stone, \$2,476.38; John Syck, \$97.26; Lavern Young, \$3,759.17.

Adopted July 1, 2003. No. 392

RESOLVED, that pursuant to St. Louis County Ordinance No. 51, the application for license to sell tobacco products, at retail, on file in the office of the County Auditor, identified as County Board File No. 57994, is hereby approved and the County Auditor is authorized to issue the license as follows;

RESOLVED FURTHER, that if named licenseholder sells their licensed business, the County Board, at its discretion, may, after an investigation, transfer the license to a new owner, but without pro-rated refund to the licenseholder:

Hi Banks Resort, Inc., d/b/a Hi Banks Resort, Fredenberg Township, Tobacco Products License No. T03184, transfer.

Adopted July 1, 2003. No. 393

RESOLVED, that pursuant to the provisions of Minnesota Statutes, Section 340A, as amended, and Rules and Regulations adopted by this Board under St. Louis County Ordinance No. 28, dated May 22, 1978, as amended, the following application for a 3.2 percent malt liquor license is hereby approved, on file in the office of the County Auditor, identified as County Board File No. 58039; FURTHER RESOLVED, that said license is approved contingent upon the licenseholder paying real estate or personal property taxes when due;

FURTHER RESOLVED, that if named licenseholder sells their licensed place of business, the County Board, at its discretion, may, after an investigation, transfer the license to a new owner, but without pro-rated refund of the license fee to the licenseholder;

FURTHER RESOLVED, that said license shall be effective through June 30, 2004:

Hi Banks Resort, Inc., d/b/a Hi Banks Resort, Fredenberg Township, On/Off-Sale 3.2 Percent Malt Liquor License No. B0462, transfer.

Adopted July 1, 2003. No. 394

RESOLVED, that pursuant to the provisions of Minnesota Statutes, Section 340A, as amended, and Rules and Regulations adopted by this Board under St. Louis County Ordinance No. 28, dated May 22, 1978, as amended, the following application for a permit authorizing the consumption and display of intoxicating liquor is hereby approved, on file in the office of the County Auditor, identified as County Board File No. 58033:

Hi Banks Resort, Inc., d/b/a Hi Banks Resort, Fredenberg Township, Permit No. S0416, transfer.

Adopted July 1, 2003. No. 395

RESOLVED, that the St. Louis County Board of Commissioners appoints the following individuals to serve two-year terms beginning July 1, 2003, and ending June 30, 2005, as members of the Children's Local Mental Health Coordinating Council (LCC):

Membership Recommendations for the LCC

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

222

<u>Membership Category</u>	<u>Recommended Members</u>
* Representative(s) of Social Services	Janet Eichholtz Mark Snyder
* Representative(s) of Tribal Authorities (*Membership category required by statute) Adopted July 1, 2003. <u>No. 396</u>	Frank Connor

RESOLVED, the following citizens be reappointed by the St. Louis County Board to serve two-year terms on the Social Service Advisory Committee:

<u>Committee Member</u>	<u>Term Dates</u>
Carolyn Johnson	July 1, 2003 - June 30, 2005
Karen Hunt	July 1, 2003 - June 30, 2005
Pam Leonard	July 1, 2003 - June 30, 2005
Shelley Robinson	July 1, 2003 - June 30, 2005

The following citizens be appointed by the St. Louis County Board as new members on the Social Service Advisory Committee:

<u>Committee Member</u>	<u>Term Dates</u>
Cindy Lustig	July 1, 2003 - June 30, 2005
Robert Lore	July 1, 2003 - June 30, 2004

Adopted July 1, 2003. No. 397

RESOLVED, that the County Board:

**Non-Residential** Authorizes amendments to contracts with the following providers for the purchase of non-residential chemical dependency services at the service rates listed below for the period July 1, 2003, through December 31, 2003:

<u>Service Provider</u>	<u>Service Rate</u>
<u>Arrowhead Center, Inc.</u> Adult and Youth Outpatient Treatment	\$35.33 per hour
<u>Duluth Bethel Society</u> Bethel Outpatient Center-Outpatient Treatment	\$26.25 per hour
<u>University Medical Center-Mesabi</u> Adult and Youth Evening	\$35.69 per hour
Day	\$35.69 per hour
<u>Miller-Dwan Medical Center</u> Adult Evening	\$29.17 per hour
Adult Day	\$27.03 per hour
Adolescent	\$75.67 per hour
Adult Extended Care	\$26.01 per hour
<u>Center for Alcohol and Drug Treatment</u> First Step	\$22.43 per hour
Phase 1	\$28.35 per hour
Relapse Outpatient	\$28.35 per hour
Project Recovery	\$28.35 per hour
Combined Relapse	\$28.35 per hour

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

223

Mental Illness/Chemical Dependency	\$28.35 per hour
Lake Superior Region Adolescent	\$28.35 per hour
AJC Adolescent Treatment	\$28.35 per hour
1:1 Treatment	\$28.35 per hour
Motivational Enhancement/Individual	\$28.35 per hour
Sex Offenders with Chemical Dependency	\$28.35 per hour
Women's Day Treatment	\$28.35 per hour

**Residential** Authorizes amendments to contracts with the following residential chemical dependency treatment service providers at the service rates listed below for the period July 1, 2003, through December 31, 2003:

	<u>Service Rate</u>
<u>Miller-Dwan Medical Center</u>	
Residential	
Adult	\$308.97 per day
Adolescent	\$308.97 per day
<u>University Medical Center-Mesabi/Range Mental Health Center</u>	
Residential	
Adult	\$273.07 per day
Youth	\$273.07 per day
<u>Center for Alcohol and Drug Treatment</u>	
Residential	
Adult	\$278.33 per day

**Half-Way House** Authorizes amendments to contracts with the following halfway house service providers at the service rates listed below for the period July 1, 2003, through December 31, 2003:

	<u>Service Rate</u>
<u>Minnesota Indian Primary Residential Treatment Center, Inc.</u>	
Thunderbird House	\$29.17 per day
Wren House	\$29.17 per day
<u>Center for Alcohol and Drug Treatment</u>	
Howard Friese	\$70.36 per day
Marty Mann	\$70.36 per day
<u>Duluth Bethel Society</u>	
Port	\$64.74 per day
<u>Arrowhead Center, Inc.</u>	
Arrowhead Recovery House	\$67.37 per day

**Extended Care** Authorizes an amendment to the contract with the Duluth Bethel Society for extended care services at the service rate listed below for the period July 1, 2003 through December 31, 2003:

	<u>Service Rate</u>
<u>Duluth Bethel Society</u>	
Extended Care Treatment	\$113.32 per day

**FUNDING:**  
Budget Reference:  
Expenditures:

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

224

Fund 04 Social Service, Agency SSV Social Services, Org. 2700 CD Services, Object 3590 Consolidated Chemical Dependency/Treatment  
Revenue 0020 Local Property Tax  
Adopted July 1, 2003. No. 398

RESOLVED, that the St. Louis County Board of Commissioners approves an addendum to Purchase of Service Contract No. 13489 with the Mesabi Academy of KidsPeace to add a Short-Term Residential Care and Secure Care Program effective July 1, 2003, at a per diem rate of \$135.

**FUNDING:**

Budget Reference:

Fund 04 Social Service, Agency SSV Social Services, Expense Objects 4830 Rule 5 Child Residential Treatment & 1850 Correctional Facilities Child  
Revenue 9102 Title IV-E Cost of Care & 0020 Local Taxes - Current  
Adopted July 1, 2003. No. 399

RESOLVED, that the County Board of Commissioners hereby accepts the home care evaluation of the services provided by the Public Health Nursing Division of the St. Louis County Department of Public Health conducted by the Public Health Advisory Committee for 2002.  
Adopted July 1, 2003. No. 400

RESOLVED, that the County Board of Commissioners authorizes the St. Louis County Department of Public Health be included in the Minnesota Department of Health's grant application to the U.S. Department of Health and Human Service's "Steps to a Healthier US" initiative.  
Adopted July 1, 2003. No. 401

WHEREAS, the St. Louis County Board of Commissioners established the Individual Sewage Treatment Systems Loan Ordinance No. 49 on September 2, 1997, in an effort to protect public health and the environment.

WHEREAS, the Individual Treatment Systems Ordinance No. 49 helps individuals throughout the county finance the correction of failing Individual Sewage Treatment Systems.

WHEREAS, on June 10, 2003, the St. Louis County Board of Commissioners approved amendments to the Individual Sewage Treatment Systems Ordinance No. 49 which establishes a Septic Loan Committee to review and approve ISTS loan applications.

WHEREAS, on June 10, 2003, the St. Louis County Board of Commissioners adopted the Septic Loan Program Policy which specifies the membership of the Septic Loan Committee as follows:

- One member from the Soil and Water Conservation District
- One member from the Natural Resources Conservation District
- The Director of the Laurentian Resource Conservation and Development
- One member from the St. Louis County Planning Department
- One member from the St. Louis County Planning Commission
- Two St. Louis County Environmental Health Specialists (one North and one South)

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners hereby appoints the following members to serve on the Septic Loan Committee:

- Mark Lindhorst - Soil and Water Conservation District
- Marge Sella - Natural Resources Conservation District
- Steve Kluess - Laurentian Resource Conservation and Development
- Barbara Hayden - St. Louis County Planning Department
- Paula Bloczynski - St. Louis County Planning Commission
- Tyler Lampella - Environmental Health Specialist (North)
- Ed Kerzinski - Environmental Health Specialist (South)

Adopted July 1, 2003. No. 402

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

225

RESOLVED, that 1.0 FTE Information Specialist III and related budget items for the Nursing Home Business Office Unit is hereby transferred from the Public Health Department (Fund 01, Agency 210, Org. 210) to the Chris Jensen Health and Rehabilitation Department (Fund 64A, Agency N71, Org. 9100), effective June 28, 2003.

RESOLVED FURTHER, that 1.0 FTE Information Specialist I be reduced from the Public Health Department budget (Fund 01, Agency 210, Org. 210).

Adopted July 1, 2003. No. 403

RESOLVED, the St. Louis County Board of Commissioners hereby authorizes the Chair of the Board, the County Auditor, and the County Attorney's Office to execute a purchase agreement and subsequent transfer documents, for the sale of County fee land described as the West 1/2 of Lot 5 and East 1/2 of Lot 6, Block 14, in the City of Tower, to the City of Tower at the sale price of \$4,900.

Adopted July 1, 2003. No. 404

RESOLVED, that pursuant to Minnesota Statutes 349.213, Subdivision 2, the St. Louis County Board of Commissioners hereby approves the following Premises Permit application, on file in the office of the County Auditor, identified as County Board File No. 58051, for the following organization:

Gnesen Volunteer Fire Department Relief Association to conduct annual off-site gambling on October 18, 2003, raffles, Gnesen Township.

Adopted July 1, 2003. No. 405

RESOLVED, that pursuant to Minnesota Statutes 349.213, Subdivision 2, the St. Louis County Board of Commissioners hereby approves the following Premises Permit application, on file in the office of the County Auditor, identified as County Board File No. 58051, for the following organization:

Hibbing Youth Hockey Association to operate out of Bil Mars Supper Club, Unorganized Township 55-21, renewal.

Adopted July 1, 2003. No. 406

WHEREAS, St. Louis County is the lead entity and fiscal agent of the five-county Northeast Minnesota HOME Consortium comprised of Cook, Lake, Koochiching, Itasca, and St. Louis Counties, and has received the 2003 HOME Program funds under the HOME Investment Partnership Act, Title II of the National Affordable Housing Act of 1990, for the purpose of carrying out eligible housing activities under the Act; and

WHEREAS, assistance to first time home buyers, rehabilitation of existing single family housing units, and creation of permanent housing units are identified in the Consolidated Plan as critical components of a comprehensive housing strategy; and

WHEREAS, the Consortium desires to allocate \$567,366 of 2003 HOME funds to Community Housing Development Organizations to carry out permanent housing activities through the rehabilitation of existing housing, assistance to first time home buyers, and through construction of new housing units.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board does hereby authorize the appropriate County officials to execute agreements between St. Louis County and the following:

Arrowhead Economic Opportunity Agency

Home Ownership Assistance	
And Single Family Rehabilitation Programs	\$125,000
CHDO Set Aside Activities	265,000
CHDO Operating	24,913

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

226

Administration	<u>29,000</u>
Subtotal	\$443,913
<u>KOOTASCA Community Action, Inc.</u>	
CHDO Set Aside Activities	\$100,000
CHDO Operating	12,720
Administration	<u>10,733</u>
Subtotal	\$123,453
Total	<u>\$567,366</u>

RESOLVED FURTHER, disbursements relative to the above HOME Agreements will be made from Fund 11, HOME Program.

Adopted July 1, 2003. No. 407

RESOLVED, that the MIS Department is authorized to enter into an agreement with Enventis, Inc., for the provision of a 10Mbps service of digital data communications bandwidth at their quoted rate of \$1,100 for sixty months.

FURTHER RESOLVED, that the MIS Department is authorized to amend this agreement to add additional bandwidth as needed without further County Board action provided that the needed changes have been anticipated and sufficient funds exist with the MIS Telecommunications budget to cover the additional costs. All increased costs have been anticipated and budgeted for in the existing MIS Telecommunications budget, Fund 55, Agency C11, Object 221.

Adopted July 1, 2003. No. 408

RESOLVED, that the St. Louis County Board authorizes the Court Administrator to delete 1.0 FTE Information Specialist III position, Pay Grade 14-16, and add 1.0 FTE Information Specialist II, Pay Grade 10-12.

Adopted July 1, 2003. No. 409

RESOLVED, the St. Louis County Board of Commissioners hereby appoints Margaret Taylor of Midway Township to the Community Development Block Grant Advisory Board representing the Southern Township position with the term ending December 31, 2005.

Adopted July 1, 2003. No. 410

WHEREAS, St. Louis County and the Fond du Lac Band of Lake Superior Chippewa have a common interest to protect the public safety within that portion of the Fond du Lac Reservation that lies within St. Louis County; and

WHEREAS, St. Louis County recognizes the law enforcement efforts of the Fond du Lac Band Police Department and the County desires to continue a role of support and assistance for the Fond du Lac Police; and

WHEREAS, St. Louis County desires to provide technical support to the Fond du Lac Band by authorizing Band Police to utilize the County's 911 radio dispatch system; providing the Band with investigative assistance as needed, and providing additional patrols by the Sheriff's Office in those areas of the Fond du Lac Reservation within St. Louis County;

NOW, THEREFORE, BE IT RESOLVED, The St. Louis County Board of Commissioners accepts the cooperative agreement with the Fond du Lac Band of Lake Superior Chippewa and authorizes the Sheriff and County Auditor to execute any required agreements; and

RESOLVED FURTHER, The St. Louis County Board of Commissioners authorizes the Sheriff to accept the compensation of \$100,000, paid quarterly, and that it be allocated to Fund 01, General Fund, Agency 091, Sheriff, Org. RESD; and

RESOLVED FURTHER, that this cooperative agreement be approved as to form and content by the County Attorney.

Adopted July 1, 2003. No. 411

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

227

WHEREAS, the Emergency Management Performance Grant (EMPG) supports the renewal of a commitment to a shared civil defense program by local, state and federal authorities; and  
WHEREAS, St. Louis County makes application annually for emergency management funds; and  
WHEREAS, the EMPG is provided by the Federal Emergency Management Agency (FEMA) and administered by the State of Minnesota, through the Department of Public Safety, Division of Emergency Management; and

WHEREAS, St. Louis County has applied for Emergency Management Assistance; and  
WHEREAS, the St. Louis County EMPG allocation for FFY 2003 is yet to be determined.

NOW, THEREFORE, BE IT RESOLVED, that St. Louis County fully agrees to the terms of the EMPG Application and sub-grant agreement with the passage of this resolution, and officially requests the Division of Emergency Management to enforce the sub-grant agreement in accordance with the applicable rules and regulations.

BE IT FURTHER RESOLVED, that the Chair of the County Board and the County Sheriff are authorized to submit the application.

Adopted July 1, 2003. No. 412

RESOLVED, the St. Louis County Board of Commissioners authorizes the St. Louis County Sheriff's Office to apply for a COPS Homeland Security Overtime Grant of up to \$100,000, of which there is a 25 percent cash match, from the U.S. Department of Justice, Office of Community Policing Services.

Adopted July 1, 2003. No. 413

RESOLVED, that the St. Louis County Board authorizes the St. Louis County Sheriff's Office to apply for a COPS in Schools 2003 Grant funded by the U.S. Department of Justice, Office of Community Oriented Policing Services.

Adopted July 1, 2003. No. 414

RESOLVED, the St. Louis County Board of Commissioners accepts the 2002 State Weapons of Mass Destruction Training Grant in the amount of up to \$72,900, and authorizes the Sheriff to sign any associated contract documents.

RESOLVED FURTHER, the St. Louis County Board of Commissioners authorizes the Sheriff to expend these funds in compliance with the terms of the grant contract.

RESOLVED FURTHER, that funds will be made payable to and authorizes expenditure of the funds from Fund 01, Agency 91, Org. DPG1.

Adopted July 1, 2003. No. 415

RESOLVED, that the St. Louis County Board of Commissioners accepts the 2002 State Domestic Preparedness Equipment Grant and authorizes the Sheriff to sign any associated contract documents.

RESOLVED FURTHER, that the St. Louis County Board of Commissioners authorizes the Sheriff and appropriate county staff to expend these funds in compliance with the terms of the grant contract.

RESOLVED FURTHER, that the St. Louis County Board of Commissioners authorizes that the Sheriff may provide equipment, purchased through the grant, to other public and private first responder organizations who would be an integral part in response to a weapons of mass destruction incident providing the public or private entity pays the required 25% local match.

RESOLVED FURTHER, that funds will be made payable to and authorizes expenditure of the funds from Fund 01, Agency 91, Org. DPG1.

Adopted July 1, 2003. No. 416

RESOLVED, the St. Louis County Board of Commissioners accepts the 2002 Federal Domestic Preparedness Equipment Grant and authorizes the Sheriff to sign any associated contract

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

228

documents.

RESOLVED FURTHER, the St. Louis County Board of Commissioners authorizes the Sheriff and appropriate county staff to expend these funds in compliance with the terms of the grant contract. RESOLVED FURTHER, the St. Louis County Board of Commissioners authorizes that the Sheriff may provide equipment, purchased through the grant, to other public and private first responder organizations who would be an integral part in response to a weapons of mass destruction incident. RESOLVED FURTHER, that funds will be made payable to and authorizes expenditure of the funds from Fund 01, Agency 91, Org. DPG1.  
Adopted July 1, 2003. No. 417

WHEREAS, CP Telcom is a local exchange carrier providing telephone service in the Duluth area, including 9-1-1 telephone service; and  
WHEREAS, a 9-1-1 Agreement between Braafladt LLC, d/b/a CP Telcom, St. Louis County and the State of Minnesota is required to reflect CP Telcom's participation in the County's 911 Plan and specify costs associated with interconnections to the County's 9-1-1 system; and  
WHEREAS, the County's 9-1-1 System User Board and Emergency Communications Department recommend approval of the 9-1-1 Agreement.  
NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners hereby authorizes the Chair of the Board and County Auditor, with approval by the County Attorney, to approve the 9-1-1 Agreement with the State of Minnesota and Braafladt LLC, d/b/a CP Telcom, which identifies CP Telcom as a 9-1-1 telephone service provider in St. Louis County and specifies costs associated with interconnection to the County's 9-1-1 system to be paid by the State of Minnesota, Department of Administration.  
Adopted July 1, 2003. No. 418

RESOLVED, that a public hearing will be held at 9:35 A.M. on August 12, 2003, in the St. Louis County Courthouse, Duluth, Minnesota, for the purpose of considering the granting of an Off-Sale Intoxicating Liquor License to Knutson & Son, Inc., d/b/a Jim's Ash Trail Store, Unorganized Township 68-21.  
Adopted July 1, 2003. No. 419

RESOLVED, that the County Board hereby approves the planned closure of 15 beds from Chris Jensen Nursing Home and authorizes Administration to notify the Minnesota Department of Human Services of the closure and to take all necessary steps to comply with the closure notification requirements.  
Adopted July 1, 2003. No. 420

WHEREAS, bids have been received by the County Auditor for the following project:  
M.P. 955-1258 (low), C.R. 955 (Butler Road), from C-SAH 101 (Hwy. 101) to C-SAH 102 (Maxwell Road); length 2.18 miles; M.P. 657-1456, C.R. 657 (Southern Drive), from C-SAH 7 to 0.58 miles east in Virginia, MN; length 0.58 miles; and M.P. 6705-3599, T.R. 6705 (Scout Camp Road), from C.R. 957 (E. Townline Road) to 1300 feet West of C.R. 536 in Fayal Township; length 1.77 miles. Project to consist of Bituminous Reclamation, Aggregate Surfacing, Bituminous Surfacing, and Aggregate Shoulders;  
WHEREAS, said bids or proposals were duly opened in the County Board Room at 10:00 A.M., June 23, 2003, and this Board has, with the County Highway Engineer, determined the lowest bidder of said project for which proposals were invited and submitted; and  
WHEREAS, in the judgment of this Board it is for the best interest of St. Louis County that the award of said contract be made to the lowest bidder.  
NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of St. Louis County, Minnesota, in regular session duly convened, that they hereby approve the award of contract on the above project to the lowest bidder:

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

229

<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
Hardrives, Inc.	2372 N. Yoki Rd. Zim, MN 55738	\$520,265.51

RESOLVED FURTHER, that the Chairman of the County Board, the County Auditor, and the County Attorney, on behalf of the County of St. Louis, are hereby authorized to approve the Contractor's Performance Bonds and to execute the bonds and contracts with the Contractor for the above listed project; Fund 02, Agency A17, Org. 1258, Object 528 (\$265,317.42); Fund 02 Agency A17, Org. 1456, Object 528 (\$118,199.92); and Fund 02, Agency A17, Org. 3599, Object 528 (\$136,748.17) (to be reimbursed by Fayal Township).  
Adopted July 1, 2003. No. 421

WHEREAS, bids have been received by the County Auditor for the following project:  
M.P. 583-1255 (low), C.R. 583 (Virginia-Ely Road), from C-SAH 21 to C.R. 795 (Lenont Road); length 2.03 miles; M.P. 795-1256, C.R. 795 (Lenont Road), from C.R. 583 to C.R. 904; length 0.48 miles; and M.P. 904-1257, C.R. 904, from C.R. 795 to C.R. 490 (West Bear Island Lake Road), length 2.29 miles. Construction to consist of Bituminous Reclamation, Aggregate Base, Bituminous Surface, and Aggregate Shoulders;  
WHEREAS, said bids or proposals were duly opened in the County Board Room at 10:00 A.M., June 23, 2003, and this Board has, with the County Highway Engineer, determined the lowest bidder of said project for which proposals were invited and submitted; and  
WHEREAS, in the judgment of this Board it is for the best interest of St. Louis County that the award of said contract be made to the lowest bidder.  
NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of St. Louis County, Minnesota, in regular session duly convened, that they hereby approve the award of contract on the above project to the lowest bidder:

<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
Hawkinson Construction, Inc.	P.O. Box 278 Grand Rapids, MN 55744	\$414,171.11

RESOLVED FURTHER, that the Chairman of the County Board, the County Auditor, and the County Attorney, on behalf of the County of St. Louis, are hereby authorized to approve the Contractor's Performance Bonds and to execute the bonds and contracts with the Contractor for the above listed project; payable from Fund 2, Agency A17, Org. 1255, Object 528 (\$187,001.26); Fund 02A, Agency A17, Org. 1256, Object 528 (\$43,521.65) and Fund 02A, Agency A17, Org. 1257, Object 528 (\$183,648.20).  
Adopted July 1, 2003. No. 422

WHEREAS, bids have been received by the County Auditor for the following project:  
S.P. 69-090-13, Minnesota Project No. HPP MN49(104), Mesabi Trail, between Indiana Ave. and OHV Recreation Area in Gilbert, MN; length 1.489 miles. Construction to consist of Multi-Use Trail Construction, Surface, Grade, Aggregate Base, Bituminous Surface;  
WHEREAS, said bids or proposals were duly opened in the County Board Room at 10:00 A.M., June 23, 2003, and this Board has, with the County Highway Engineer, determined the lowest bidder of said project for which proposals were invited and submitted; and  
WHEREAS, in the judgment of this Board it is for the best interest of St. Louis County that the award of said contract be made to the lowest bidder.  
NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of St. Louis County, Minnesota, in regular session duly convened, that they hereby approve the award of contract on the above project to the lowest bidder (subject to proper authorization of the contract, including the Minnesota Department of Transportation, EEO Office), and the securing of the local

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

230

funds needed for the projects.

<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
Mesabi Bituminous, Inc.	P.O. Box 728 Gilbert, MN 55741	\$189,401.25

RESOLVED FURTHER, that the Chairman of the County Board, the County Auditor, and the County Attorney, on behalf of the County of St. Louis, are hereby authorized to approve the Contractor's Performance Bonds and to execute the bonds and contracts with the Contractor for the above listed project; payable from Fund 08A, Agency 525, Org. 3627, Object 525, reimbursed with Federal & Local Funds (St. Louis & Lake Counties Regional Rail Authority).

Adopted July 1, 2003. No. 423

WHEREAS, the County of St. Louis is planning on implementing additional County State-Aid Highway Projects in 2003 which will require State Aid funds in excess of those available in its State Aid Regular Construction Account; and

WHEREAS, said County is prepared to proceed with the construction of said projects through the use of advance encumbrances from the General State Aid Construction Account to supplement the available funds in their State Aid Regular Construction Account; and

WHEREAS, repayment of the funds so advanced will be made in accordance with the provisions of Minnesota Statutes 162.08, Subdivision 7, and Minnesota Rules, Chapter 8820.

NOW, THEREFORE, BE IT RESOLVED, that the Commissioner of Transportation is hereby requested to approve this advance for financing approved County State Aid Highway Projects of St. Louis County in an amount up to \$7.0 Million in accordance with Minnesota Rules 8820.1500, Subparagraph 9, and to authorize repayments from the following year's accruals to the Regular Construction Account of the County State Aid Highway Fund for said County.

Adopted July 1, 2003. No. 424

NOW, THEREFORE, BE IT RESOLVED, the County Board requests that the Civil Service Director develop and classify a job description for Internal Auditor forthwith; and

BE IT FURTHER RESOLVED, the County Auditor staff complement is increased by one (1) FTE Internal Auditor and reduced by two (2) FTE Information Specialist I (Accounting) and one (1) FTE Information Specialist III positions as of August 1, 2003.

Adopted July 1, 2003. No. 425

**BY COMMISSIONER SWEENEY:**

WHEREAS, Chris Jensen Health and Rehabilitation Center has the following surplus equipment scheduled for disposal through auction:

- 1989 Dodge Ram Charger
- 1979 4WD pickup with plow
- 1969 International dump truck with plow
- Ford Model 5000 tractor with loader

WHEREAS, the South St. Louis County Fair Association has expressed an interest in acquiring the above equipment through a conveyance from the County Board; and

WHEREAS, the St. Louis County Board of Commissioners wishes to convey the above equipment to the South St. Louis County Fair Association for use at the South St. Louis County Fairgrounds.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners authorizes the Director of Purchasing to convey the above equipment to the South St. Louis County Fair Association at no cost.

Yeas - Commissioners Fay, Kron, Forsman, Sweeney, and Raukar - 5

Nays - Commissioner Nelson and Chair Fink - 2

Adopted July 1, 2003. No. 426

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

231

Upon motion of Commissioner Forsman, supported by Commissioner Raukar, the rules were suspended to adopt Resolution No. 427 which was not on the agenda.

**BY COMMISSIONER FORSMAN:**

WHEREAS, the St. Louis County Planning Commission on March 13, 2003, granted preliminary approval of Royalty Division, then known as a Rearrangement of Lot 7, Block 3, Plat of Kings Court; and

WHEREAS, the final prints have been submitted and conform with the requirements set forth by the Planning Commission. The County Attorney, County Surveyor, Recorder's Office, and Planning Department have approved the plat.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners grants final approval to Royalty Division located in Lot 7, Block 3, Kings Court, Town of Normanna. Unanimously adopted. July 1, 2003. No. 427

**BY COMMISSIONER RAUKAR:**

WHEREAS, the St. Louis County Public Works Department budget includes replacement of eight (8) tandem truck cab and chassis units for snow and ice control; and

WHEREAS, it was determined that appropriate vehicles are available on the State Contract through July 31, 2003.

NOW, THEREFORE, BE IT RESOLVED, that the Director of Purchasing is directed to solicit bids for provision of eight (8) tandem trucks.

RESOLVED FURTHER, the Director of Purchasing is directed to include in the bid specifications a provision that all maintenance be performed within St. Louis County.

RESOLVED FURTHER, if requested bids exceed the State Contract price for the similarly specified truck, the Director of Purchasing is authorized to issue a purchase order for eight (8) International model 7600 tandem truck and cab chassis units to North Star International Trucks, Inc., at the State Contract purchase price with non-contract options of \$511,086, plus an additional \$33,220.59 state sales tax, for a total price of \$544,306.59, payable from Fund 02, Agency A14, Object 663.

Unanimously adopted. July 1, 2003. No. 428

**BY COMMISSIONER NELSON:**

RESOLVED, the St. Louis County Board of Commissioners hereby authorizes the Property Management Director and the Director of Public Works to offer the Willow Street facility located at 24 East Willow Street for sale pursuant to the requirements and procedures of Minnesota Statutes, Section 373.01.

RESOLVED FURTHER, the Board hereby establishes the time for proposal opening to be at 9:35 A.M. on Tuesday, August 12, as part of the County Board meeting in the Duluth Courthouse.

Unanimously adopted. July 1, 2003. No. 429

At 10:18 A.M. on Tuesday, July 1, 2003, upon motion of Commissioner Kron, supported by Commissioner Raukar, the Board of County Commissioners adjourned.

Dennis Fink, Chair of the Board  
of County Commissioners

Attest:  
Gordon D. McFaul, County Auditor  
and Ex-Officio Clerk of the Board  
of County Commissioners

(Seal of the County Auditor)

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

232

**OFFICIAL PROCEEDINGS OF THE MEETING  
OF THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF ST. LOUIS, MINNESOTA,  
HELD ON JULY 8, 2003**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 8th day of July, 2003, at 9:30 A.M. in the County Board Room, Courthouse, Duluth, Minnesota. The meeting was called to order by the Chair with the following members present: Commissioners Joanne Fay, Bill Kron, Mike Forsman, Peg Sweeney, Keith Nelson, Steve Raukar, and Chair Dennis Fink - 7. Absent: None.

Chair Fink opened the meeting by sharing historical facts from Minnesota's history.

Commissioner Nelson read a proclamation commemorating the Town of Cotton's bicentennial celebration which runs from July 18 - 21, 2003. The following representatives from the Town of Cotton were present: Jim Lunda, Supervisor; Don Triebwasser, Supervisor; Debbie Leppala; Treasurer; and Sandi Nelson, Clerk.

The Chair opened the meeting to persons who wanted to address the Board concerning issues not on the agenda, but no one chose to do so.

Commissioner Sweeney, supported by Commissioner Kron, moved to authorize a contract with Dascom Systems Group, Inc., for purchase and installation of videoconferencing equipment for the Duluth and Virginia Health Department offices in an amount not to exceed \$39,022. The following persons addressed the issue:

Gary Eckenberg, Administrative Assistant, presented a detailed listing of current teleconferencing equipment usage in Duluth, Hibbing and Virginia.

Dale Schroeder, Health Department, explained the equipment purchase was part of a grant agreement and funds must be encumbered by August 31, 2003. In addition to instructional and other teleconferencing uses, this equipment will facilitate immediate communications with state and federal authorities in the event of a bioterrorism threat or other emergency. Future grant planning is based on purchase of this equipment and, because this is a federal grant, certain restrictions and/or strings are attached to the spending. Schroeder said the equipment will eliminate a significant amount of employee travel time.

Martin Buscombe, MIS Director, in response to questions about the availability of local vendors, said State of Minnesota Intertechnologies Group, which facilitates teleconferencing for local units of government, recommends Dascom as one of two vendors able to provide suitable teleconferencing equipment. This equipment will eventually replace older obsolete equipment currently owned by the County.

David Twa, County Administrator, in response to a comment by Commissioner Forsman, said teleconferencing equipment currently owned by the courts may not be as readily available for County use after the anticipated state takeover in 2005.

Lengthy discussion ensued, with Commissioner Forsman insisting the equipment would be redundant and asking that the grant money be targeted for other needs. Commissioner Nelson asked MIS to provide semiannual usage reports. In response to a question from Commissioner Fay about putting the equipment out for bids, Schroeder said there is not sufficient time because grant funds must be encumbered by the end of August or funds will revert back to the federal government. After further discussion, the resolution was approved; five yeas - two nays, Commissioners Fay and Forsman.

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

233

Resolution No. 452.

At 10:53 A.M. in the afternoon of Tuesday, July 8, 2003, Commissioner Sweeney, supported by Commissioner Raukar, moved to recess the Board until 11:55 A.M. on July 8, 2003, in the Commissioners' Conference Room, Courthouse, Duluth, Minnesota.

The Board reconvened at 2:03 P.M. on July 8, 2003, and the regular order of business resumed with all members present.

Commissioner Raukar, supported by Commissioner Kron, moved to approve a second consent agenda consisting of all items unanimously passed at the just completed Committee of the Whole meeting; seven yeas - zero nays.

Commissioner Sweeney, supported by Commissioner Forsman, moved to approve reclassification of tax forfeited land located in the Town of Cotton to non-conservation and offering the property at a special public sale. Commissioner Fay said the property should be listed on the regular land sale but did not offer an amendment to that effect. After further discussion, the resolution was approved; six yeas - one nay, Commissioner Fay. Resolution No. 468.

The following Board and Contract Files were created as a result of documents received at this Board meeting:

David Twa, County Administrator, and Dave Epperly, Land Commissioner, submitting Board Letter No. 03-340 regarding special public sale of state tax forfeited land.-58096

Sharon Hahn, Executive Director, Associated Contract Loggers & Truckers, inquiring whether St. Louis County would be interested in partnering with another county or counties in putting together a cost effective timber sale they can harvest to raise funds for their organization.-58097

Town of Fairbanks submitting a resolution establishing cartway and award of damages for property located in the W 1/4 of Section 24, Township 56 North, Range 12 West.-58098

Gary Eckenberg, Deputy Administrator, submitting memorandum regarding Video Conferencing Usage Report.-58099

City of Tower submitting their Annual Disclosure of Tax Increment Districts for the Year Ended December 31, 2002.-58100

Jessica Tahja Palmer, City Administrator, City of Floodwood, informing St. Louis County that due to the increase in assessing fees that their City Council signed a contract with another assessor for the 2003-2004 assessing.-58101

Employee Safety & Development Training Contract between St. Louis County and YMCA for *Improve Your Life: Step Up to the Plate of Attitude* session.-03-566

Amendment to Regional Landfill Daily Operations Agreement between the County of St. Louis and Kangas Excavating, Inc.-03-567

Dennis E. Fink, County Board Chairman, submitting a letter of confirmation that St. Louis County has agreed to reopen the 2002-2003 Merit System Supervisory Unit collective bargaining agreement for the limited purpose of amending the agreement for implementation of a Post-Retirement Health Care Savings Plan policy.-03-568

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

234

Dennis E. Fink, County Board Chairman, submitting a letter of confirmation that St. Louis County has agreed to reopen the 2002-2003 Highway Maintenance Division Unit collective bargaining agreement for the limited purpose of amending the agreement for implementation of a Post-Retirement Health Care Savings Plan policy.—03-569

Upon motion of Commissioner Sweeney, supported by Commissioner Raukar, Resolutions No. 430 through 451, as submitted to this Board on the Consent Agenda were unanimously adopted as follows:

**BY COMMISSIONER SWEENEY:**

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of June 24, 2003, are hereby approved.

Adopted July 8, 2003. No. 430

RESOLVED, that the recommendations of the Finance Committee for payment of claims and bills against the County of St. Louis, on file in the office of the County Auditor, identified as County Board File No. 57999, are hereby approved and the County Auditor shall issue checks in the following amounts:

<u>FUND</u>		<u>TOTAL</u>
T11	MN Trail Assistance	\$ 535.96
T21	Beer License	30.00
T27	Refunds	11,500.56
T50	State of Minnesota	84.45
T52	Taxes and Penalties	1,000.00
T74	Employer/Employee Deductions	773,777.16
T77	Cancelled Checks	12,552.18
01	General Fund	780,906.93
02	Public Works	350,481.25
04	Social Services	2,220,872.88
08	County Facilities - Capital Projects	16,860.50
10B	Emer. Shelt. 99/00 Funds	1,129.16
11A	Home Grant - All Years	38,803.59
12B	CDBG Grant	5,798.07
127	Enhanced 9-1-1 Fund	1,982.55
128	Law Library	632.75
129	City/County Comm. Antenna Site	202.77
131	Extension Service	3,602.59
15	Forfeited Tax	57,247.00
16	Forest Resources	233,034.02
26	Solid Waste Authorities	99,758.29
49	Postage/Office Supplies	1,710.82
50	Printing	20,433.48
51	County Garage	22,872.69
52B	Workers Compensation	70,032.01
52D	Medical/Dental Self Insurance	137.36
53	Management Information Systems	127,050.12
54	Regional Railroad Authority	26,153.53
55	Telecommunications	79,517.77
57	Retired Employees Health Insurance	5,028.51
64A	Chris Jensen Health & Rehab.	255,905.09
65	Laundry	33,510.96
66	Community Food Services	9,591.36

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

235

67	Supervised Living Facilities	4,161.48
73	Arrowhead Regional Corrections	255,002.83
74	Community Health Services	79,045.38
85	Patients Trust Fund	<u>55.73</u>
		\$5,601,001.78

Adopted July 8, 2003. No. 431

RESOLVED, that pursuant to the recommendations of the Tax Committee, the applications of the following named persons and firms for reduction and correction of assessed valuations and taxes in the following amounts plus on those abatements of penalty and interest, any additional accrual to the date of this resolution, on file in the office of the County Auditor, identified as County Board File No. 58013, are hereby approved:

Real Estate - Richard Gador, \$366.78; Matthew Kolden, \$615.14; Stephen Krmpotich, \$706.80; Julia Lindula, \$633.08; David Uhlenkott, \$47.88; Edwin Wood, \$605.70.

Adopted July 8, 2003. No. 432

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, as set forth by the County Attorney, dated June 26, 2003, on file in the office of the County Auditor, identified as County Board File No. 57995, is hereby received and ratified as payable from Fund 52, Department 12.

Adopted July 8, 2003. No. 433

RESOLVED, that pursuant to St. Louis County Ordinance No. 51, the application for license to sell tobacco products, at retail, on file in the office of the County Auditor, identified as County Board File No. 57994, is hereby approved and the County Auditor is authorized to issue the license as follows; RESOLVED FURTHER, that if named licenseholder sells their licensed business, the County Board, at its discretion, may, after an investigation, transfer the license to a new owner, but without pro-rated refund to the licenseholder:

Gnesen Convenience Store, LLC, d/b/a Gnesen Convenience Store, LLC, Gnesen Township, Tobacco Products License No. T03186, transfer.

Adopted July 8, 2003. No. 434

RESOLVED, that pursuant to Ordinance No. 28, Section 11, Subdivision 11.06, authorization is hereby granted to El Toro Lounge, Inc., d/b/a El Toro Lounge, Inc., Cotton Township, to sell/serve outside the designated serving area of the County Liquor License for the date of July 19, 2003, as per application on file in the office of the County Auditor, identified as County Board File No. 58004.

Adopted July 8, 2003. No. 435

RESOLVED, that pursuant to Ordinance No. 28, Section 11, Subdivision 11.06, authorization is hereby granted to Brady Miller, d/b/a The Dawghouse Bar & Grill, Northland Township, to sell/serve outside the designated serving area of the County Liquor License for the dates of August 2 and 3, 2003, as per application on file in the office of the County Auditor, identified as County Board File No. 58004.

Adopted July 8, 2003. No. 436

RESOLVED, that pursuant to Ordinance No. 28, Section 11, Subdivision 11.06, authorization is hereby granted to Saginaw Grand Lake Station, LLC, d/b/a Saginaw Grand Lake Station, LLC, Solway Township, to sell/serve outside the designated serving area of the County Liquor License for the date of July 19, 2003, as per application on file in the office of the County Auditor, identified as County Board File No. 58004.

FURTHER RESOLVED, that said license is approved contingent upon Solway Township approval and Health Department approval.

Adopted July 8, 2003. No. 437

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

236

RESOLVED, that pursuant to the provisions of Minnesota Statutes, Section 340A, as amended, and Rules and Regulations adopted by this Board under St. Louis County Ordinance No. 28, dated May 22, 1978, as amended, the following application for an intoxicating liquor license is hereby approved, on file in the office of the County Auditor, identified as County Board File No. 58004; FURTHER RESOLVED, that said license is approved contingent upon licenseholder paying real estate or personal property taxes when due; FURTHER RESOLVED, that if named licenseholder sells their licensed place of business, the County Board, at its discretion, may, after an investigation, transfer the license to a new owner, but without prorated refund of the license fees to the licenseholder; FURTHER RESOLVED, that said license shall be effective through June 30, 2004: M. & T. Wedin, Inc., d/b/a Wooden Table Inn, Unorganized Township 60-19, On-Sale Intoxicating Liquor License No. CMB0477 and Sunday On-Sale Intoxicating Liquor License No. SUN0477, transfer. Adopted July 8, 2003. No. 438

RESOLVED, that the St. Louis County Board of Commissioners authorizes the appropriate county officials to sign agreements with Natasha Tassone and Joanie Gulbranson to provide professional nursing services to Community Alternative Care Client No. 06. Adopted July 8, 2003. No. 439

RESOLVED, that the St. Louis County Board of Commissioners hereby appoints Nickolas G. Bougalis, Hibbing, MN, to the Sewage Treatment Systems Technical Advisory Committee for a term ending December 31, 2005. Adopted July 8, 2003. No. 440

WHEREAS, under the provisions of Minnesota Statutes 282.241, state tax forfeited land may be repurchased by the previous owner subject to payment of taxes and/or assessments and penalties, interest and costs; and WHEREAS, Theodore T. Tammaro, of 5412 Mineral Avenue, Mt. Iron, MN 55768, has applied to repurchase the following parcel: Plat/Parcel Code: 140-70-1480. City of Hibbing, Lots 5 & 6, Block 9, Central Addition to Hibbing; WHEREAS, approving the repurchase will correct undo hardship and promote the use of lands that will best serve the public interest; NOW, THEREFORE, BE IT RESOLVED, that the repurchase application of Theodore Tammaro, on file in County Board File No. 58018, is approved for the property described above, and will be subject to payment including taxes and assessments of \$85,770.64, a repurchase filing fee of \$114.00, a deed tax of \$283.04, a deed fee of \$25.00, and a recording fee of \$20.00; for a total of \$86,212.68. Adopted July 8, 2003. No. 441

WHEREAS, the County Board of Commissioners of the County of St. Louis, State of Minnesota, desires to offer for sale, as recommended by the Land Commissioner, the following parcel of land that has forfeited to the State of Minnesota for non-payment of taxes: In Duluth Proper Second Division, W 1/2 of South 70 feet of Lot 431, Block 85. Parcel No. 10-1140-3970. Appraised value: \$47,000.00. Assessments: \$2,014.71; and WHEREAS, said parcel of land, in County Board File No. 58003, has been classified as non-conservation land as provided for in Minnesota Statutes 282.01; and WHEREAS, said parcel of land is not withdrawn from sale pursuant to Minnesota Statutes 84.012, 92.461, 282.01, Subdivision 8, and 282.018, and other statutes that require the withholding of tax forfeited lands from sale. WHEREAS, the classification and sale of said parcel has been approved by the government subdivision in which it is located. BE IT RESOLVED, the County Auditor is hereby authorized to offer said lands at a special public sale at not less than the basic sale price, plus cleaning costs, in accordance with terms set forth in the Land

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

237

Department Policy No. 5450-1, and in a manner provided for by law.  
BE IT FURTHER RESOLVED, that the St. Louis County Board of Commissioners hereby requests approval from the Commissioner of Natural Resources for the sale of said lands.  
Adopted July 8, 2003. No. 442

RESOLVED, that the Director of Purchasing is hereby authorized to purchase one (1) new (2003 model year) Wilkens Load Runner Model 45119SCGOTW solid waste transfer trailer from Wilkens Industries, Inc., of Morris, MN, at their specification bid price of \$53,948 including options, plus 6.5 percent state sales tax of \$3,506.62, and \$45.00 licensing fee, for a total of \$57,499.62, payable from Fund 26, Agency J36.  
Adopted July 8, 2003. No. 443

RESOLVED, that the appropriate County officials are hereby authorized to enter into Agreement No. 81265 with the Duluth, Missabe, and Iron Range Railway Company and the Commissioner of Transportation for the installation and maintenance of railroad crossing signals at the intersection of C-SAH 97 with the tracks of the Duluth, Missabe, and Iron Range Railway in Gilbert, Minnesota, S.P. 69-00159, and appointing the Commissioner of Transportation agent for the County to supervise said project and administer available Federal Funds in accordance with Minnesota Statute, Section 161.36. The County's share of the cost shall be ten percent of the total signal cost, estimated at \$19,160.00. County Funding (Fund 2, Agency A17, Org. 9294, Object 528).  
Adopted July 8, 2003. No. 444

RESOLVED, that the appropriate County officials are hereby authorized to sign an agreement with the St. Louis and Lake Counties Regional Railroad Authority for S.P. 69-090-16, whereby the Railroad Authority will pay the estimated Railroad Authority local dollar match of 20 percent (\$16,350.00) of the actual project costs of the projects within St. Louis County (estimated at \$86,000.00), and other costs including but not limited to mailing costs and other miscellaneous expenses which may be incurred. The Railroad Authority share will be paid from Fund 08A, Agency 525, Org. 3621, Object 527, and reimbursed with St. Louis and Lake Counties Regional Railroad Funds. Itasca County will be responsible for the project from Nashwauk to Pengilly.  
Adopted July 8, 2003. No. 445

WHEREAS, St. Louis County has in excess of \$184,000,000 in property to insure; and  
WHEREAS, St. Louis County requests proposals on an annual basis for property insurance; and  
WHEREAS, proposals were requested from nineteen insurance companies with three providing acceptable rates for the various coverages required.  
NOW, THEREFORE, BE IT RESOLVED, that the Director of Purchasing is hereby authorized to purchase Property and Related Insurance Coverage on Major Structures from Travelers, American International Group, and Continental-National-American through Otis-Magie Insurance Agency of Duluth, MN, for the period 7-24-03 to 7-24-04 at their annual premium of \$257,221.00 in accordance with Request for Proposal No. 3950, payable from: Fund 52A (Property, Casualty, Liability), Agency P11 (Property, Casualty, Liability), Object 351 (Insurance);  
RESOLVED FURTHER, that the Director of Purchasing is authorized to add or delete County properties to the policy, or increase the base amount on future determination of valuation of County structures during the policy period.  
Adopted July 8, 2003. No. 446

WHEREAS, St. Louis County and the Cities of Buhl and Kinney have a common interest to protect the public safety of persons within their jurisdictions; and  
WHEREAS, St. Louis County currently has an agreement with the City of Buhl for law enforcement services, and the City of Kinney wishes to become a partner in this agreement; and  
WHEREAS, St. Louis County desires to provide law enforcement services for the Cities of Buhl and

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

238

Kinney under terms agreeable with these cities.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners accepts the agreement for law enforcement services between the County and the City of Buhl, and the City of Kinney; and

RESOLVED FURTHER, the St. Louis County Board authorizes the Sheriff and County Auditor to execute any required agreements; and

RESOLVED FURTHER, the St. Louis County Board of Commissioners authorizes the Sheriff to receive compensation from Buhl and Kinney at the rate of \$48.67 per hour, and allocated to Fund 01, 091, ADMN, Revenue Source 9710; and

RESOLVED FURTHER, that this cooperative agreement be approved as to form and content by the County Attorney.

Adopted July 8, 2003. No. 447

RESOLVED, the St. Louis County Board of Commissioners hereby appoints Commissioner Fink to serve on the Arrowhead Emergency Medical Services Association Board of Directors for a term which expires on December 31, 2003.

RESOLVED FURTHER, appointment of a commissioner to serve on this Board beyond this initial six-month term shall be handled as part of the Board of Commissioners January organizational meeting.

Adopted July 8, 2003. No. 448

WHEREAS, the Town of Camp Five requested that the Planning Commission initiate a rezoning; and WHEREAS, the St. Louis County Planning Commission held a public hearing on the proposed rezoning on May 8, 2003; and

WHEREAS, the St. Louis County Planning Commission voted to recommend that the St. Louis County Board of Commissioners adopt the rezoning by amending Ordinance No. 46, zoning maps, and Ordinance No. 27, Land Use Plan.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners will hold a public hearing on Tuesday, July 22, 2003, at 9:35 A.M., City Council Chambers, City Hall, Hibbing, Minnesota, to consider rezoning the area legally described as the SE 1/4 of the SW 1/4 of Section 10, the SW 1/4 of the SE 1/4, the N 1/2 of the SE 1/4, and the NW 1/4 of the NE 1/4 of Section 15, the S 1/2 of the NE 1/4 of Section 16, and the NW 1/4 of the NE 1/4 of Section 22, all in T66N, R19W, from Forest Agricultural Management-1 to Multiple Use Non-Shoreland-4, and amending Ordinance No. 27, Chapter 12, to include the rezoned area in Concept 3- Rural Residential and Ordinance No. 46, zoning maps, from Forest Agricultural Management-1 to Multiple Use Non-Shoreland-4.

Adopted July 8, 2003. No. 449

WHEREAS, bids have been received by the County Auditor for the following project:

M.P. 34-1241 (low), C-SAH 34 (Howard Gnesen Road), from C-SAH 9 (Martin Road) to C-SAH 43 (Emerson Road); length 6.03 miles and M.P. 2932-1009, T.R. 2932 (3rd Ave. S.), from C-SAH 121 (East Calvary Road) to 0.37 mi. S. in Rice Lake Township; length 0.37 miles. Project to consist of Bituminous Reclamation, Grade Correction, Aggregate Base, P. M. Bituminous Surface, Aggregate Shouldering, Striping & Turf Establishment;

WHEREAS, said bids or proposals were duly opened in the County Board Room at 10:00 A.M., June 30, 2003, and this Board has, with the County Highway Engineer, determined the lowest bidder of said project for which proposals were invited and submitted; and

WHEREAS, in the judgment of this Board it is for the best interest of St. Louis County that the award of said contract be made to the lowest bidder.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of St. Louis County, Minnesota, in regular session duly convened, that they hereby approve the award of contract on the above project to the lowest bidder:

LOW BIDDER

ADDRESS

AMOUNT

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

239

Northland Materials, LLC d/b/a Northland Bituminous	4843 Rice Lake Road Duluth, MN 55803	\$724,624.98
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RESOLVED FURTHER, that the Chairman of the County Board, the County Auditor, and the County Attorney, on behalf of the County of St. Louis, are hereby authorized to approve the Contractor's Performance Bonds and to execute the bonds and contracts with the Contractor for the above listed project; Fund 02, Agency A17, Org. 1241, Object 528, \$689,663.88 and Fund 02, Agency A17, Org. 1009, Object 528, \$34,961.10 to be reimbursed by Rice Lake Township.  
Adopted July 8, 2003. No. 450

WHEREAS, bids have been received by the County Auditor for the following project:  
M.P. 7-1007, C-SAH 7 (Industrial Road), from C.R. 872 (Bear Trap Road) to T.H. 53; length 6.10 miles. Construction to consist of Thirteen Centerline R.C.P. Culverts, Crosslead Treatments, Aggregate Base, P.M. Bituminous Surface & Aggregate Shoulders;  
WHEREAS, said bids or proposals were duly opened in the County Board Room at 10:00 A.M., June 30, 2003, and this Board has, with the County Highway Engineer, determined the lowest bidder of said project for which proposals were invited and submitted; and  
WHEREAS, in the judgment of this Board it is for the best interest of St. Louis County that the award of said contract be made to the lowest bidder.  
NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of St. Louis County, Minnesota, in regular session duly convened, that they hereby approve the award of contract on the above project to the lowest bidder:

<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
Hoover Construction Co.	3025 Hoover Road P.O. Box 1007 Virginia, MN 55792	\$199,378.17

RESOLVED FURTHER, that the Chairman of the County Board, the County Auditor, and the County Attorney, on behalf of the County of St. Louis, are hereby authorized to approve the Contractor's Performance Bonds and to execute the bonds and contracts with the Contractor for the above listed project; payable from Fund 2, Agency A17, Org. 1007, Object 528.  
Adopted July 8, 2003. No. 451

**BY COMMISSIONER SWEENEY:**

RESOLVED, that the Public Health and Social Services Director be authorized to enter into a contract with Dascom Systems Group, Inc., for purchase and installation of videoconferencing equipment for the Duluth and Virginia Health Department offices in an amount not to exceed \$39,022, payable from Fund 1, Agency 230, Org. 231.  
Yeas - Commissioners Kron, Sweeney, Nelson, Raukar and Chair Fink - 5  
Nays - Commissioners Fay and Forsman - 2  
Adopted July 8, 2003. No. 452

Upon motion of Commissioner Raukar, supported by Commissioner Kron, Resolutions No. 453 through 467, which were approved at the Committee of the Whole meeting this date, were brought forth to this meeting as a second Consent Agenda and were unanimously adopted as follows:

**BY COMMISSIONER RAUKAR:**

WHEREAS, property described as Town of Cotton, Part of South Half of North Half of Southwest Quarter of Northeast Quarter, and of North Half of North Half of South Half of Southwest Quarter of Northeast Quarter lying Northwesterly of a line located 50 feet Northwesterly of the centerline of Strand Lake Road as located on September 25, 1997, Section 30, Township 54, Range 16, Island Lake

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

240

Memorial Forest is currently dedicated as Memorial Forest; and  
WHEREAS, the above described parcel is a buildable site near a lake that was requested by an adjacent landowner.

NOW, THEREFORE, BE IT RESOLVED, that this parcel be withdrawn from Memorial Forest and approval for the sale of said parcel be requested from the Commissioner of Natural Resources.

Adopted July 8, 2003. No. 453

WHEREAS, the County has prepared a list of tax forfeited lands which have been sold under the provisions of Minnesota Statute Chapter 282, subject to purchase or repurchase contract, and which are in default for failure to pay taxes or installments.

NOW, THEREFORE, BE IT RESOLVED, that the County Board does hereby approve the cancellation of each contract for purchase or repurchase of tax forfeited land which is in default and on the list prepared by the County Auditor in County Board File No. 58022, all according to the provisions of Minnesota Statute, Section 282.01, Subdivision 5, and Minnesota Statute, Section 282.40, and according to the procedures of Minnesota Statute, Section 559.21.

Adopted July 8, 2003. No. 454

RESOLVED, the appropriate County officials are authorized to sign an agreement with the Kabetogama Lake Association for S.P. 69-595-04 whereby the Kabetogama Lake Association will pay the Association local dollar match of twenty percent (20%) of the actual project costs, and reimburse the County \$3,000.00 for administrative and engineering costs. Payable from Fund 08A, Agency 525, Org. 3591, Object 527, to be reimbursed by the Lake Kabetogama Association.

Adopted July 8, 2003. No. 455

RESOLVED, that the appropriate County officials are authorized to enter into an agreement with the State of Minnesota Department of Natural Resources to provide administrative services relating to the advertising, award of bid, and processing of payments on County Project No. 3648 for improvements to the Willard Munger Landing for the St. Louis River at the end of Clyde Avenue, a city street within the city limits of Duluth, Minnesota. There will be no financial involvement by the County other than for the administrative duties outlined in the agreement. Project payments will be made from Fund 02, Agency A17, Org. 3648, Object 528, reimbursed by the Minnesota Department of Natural Resources State Public Water Access Fund.

Adopted July 8, 2003. No. 456

WHEREAS, the St. Louis County Public Works Department plans to reconstruct and improve a segment of County-State Aid Highway 17, Stebner Road, S.P. 69-617-04, County Project 8271. Reconstruction will be from T.H. 53/194 North to C-SAH 17, Airbase Road, a distance of approximately 0.25 miles; and

WHEREAS, the improvement consists of widening and reconstructing said roadway as determined necessary to provide for the safety of the traveling public; and

WHEREAS, in addition to the existing highway right of way, certain lands are required for said construction, together with temporary construction easements.

NOW, THEREFORE, BE IT RESOLVED, the County Board of Commissioners hereby authorizes the Board Chair to accept, on behalf of St. Louis County, a quit claim deed from Qwest Corporation for additional highway right of way across Parcel 395-0010-03105, subject to approval by the County Attorney's Office.

Adopted July 8, 2003. No. 457

RESOLVED, that pursuant to Minnesota Statutes 349.213, Subdivision 2, the St. Louis County Board of Commissioners hereby approves the following Premises Permit application, on file in the office of the County Auditor, identified as County Board File No. 58051, for the following organization:

Wood City Riders Snowmobile Club to operate out of Country Corner, Culver Township, new.

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

241

Adopted July 8, 2003. No. 458

RESOLVED, that pursuant to the recommendations of the Tax Committee, the applications of the following named persons and firms for reduction and correction of assessed valuations and taxes in the following amounts plus on those abatements of penalty and interest, any additional accrual to the date of this resolution, on file in the office of the County Auditor, identified as County Board File No. 58013, are hereby approved:

Real Estate - Jeffrey Adams, \$252.44; Thomas J. Bratulich, \$659.92; Judith L. Clark, \$712.20; James Durfee, \$202.48; JLG Enterprises, \$195.90; Ellen Lamae, \$494.54; Jeremia Larson, \$1,422.38; Michael Nielsen, \$215.62; Murle Olson, \$172.22; Bree Ransom, \$206.40; Caryn Sheets, \$589.74; Jean Stevenson, \$254.60.

Personal Property - Denise Wigg, \$87.86.

Adopted July 8, 2003. No. 459

WHEREAS, St. Louis County owns and operates a public safety radio communication tower facility in the Crane Lake area; and

WHEREAS, the U.S. Customs Service has expressed an interest in leasing space at this facility for its radio communications needs which will include 20 feet of antenna space on the tower, approximately 10 square feet in the equipment shelter and electricity; and

WHEREAS, it serves the interests of St. Louis County to enter into a lease agreement with the U.S. Customs Service for space at the Crane Lake tower facility.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board hereby authorizes the Chair of the Board and Communications Director, with approval by the County Attorney, to enter into a lease agreement with the U.S. Customs Service for the lease of space at the County's Crane Lake tower facility. The lease rate paid to the County will initially be \$6,480.00 per year and will increase by 5 percent annually.

Adopted July 8, 2003. No. 460

RESOLVED, the St. Louis County Board of Commissioners authorizes the St. Louis County Sheriff's Office to apply for a Part 1 State Homeland Security Grant for up to \$80,825.00.

Adopted July 8, 2003. No. 461

RESOLVED, that a public hearing will be held at 9:40 A.M. on July 22, 2003, in the City Council Chambers, Hibbing, Minnesota, for the purpose of considering the granting of an Off-Sale Intoxicating Liquor License to M. & T. Wedin, Inc., d/b/a Wooden Table Inn, Unorganized Township 60-19.

Adopted July 8, 2003. No. 462

WHEREAS, the Legislature of the State of Minnesota requires that Minnesota's counties develop a Solid Waste Management Plan in accordance with Minnesota Statute §115A.46; Minnesota Statute §115A.551; Minnesota Statute §115A.63; Minnesota Statute §115A.84; Minnesota Statute §115A.914; Minnesota Statute §115A.96, Subdivisions 6 and 7; and Minnesota Statute §115.97, and all applicable statutes and rules; and

WHEREAS, Minnesota counties recognize the need to plan for and practice environmentally sound methods of managing their solid waste stream; and

WHEREAS, in 1989, the legislature of the State of Minnesota enacted legislation to require that Solid Waste Management Plans be amended to include the requirements in Minnesota Statute §115A.551, Minnesota Statute §115A.914; Minnesota Statute §115A.96, Subdivision 6; and

WHEREAS, St. Louis County recognizes the need to plan for and implement waste reduction, recycling, organic waste composting, and special waste management strategies;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Solid Waste Department provides solid waste services for its Solid Waste Management Area which includes all areas of the County outside the Western Lake Superior Sanitary District.

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

242

RESOLVED FURTHER, that the St. Louis County Board of Commissioners hereby approves and adopts the Updated St. Louis County Solid Waste Management Plan and supporting documentation dated April 24, 2003; and

RESOLVED FURTHER, that St. Louis County agrees to maintain and implement the Plan as required by Minnesota Rules Pt. 9215.0530, Subparts 1 and 2.

RESOLVED FURTHER, that the St. Louis County Board submits this document to the Director of the Minnesota Office of Environmental Assistance for final approval pursuant to applicable Minnesota laws and rules.

Adopted July 8, 2003. No. 463

WHEREAS, St. Louis County is committed to providing construction and demolition waste disposal services to residents in the northeast region of the County; and

WHEREAS, this region of the County has been serviced by the current permitted landfill which is at the end of its permitted capacity; and

WHEREAS, the county and area residents continue to require construction and demolition waste management services; and

WHEREAS, the County is in need of an experienced contractor to construct a demolition processing pad and retaining wall/loading dock; and

WHEREAS, Kuehl's Logging, Inc., has performed this type of service effectively for the County; and

WHEREAS, the Department received five responses to the Requests for Quotes, and Kuehl's Logging submitted the lowest overall quote for all services requested.

NOW, THEREFORE BE IT RESOLVED, the St. Louis County Solid Waste Department be authorized to enter into a contract with Kuehl's Logging, Incorporated, to construct the Northwoods Materials Processing Pad and Loading Dock System for the lump sum of \$37,150.00.

Adopted July 8, 2003. No. 464

WHEREAS, bids have been received by the County Auditor for the following project:

C.P. 3641, located in St. Louis County and Lake County. Project to consist of Pavement Marking and Traffic Lane Striping;

WHEREAS, said bids or proposals were duly opened in the County Board Room at 10:00 A.M., July 7, 2003, and this Board has, with the County Highway Engineer, determined the lowest bidder of said project for which proposals were invited and submitted; and

WHEREAS, in the judgment of this Board it is for the best interest of St. Louis County that the award of said contract be made to the lowest bidder.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of St. Louis County, Minnesota, in regular session duly convened, that they hereby approve the award of contract on the above project to the lowest bidder:

<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
Interstate Road Management	4941 Highway 27 East Alexandria, MN 56308	\$407,123.00

RESOLVED FURTHER, that the Chairman of the County Board, the County Auditor, and the County Attorney, on behalf of the County of St. Louis, are hereby authorized to approve the Contractor's Performance Bonds and to execute the bonds and contracts with the Contractor for the above listed project; payable from Fund 02, Agency A12, Org. 0010, Object 518, 89 percent of total and Lake County, 11 percent of total - received in under Fund 02, Agency A12, Org. 0010, Object 518.

Adopted July 8, 2003. No. 465

RESOLVED, that the County Board authorizes the appropriate County officials to enter into a purchase agreement with Reliable Computer Corporation, an authorized IBM Business Partner, for the purchase of the Z/VM Release 4 Operating System at the quoted price of \$45,000.00 plus the first year of annual

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

243

maintenance and support costs of \$11,000.00 plus Minnesota state sales tax of \$3,640.00. FURTHER RESOLVED, that for all future years that the Z/VM Release 4 operating system is in use, that the County Board authorizes the MIS Department to contract with the IBM Corporation for annual ongoing maintenance and support of the Z/VM Operating System.

The purchase price of the Z/VM Release 4 OS of \$45,000 plus Minnesota state sales tax of \$2,925.00 is to be paid out of Fund 53, Agency 560, Org. ADMN, Object 348. All ongoing annual maintenance and support costs will be paid out of Fund 53, Agency 550, Org. ADMN, Object 348. Adopted July 8, 2003. No. 466

RESOLVED, the St. Louis County Board of Commissioners hereby elects Lewis "Bud" Bystrom to serve on the Crane Lake Water and Sanitary District Board for a three-year term expiring January 1, 2006. Adopted July 8, 2003. No. 467

**BY COMMISSIONER SWEENEY:**

WHEREAS, the County Board of Commissioners of the County of St. Louis, State of Minnesota, desires to offer for sale, as recommended by the Land Commissioner, the following parcel of land that has forfeited to the State of Minnesota for non-payment of taxes:

Town of Cotton, Part of South Half of North Half of Southwest Quarter of Northeast Quarter, and of North Half of North Half of South Half of Southwest Quarter of Northeast Quarter lying Northwesterly of a line located 50 feet Northwesterly of the centerline of Strand Lake Road as located on September 25, 1997, Section 30, Township 54, Range 16, Island Lake Memorial Forest. Parcel Code: 305-10-4853. Appraised Value: \$12,400.00.

WHEREAS, the parcel described in County Board File No. 58096 is located in an organized town, and Minnesota Statutes, Section 282.01, provides that reclassification and sale of lands situated within a municipality must be approved by the governing body of the municipality; and

WHEREAS, the reclassification and sale of said parcel described in County Board File No. 58096 will be deemed approved if the County Board does not receive notice of the municipality's disapproval of the reclassification and sale of said parcel within 60 days of the date on which this resolution is delivered to the Clerk of the municipality; or, if the municipality signs a document approving the reclassification and sale and waives the 60 day response period; and

WHEREAS, said parcel of land is not withdrawn from sale pursuant to Minnesota Statutes 84.012, 92.461, 282.01, Subdivision 8, and 282.018, and other statutes that require the withholding of tax forfeited lands from sale; and

WHEREAS, said parcel has been withdrawn from Memorial Forest.

NOW, THEREFORE, BE IT RESOLVED, that said parcel is hereby classified as non-conservation land as provided for in Minnesota Statutes 282.01, and the County Auditor is hereby authorized to offer said lands at a special public sale at not less than the basic sale price in accordance with terms set forth in the Land Department Policy No. 5450-1, and in a manner provided for by law.

BE IT FURTHER RESOLVED, that the St. Louis County Board of Commissioners hereby requests approval from the Commissioner of Natural Resources for the sale of said parcel, and notice of the classification and sale of said parcel shall be delivered to the Clerk of the Town of Cotton.

Yeas - Commissioners Kron, Forsman, Sweeney, Nelson, Raukar and Chair Fink - 6

Nays - Commissioner Fay - 1

Adopted July 8, 2003. No. 468

At 2:11 P.M. on Tuesday, July 8, 2003, upon motion of Commissioner Sweeney, supported by Commissioner Raukar, the Board of County Commissioners adjourned.

Dennis Fink, Chair of the Board  
of County Commissioners

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

244

Attest:  
Gordon D. McFaul, County Auditor  
and Ex-Officio Clerk of the Board  
of County Commissioners

(Seal of the County Auditor)

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

245

**OFFICIAL PROCEEDINGS OF THE MEETING  
OF THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF ST. LOUIS, MINNESOTA,  
HELD ON JULY 22, 2003**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 22nd day of July, 2003, at 9:33 A.M. in the Hibbing City Council Chambers, City Hall, Hibbing, Minnesota. The meeting was called to order by the Chair with the following members present: Commissioners Joanne Fay, Bill Kron, Mike Forsman, Peg Sweeney, Keith Nelson, Steve Raukar, and Chair Dennis Fink - 7. Absent: None.

Chair Fink began the meeting by sharing historical facts from Minnesota's history.

At 9:37 A.M., a public hearing was convened pursuant to County Board Resolution No. 449, adopted July 8, 2003, to consider amending Ordinance No. 27 (Zoning Ordinance) by rezoning portions of Sections 10, 15, 16 and 22 of Township 66 North, Range 19 West (Town of Camp 5) from Forest Agricultural Management-1 to Multiple Use Non-Shoreland-4 and to amend Ordinance No. 46 (zoning maps) to reflect the changes. The following person addressed the issue:

Scott Smith, Planning Department, described the area and said zoning changes were initiated by the township to reduce building lot sizes from thirty-five to four and one-half acres. The Planning Commission recommended approval (3-1 vote) and the Planning Department recommends approval.

Commissioner Raukar said there appeared to be some conflicting opinions within the Minnesota Department of Natural Resources and Camp 5 about the changes and he questioned whether there were any other classifications with in-between lot sizes.

At 9:55 A.M., Commissioner Fay, supported by Commissioner Nelson, moved to close the hearing; seven yeas - zero nays. Commissioner Forsman, supported by Commissioner Nelson, moved to approve amending Ordinance No. 46, zoning maps, effective August 18, 2003; six yeas - one nay, Commissioner Raukar. Resolution No. 476.

Commissioner Forsman, supported by Commissioner Nelson, moved to approve amending Ordinance No. 27 to rezone portions of Camp 5 Township effective August 18, 2003; seven yeas - zero nays.

At 10:02 A.M., a public hearing was convened pursuant to County Board Resolution No. 462, adopted July 8, 2003, to consider granting an off-sale intoxicating liquor license to M. & T. Wedin, Inc., d/b/a Wooden Table Inn, Unorganized Township 60-19. Alan Mitchell, County Attorney, advised the Board that: all required County departments reviewed the application and recommended approval; the Liquor Licensing Committee met with the applicants and recommended approval; all required notices were given; and, the necessary insurance certificate was submitted. Mike Wedin, owner, was present and said he understood and would abide by state statutes and County Ordinance No. 28 (Liquor Ordinance). No one else chose to address the issue.

At 10:08 A.M., Commissioner Sweeney, supported by Commissioner Raukar, moved to close the hearing; seven yeas - zero nays. Commissioner Raukar, supported by Commissioner Sweeney, moved to approve granting the off-sale intoxicating liquor license; seven yeas - zero nays. Resolution No. 477.

Chair Fink opened the meeting to persons who wanted to address the Board concerning issues not on the agenda and the following chose to do so:

Mary McKay and John Garrity, County employees, said AFSCME employees are ready and willing to

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

246

make a commitment to cut costs and work with the Board to avoid employee layoffs. Ms. McKay presented a list of cost cutting measures including travel limitations, early retirement incentives and renting out unused space in County facilities. Layoffs will prove costly for the County in the long run.

Commissioners thanked the employees for their suggestions, with Commissioner Raukar noting that the State of Minnesota - not St. Louis County - created the current fiscal dilemma.

Commissioner Nelson, supported by Commissioner Raukar, moved to award the contract for S.P. 69-090-03 (Floodwood River Trail) to Landwehr Construction, St. Cloud, MN, on their low bid of \$394,678.17. Marcus Hall, Public Works Director, said bids were above the engineer's estimate (6.23 percent) and Floodwood has agreed to pay a prorated share of the additional cost; seven years - zero nays. Resolution No. 478.

At 10:33 A.M. in the afternoon of Tuesday, July 22, 2003, Commissioner Fay, supported by Commissioner Nelson, moved to recess the Board until 11:30 A.M. on July 22, 2003, in the Hibbing City Council Chambers, City Hall, Hibbing, Minnesota.

The Board reconvened at 11:41 A.M. on July 22, 2003, and the regular order of business resumed with all members present.

Commissioner Forsman, supported by Commissioner Fay, moved to approve a second consent agenda consisting of all items passed unanimously at the just-completed Committee of the Whole meeting; seven years - zero nays.

Commissioner Nelson, supported by Commissioner Forsman moved to approve an agreement with the Minnesota DNR for improvements at the intersection of C-SAH 33 (McQuade Road) and C-SAH 61 (North Shore Scenic Drive). Commissioner Sweeney said the project was not needed at this time and the resources could be better used elsewhere; six years - one nay, Commissioner Sweeney. Resolution No. 488.

Commissioner Sweeney, supported by Commissioner Forsman, moved to support submission by the County Attorney of the Respondent's Memorandum In Opposition To Petitioner's Motion For Summary Judgment in the matter of *Joanne Fay v. St. Louis County Board of Commissioners*. Because he was previously part of Commissioner Fay's legal action, Chair Fink asked that he be allowed to abstain from voting on the issue. It was the consensus of Commissioners to allow Chair Fink to abstain. Commissioner Fay, supported by Commissioner Nelson, moved to amend the resolution to allow all seven Commissioners the opportunity to file affidavits as part of the Memorandum. After some discussion, Commissioner Nelson withdrew his support and the motion to amend died. The original motion to support the Memorandum and related affidavits was then approved; four years - two nays, Commissioners Fay and Nelson, with Chair Fink abstaining. Resolution No. 489.

**Amendment to Ordinance No. 46 - Zoning Ordinance  
to include revised zoning map  
for Town of Camp Five (Township 66 North, Range 19 West)**

This amendment to Ordinance No. 46-St. Louis County Zoning Ordinance, zoning map for the Town of Camp Five (Township 66 North, Range 19 West) rezoning parcels from FAM-1 to MUNS-4.

**EFFECTUATION**

The St. Louis County Planning Commission conducted a public hearing on May 8, 2003, and June 12, 2003, to consider the Land Use Plan for Voyageur Planning Area and corresponding changes to the St. Louis County Zoning Maps for the Town of Camp Five. The Planning Commission recommended that the Land Use Plan for Voyageur Planning Area and corresponding changes to the St. Louis County

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

247

Zoning Maps for Camp Five be approved and adopted by the St. Louis County Board of Commissioners.

The St. Louis County Board, after conducting a public hearing on July 22, 2003, accepted the Planning Commission's recommendation regarding the Land Use Plan for Voyageur Planning Area and accordingly amended St. Louis County Ordinance No. 27.

Furthermore, the St. Louis County Board, after conducting a public hearing on July 22, 2003, accepted the Planning Commission's recommendation to approve the corresponding changes to the St. Louis County Zoning Maps contained as part of St. Louis County Ordinance No. 46. The St. Louis County Board hereby states:

The foregoing amendment to St. Louis County Zoning Ordinance Number 46, as contained in Board File No. 58106, shall take effect and be in full force on the 18th day of August, 2003, and shall be published in the official newspaper of St. Louis County as provided by the Minnesota Statutes.

Commissioner Forsman moved the adoption of this ordinance amendment, and Commissioner Nelson, duly seconded the motion, and the ordinance amendment was adopted on the following vote:

Yeas: Commissioners Fay, Kron, Forsman, Sweeney, Nelson, and Chair Fink - 6

Nays: Commissioner Raukar - 1

Absent: None

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Chair of the County Board

Certified as a complete and accurate copy of  
Amendment No. \_\_ to Ordinance No. 46

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Gordon D. McFaul  
County Auditor

Attest: Paul L. Tynjala  
Clerk of the County Board

**An official copy of Ordinance No. 46, as amended, is on file in the office of the County Auditor.**

**Amendment to Ordinance No. 27,  
Article II, Section 12 - Voyageur Planning Area  
Comprehensive Land Use Plan**

This amendment to Ordinance No. 27 - Land Use Plan, Article II, Section 12 - Voyageur Planning Area, reclassifies portions of Sections 10, 15, 16, and 22, Township 66 North, Range 19 West (Town of Camp Five), from Concept 1 - Forestry to Concept 3 - Rural Residential.

**EFFECTUATION**

This amendment to Ordinance No. 27, Article II, Section 12 - Voyageur Planning Area Comprehensive Land Use Plan, shall take effect and be in full force on the 18th day of August, 2003, upon its adoption by the St. Louis County Board of Commissioners and its publication in the official newspaper(s) of St. Louis County as provided by Minnesota Statutes.

Public hearings were held by the St. Louis County Planning Commission on May 8, 2003, and June 12, 2003, and by the St. Louis County Board of Commissioners on July 22, 2003. Recommended by the Planning Commission to the County Board for adoption on the 12th day of June, 2003.

Commissioner Forsman moved the adoption of this ordinance amendment, Commissioner Nelson duly seconded the motion, and the ordinance amendment was adopted on the following vote:

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

248

Yeas: Commissioners Fay, Kron, Forsman, Sweeney, Nelson, Raukar and Chair Fink - 7  
Nays: None  
Absent: None

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Chair, County Board

Certified as a complete and accurate copy of  
Ordinance No. 27, Article II, Section 12 -  
Voyageur Planning Area Comprehensive  
Land Use Plan

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Gordon D. McFaul, County Auditor

ATTEST:

Paul Tynjala, Deputy Auditor  
Clerk of County Board

**An official copy of Ordinance No. 27, as amended, is on file in the office of the County Auditor.**

The following Board and Contract Files were created as a result of documents received at this Board meeting:

Bernice Boushie, Duluth, in support of keeping the program which enables senior citizens to stay in their own homes with the assistance of probation work crews that mow lawn and shovel sidewalks.-58102

Jolene Blake, Clerk of the Town of Willow Valley, informing St. Louis County that they have hired the services of Rick Vidmar as their Assessor.-58103

William Simola, Brimson, requesting to purchase two acres of land previously used for gravel by St. Louis County located in the NE 1/4 of SW 1/4, Section 15, Township 56, Range 12.-58104

David Twa, County Administrator, and Barbara Hayden, Planning Director, submitting Board Letter No. 03-356 regarding amending Ordinance No. 27 (Land Use Plan) to reclassify portions of Sections 10, 15, 16 and 22, Township 66 North, Range 19 West (Town of Camp Five).-58105

David Twa, County Administrator, and Barbara Hayden, Planning Director, submitting Board Letter No. 03-357 regarding amending County Zoning Map, Ordinance No. 46, to include revised zoning map for Town of Camp Five, Township 66 North, Range 19 West.-58106

Documentation from public hearing held on July 22,2003,to consider granting an off-sale intoxicating liquor license to M. & T. Wedin, Inc., d/b/a Wooden Table Inn, Unorganized Township 60-19.-58107

Respondent's Memorandum in Opposition to Petitioner's Motion for Summary Judgment in the matter of Joanne Fay v. St. Louis County Board of Commissioners.-58108

Purchase of Service Agreement, Contract No. 13526, between the St. Louis County Board of Commissioners and Spectrum Community Health, Inc., for home care services.-03-570ss

Purchase of Service Agreement, Contract No. 13525, between the St. Louis County Board of Commissioners and Senior Friend Associates, Inc., for home care services.-03-571ss

Purchase of Service Agreement, Contract No. 13529, between the St. Louis County Board of Commissioners and Lutheran Social Services of Minnesota for assisted living services.-03-572ss

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

249

Addendum to Purchase Agreement, Contract No. 13390D, between the St. Louis County Board of Commissioners and Spectrum Community Health, Inc., for assisted living plus.–[03-573ss](#)

Addendum to Purchase Agreement, Contract No. 13481B, between the St. Louis County Board of Commissioners and Interim Health Care of Lake Superior for assisted living.–[03-574ss](#)

Addendum to Purchase Agreement, Contract No. 13161D, between the St. Louis County Board of Commissioners and Residential Services of Northeastern Minnesota, Inc., for adult foster care services.–[03-575ss](#)

Purchase of Service Agreement, Contract No. 13533, between the St. Louis County Board of Commissioners and Family Counseling & Extended Services (FACES) for adult foster care services.–[03-576ss](#)

Addendum to Purchase Agreement, Contract No. 13474A, between the St. Louis County Board of Commissioners and Woodhill Homes, Inc., for adult foster care services.–[03-577ss](#)

Purchase of Service Agreement, Contract No. 13523, between the St. Louis County Board of Commissioners and Northern Diagnostic Services, Inc., d/b/a Healthstar Home Health Agency, for home care services.–[03-578ss](#)

Purchase of Service Agreement, Contract No. 13532, between the St. Louis County Board of Commissioners and St. Luke's Home Health Services for home care services.–[03-579ss](#)

Purchase of Service Agreement, Contract No. 13615, between the St. Louis County Board of Commissioners and Lincoln House Adult Foster Care for adult supported living services.–[03-580ss](#)

Grant Contract between the State of Minnesota, through its Commissioner of Public Safety, Division of Emergency Management, and St. Louis County for acceptance of the 2002 State Domestic Preparedness Equipment Grant.–[03-581](#)

Grant Agreement, Contract No. 20545, between the St. Louis County Board of Commissioners and Human Development Center for co-occurring disorders grant services.–[03-582ss](#)

Group Residential Housing Rate Agreement between the St. Louis County Board of Commissioners and Faces North I.–[03-583ss](#)

Group Residential Housing Rate Agreement between the St. Louis County Board of Commissioners and Woodhill Homes II.–[03-584ss](#)

Agreement for Professional Nursing Services between St. Louis County, through its Health Department, and Natasha Tassone for Community Alternative Care Client No. 19.–[03-585](#)

Agreement for Collection, Processing, and Marketing of Recyclables at the South St. Louis County Recycling Sit Sites and Designated Drop-Off Locations between St. Louis County and Dougherty Trucking and Recycling.–[03-586](#)

Grant Contract between the State of Minnesota, through its Commissioner of Public Safety, Division of Emergency Management, and St. Louis County for acceptance of the 2002 State Weapons of Mass Destruction Training Grant.–[03-587](#)

Group Residential Housing Rate Agreement between the St. Louis County Board of Commissioners and

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

250

Lauri Wilton.–[03-588ss](#)

Group Residential Housing Rate Agreement between the St. Louis County Board of Commissioners and Lincoln House.–[03-589ss](#)

Group Residential Housing Rate Agreement between the St. Louis County Board of Commissioners and Clayridge Assisted Living and Memory Care.–[03-590ss](#)

Purchase of Service Agreement, Contract No. 13528, between the St. Louis County Board of Commissioners and TLC Home Care for home care services.–[03-591ss](#)

Purchase of Service Agreement, Contract No. 13524, between the St. Louis County Board of Commissioners and Home Health Services of Hibbing, Inc., d/b/a HomeCare Specialists for home care services.–[03-592ss](#)

Addendum to Purchase Agreement, Contract No. 13378B, between the St. Louis County Board of Commissioners and Salmi Homes, Inc., for assisted living plus.–[03-593ss](#)

Purchase of Service Agreement, Contract No. 13531, between the St. Louis County Board of Commissioners and H.O.M.E.S., Inc., for independent living skills services.–[03-594ss](#)

Engineering Services Agreement between the County of St. Louis and LHB Engineers & Architects for Phases II & III HVAC Upgrade Project for the Duluth Courthouse.–[03-595](#)

Easement Grant Steam Service Agreement and Membership Application of Duluth Steam Cooperative Association and St. Louis County for the Duluth Courthouse.–[03-596](#)

Easement Grant Steam Service Agreement and Membership Application of Duluth Steam Cooperative Association and St. Louis County for the Duluth Government Services Center.–[03-597](#)

Easement Grant Steam Service Agreement and Membership Application of Duluth Steam Cooperative Association and St. Louis County for the St. Louis County Heritage and Arts Center.–[03-598](#)

Easement Grant Steam Service Agreement and Membership Application of Duluth Steam Cooperative Association and St. Louis County for the Duluth Motor Pool Garage.–[03-599](#)

Agreement for Professional Nursing Services between St. Louis County, through its Health Department, and Natasha Tassone for Community Care Client No. 06.–[03-600](#)

Agreement for Professional Nursing Services between St. Louis County, through its Health Department, and Joanie Gulbranson for Community Care Client No. 06.–[03-601](#)

Homes Plus Agreement between St. Louis County Board of Commissioners and Lauri Wilton for adult foster care/respite care.–[03-602ss](#)

Memorandum of Agreement, Contract No. 13505, between the St. Louis County Social Services Department and the St. Louis County Department of Public Health for registered nursing services.–[03-603ss](#)

Memorandum of Agreement, Contract No. 13504, between the St. Louis County Social Service Department and the St. Louis County Department of Public Health for long term care consultation and relocation services.–[03-604ss](#)

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

251

Addendum to Contract No. 40044 between the St. Louis County Social Service Department and St. Luke's Hospital for financial worker services.-03-605ss

Law Enforcement Services Agreement between the County of St. Louis, the City of Buhl, and the City of Kinney.-03-606

Contract between Hardrives, Inc., and St. Louis County for Crush, Screen and Stockpile Aggregate on M.P. 3632 (various pits in Central St. Louis County).-03-607

Agreement between the City of Hermantown and the County of St. Louis for utility road reconstruction on C-SAH 89 (Getchell Road and Stebner Road).-03-608

Contract between Hardrives, Inc., and St. Louis County for Crush, Screen, and Stockpile Aggregate, Class 5 Modified, on C.P. 3631 (five selected sites in Northern St. Louis County).-03-609

St. Louis County Emergency Shelter Grant Program FY 2003 Agreement between St. Louis County and Life House, Inc.-03-610

St. Louis County Emergency Shelter Grant Program FY 2003 Agreement between St. Louis County and Range Transitional Housing, Inc.-03-611

St. Louis County Emergency Shelter Grant Program FY 2003 Agreement between St. Louis County and Arrowhead Economic Opportunity Agency.-03-612

St. Louis County Emergency Shelter Grant Program FY 2003 Agreement between St. Louis County and Legal Aid Service of Northeastern Minnesota.-03-613

St. Louis County Emergency Shelter Grant Program FY 2003 Agreement between St. Louis County and the Salvation Army - Hibbing.-03-614

St. Louis County Emergency Shelter Grant Program FY 2003 Agreement between St. Louis County and the Salvation Army - Virginia.-03-615

St. Louis County Emergency Shelter Grant Program FY 2003 Agreement between St. Louis County and the Salvation Army - Duluth.-03-616

St. Louis County Community Development Block Grant Program FY 2003 Agreement between St. Louis County and the City of Winton.-03-617

St. Louis County Community Development Block Grant Program FY 2003 Agreement between St. Louis County and the City of Tower.-03-618

St. Louis County Community Development Block Grant Program FY 2003 Agreement between St. Louis County and the Town of Embarrass.-03-619

St. Louis County Community Development Block Grant Program FY 2003 Agreement between St. Louis County and the Salvation Army - Hibbing.-03-620

St. Louis County Community Development Block Grant Program FY 2003 Agreement between St. Louis County and Range Transitional Housing, Inc.-03-621

St. Louis County Community Development Block Grant Program FY 2003 Agreement between St.

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

252

Louis County and Life House, Inc.-03-622

Agreement for Housing Inmates at the St. Louis County Holding Facility in Hibbing between the City of Hibbing and St. Louis County.-03-623

Upon motion of Commissioner Kron, supported by Commissioner Raukar, Resolutions No. 469 through 475, as submitted to this Board on the Consent Agenda were unanimously adopted as follows:

**BY COMMISSIONER KRON:**

RESOLVED, that the official proceedings of the Special Board of Appeal and Equalization for the Assessment Year of 2003 Payable 2004 are hereby approved.

Adopted July 22, 2003. No. 469

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of July 1, 2003, are hereby approved.

Adopted July 22, 2003. No. 470

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of July 8, 2003, are hereby approved.

Adopted July 22, 2003. No. 471

RESOLVED, that the recommendations of the Finance Committee for payment of claims and bills against the County of St. Louis, on file in the office of the County Auditor, identified as County Board File No. 57999, are hereby approved and the County Auditor shall issue checks in the following amounts:

<u>FUND</u>		<u>TOTAL</u>
T10	Permits to Carry Firearms	\$ 532.38
T11	Minnesota Trail Assistance	25,860.50
T21	Beer License	20.00
T22	Cities and Towns	12,649,097.52
T27	Refunds	16,317.20
T28	School Districts	4,786,400.99
T49	Taconite Production Tax	1,659,671.00
T50	State of Minnesota	113,934.81
T74	Employer/Employee Deductions	671,638.10
T75	Savings Bonds	100.00
T77	Cancelled Checks	5,756.33
T83	Sheriff Fine Contingency	3,364.57
T85	Sheriffs State Forfeitures	145.53
T86	Attorney Trust Accounts	39.92
01	General Fund	861,738.14
02	Public Works	559,683.08
04	Social Services	4,247,728.26
08	County Facilities - Capital Projects	19,956.09
08A	State Aid Road	1,566,673.08
08B	Road & Bridge Building Const.	32,033.00
08K	Virginia 911/Public Works Addition	2,000.00
12B	CDBG Grant	28,161.50
127	Enhanced 9-1-1 Fund	33,914.78
128	Law Library	5,819.00
129	City/County Comm. Antenna Site	215.75

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

253

13	St. Louis County HRA	1,488.92
131	Extension Service	12,591.43
15	Forfeited Tax	47,497.09
16	Forest Resources	18,000.00
26	Solid Waste Authorities	129,465.75
49	Postage/Office Supplies	126,697.73
50	Printing	2,320.99
51	County Garage	11,788.65
52B	Workers Compensation	169,794.81
52D	Medical/Dental Self Insurance	1,290.54
53	Management Information Systems	16,986.36
54	Regional Railroad Authority	6,348.18
55	Telecommunications	29,436.28
57	Retired Employees Health Insurance	1,428.84
64A	Chris Jensen Health & Rehab.	199,284.86
64B	Nopeming Care Center	2,595.52
65	Laundry	10,240.73
66	Community Food Services	8,467.53
67	Supervised Living Facilities	5,174.32
72	Northern Counties Land Use Coordinating Board	1,812.50
73	Arrowhead Regional Corrections	151,212.41
74	Community Health Services	<u>1,702.00</u>
		\$28,246,426.97

Adopted July 22, 2003. No. 472

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, as set forth by the County Attorney, dated July 11, 2003, on file in the office of the County Auditor, identified as County Board File No. 57995, is hereby received and ratified as payable from Fund 52, Department 12.

Adopted July 22, 2003. No. 473

RESOLVED, that the appraisal reports for the sale of timber to be offered at Public Timber Auction, Tracts 1 through 23 (totaling \$1,065,851.43), as submitted by the Land Commissioner, on file in the office of the County Auditor, identified as County Board File No. 58000, are approved and the County Auditor is authorized to carry out the recommendations as listed in said appraisal reports.

Adopted July 22, 2003. No. 474

RESOLVED, that pursuant to St. Louis County Ordinance No. 51, the application for license to sell tobacco products, at retail, on file in the office of the County Auditor, identified as County Board File No. 57994, is hereby approved and the County Auditor is authorized to issue the license as follows; RESOLVED FURTHER, that if named licenseholder sells their licensed business, the County Board, at its discretion, may, after an investigation, transfer the license to a new owner, but without pro-rated refund to the licenseholder:

Meadowlands Investment, Inc., d/b/a Meadowlands Rocket Saloon, City of Meadowlands, Tobacco Products License No. T03188, new.

Adopted July 22, 2003. No. 475

**BY COMMISSIONER FORSMAN:**

WHEREAS, the Town of Camp Five requested that the Planning Commission initiate a rezoning; and WHEREAS, the St. Louis County Planning Commission held public hearings on the proposed rezoning on May 8, 2003, and June 12, 2003; and

WHEREAS, the St. Louis County Planning Commission recommended by a three to one vote to

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

254

recommend that the St. Louis County Board of Commissioners adopt the rezoning; and  
WHEREAS, St. Louis County conducted a public hearing on July 22, 2003; and  
WHEREAS, the St. Louis County Board has considered the recommendation of the Planning Commission, the recommendations of staff, and all of the testimony, written and verbal, as presented.  
NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board affirms the Planning Commission recommendation and revises the zoning map for Town 66, Range 19, part of the Town of Camp Five, changing Forest Agricultural Management-1 to Multiple Use Non-Shoreland-4; and  
BE IT FURTHER RESOLVED, that the effective date of this amendment is August 18, 2003.  
Yeas - Commissioners Fay, Kron, Forsman, Sweeney, Nelson, and Chair Fink - 6  
Nays - Commissioner Raukar - 1  
Adopted July 22, 2003. No. 476

**BY COMMISSIONER RAUKAR:**

WHEREAS, M. & T. Wedin, Inc., d/b/a Wooden Table Inn, Unorganized Township 60-19, St. Louis County, Minnesota, has applied for an off-sale intoxicating liquor license; and  
WHEREAS, Minnesota Statutes, Section 340A.405, Subdivision 2 (d), requires that a public hearing be held prior to the issuance of an off-sale intoxicating liquor license; and  
WHEREAS, a public hearing was held on July 22, 2003, at or about 9:40 A.M. in the City Council Chambers, Hibbing, Minnesota, for the purpose of considering the granting of the off-sale intoxicating liquor license; and  
WHEREAS, with regard to the application for said license Wooden Table Inn has complied in all respects with the requirements of Minnesota Law and St. Louis County Ordinance No. 28; and  
WHEREAS, the Liquor Licensing Committee of the St. Louis County Board of Commissioners has considered the nature of the business to be conducted and the propriety of the location and has recommended approval of the application;  
NOW, THEREFORE, BE IT RESOLVED, that Off-Sale Intoxicating Liquor License (License Number CMB0477) shall be issued to M. & T. Wedin, Inc., d/b/a Wooden Table Inn, Unorganized Township 60-19;  
FURTHER RESOLVED, that said liquor license shall be effective through June 30, 2004;  
FURTHER RESOLVED, that said license is approved contingent upon payment of real estate taxes when due;  
FURTHER RESOLVED, that if named licenseholder sells the licensed place of business, the County Board, as its discretion, may, after an investigation, transfer the license to a new owner, but without prorated refund of license fee to the licenseholder.  
Unanimously adopted. July 22, 2003. No. 477

**BY COMMISSIONER NELSON:**

WHEREAS, bids have been received by the County Auditor for the following project:  
S.P. 69-090-03, Minnesota Project No. TEAX 6902(118), Floodwood River Trail, between Pine Street/First Avenue and Railroad Street in Floodwood, MN; length 0.627 miles. Construction to consist of Bridge, Grading, Aggregate Base, and Bituminous Trail Construction.  
WHEREAS, said bids or proposals were duly opened in the County Board Room at 10:00 A.M., June 23, 2003, and this Board has, with the County Highway Engineer, determined the lowest bidder of said project for which proposals were invited and submitted; and  
WHEREAS, in the judgment of this Board it is for the best interest of St. Louis County that the award of said contract be made to the lowest bidder.  
NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of St. Louis County, Minnesota, in regular session duly convened, that they hereby approve the award of contract on the above project to the lowest bidder (subject to proper authorization of the contract, including the Minnesota Department of Transportation, EEO Office), and the securing of the local funds needed for the project:

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

255

<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
Landwehr Construction, Inc.,	P.O. Box 1086 St. Cloud, MN 56302	\$394,678.17

RESOLVED FURTHER, that the Chairman of the County Board, the County Auditor, and the County Attorney, on behalf of the County of St. Louis, are hereby authorized to approve the Contractor's Performance Bonds and to execute the bonds and contracts with the Contractor for the above listed project; payable from Fund 08A, Agency 525, Org. 3592, Object 527, reimbursed with Federal & Local Funds (City of Floodwood).

Unanimously adopted. July 22, 2003. No. 478

Upon motion of Commissioner Forsman, supported by Commissioner Fay, Resolutions No. 479 through 487, which were approved at the Committee of the Whole meeting this date, were brought forth to this meeting as a second Consent Agenda and were unanimously adopted as follows:

**BY COMMISSIONER FORSMAN:**

WHEREAS, St. Louis County Land Department became a licensee of the Sustainable Forestry Initiative (SFI@) program in December 1998; and

WHEREAS, the St. Louis County Land Department has made a commitment to the sustainability of the Tax Forfeited Trust Lands that it manages by adhering to the principles and targets set out in the SFI@ program; and

WHEREAS, the Land Department will develop an Environmental Management System (EMS) to continue its commitment to sustainable management of Tax Forfeited Trust Lands; and

WHEREAS, the Land Department will pursue independent third-party certification of the EMS to the International Standards Organization (ISO) 14001 - Environmental Management System Standard and of its performance in achieving SFI@ objectives on Tax Forfeited Trust Lands by March 2004; and

WHEREAS, the Land Department requires professional assistance and expertise in developing an Environmental Management System; and

WHEREAS, St. Louis County entered into a contract in the amount of \$60,000.00 with Ecologico, an environmental consulting firm that is experienced with ISO 14001 and its requirements and has provided services to the Land Department for this project since May, 2001, in a satisfactory manner.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners hereby authorizes the Director of Purchasing to amend the agreement with Ecologico of North Vancouver, British Columbia, for development of an Environmental Management System, payable from Fund 16, Agency 16, Org. F11, not to exceed \$105,000, and to extend the term of the contract to March 31, 2004. Adopted July 22, 2003. No. 479

RESOLVED, that the appropriate County officials are authorized to renew the lease with the Regents of the University of Minnesota (lessee) for the lease of 493 square feet of office space located in the Duluth Government Services Center, First Floor, Suite 106, for the period July 1, 2003, through June 30, 2004, for an annual revenue of \$4,944.79.

Budget Reference: Fund 01, Agency 081, Organization GSC, Revenue Source 5037

Adopted July 22, 2003. No. 480

WHEREAS, the Minnesota Housing Finance Agency has awarded \$470,271 in grant funds for the state biennium period 2003-2005 through the Family Homeless Prevention and Assistance Program (FHPAP) for the provision of housing and support services for the homeless and imminently homeless population in St. Louis County; and

WHEREAS, the County has facilitated a collaborative effort of private nonprofit providers to address the problem of homelessness within St. Louis County; and

WHEREAS, grant agreements for the nonprofit service providers to carry out homeless prevention services are listed below:

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

256

Arrowhead Economic Opportunity	\$105,900
CHUM	40,000
Duluth Salvation Army	114,350
Housing Access Center	19,957
Legal Aid	44,564
Life House	40,000
Range Transitional Housing	68,000
TOTAL	\$432,771

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners accepts the 2001-2003 FHPAP grant and authorizes the County Planning Director and a representative of the County Attorney to execute the grant agreement, on behalf of St. Louis County, along with all the necessary documents related thereto.

BE IT FURTHER RESOLVED, the St. Louis County Board of Commissioners approves the agency grant awards and authorizes the appropriate County officials to execute the Family Homeless Prevention and Assistance Program grant agreements between the County and the agencies in amounts indicated above.

BE IT FURTHER RESOLVED, that payments will be made from Fund 01, Agency 019.

Adopted July 22, 2003. No. 481

RESOLVED, that pursuant to the recommendations of the Tax Committee, the applications of the following named persons and firms for reduction and correction of assessed valuations and taxes in the following amounts plus on those abatements of penalty and interest, any additional accrual to the date of this resolution, on file in the office of the County Auditor, identified as County Board File No. 58013, are hereby approved:

Real Estate - Aldo Arntz, \$2,032.34; James Bonneville, \$1,046.64; Michael Cronk, \$288.74; Raelyn Foeltz, \$977.90; David Hinsa, \$850.34; Mike Ives, \$84.72; Brad Jacobson, \$579.78; Shelley Johnson, \$279.70; Ronald Manska, \$671.94; Ronald Martin, \$2,305.22; John Micklick, \$773.70; Joel Miller, \$495.88; Residential Services, \$2,878.56; State of MN - DNR, \$1,007.50.

Personal Property - Sharon Grippe, \$57.10; William Marolt, \$304.94; Ronald Travis, \$35.96.

Adopted July 22, 2003. No. 482

RESOLVED, that pursuant to Minnesota Statutes 349.213, Subdivision 2, the St. Louis County Board of Commissioners hereby approves the following Premises Permit applications, on file in the office of the County Auditor, identified as County Board File No. 58051, for the following organizations:

Gnesen Volunteer Fire Department Relief Association to operate out of the following:

Fall Inn Tavern, Rice Lake Township, renewal;

Island Lake Inn, Gnesen Township, renewal;

Liz & Lyle Sportsman, Inc., Gnesen Township, renewal;

Silver Fox Lodge, Gnesen Township, renewal.

Northland Vietnam Veterans Association to operate out of:

Tanski's Ridgeview Lanes, Rice Lake Township, new.

Adopted July 22, 2003. No. 483

RESOLVED, that the St. Louis County Board of Commissioners authorizes the St. Louis County Sheriff's Office to act as a lead agency for the "Northern St. Louis County Safe and Sober Communities" and apply for the 2004 Safe and Sober Grant through the State of Minnesota, Department of Public Safety.

Adopted July 22, 2003. No. 484

RESOLVED, that the St. Louis County Board of Commissioners authorizes the St. Louis County

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

257

Sheriff's Office to act as a lead agency for the "South St. Louis County Safe and Sober Communities" and apply for the 2004 Safe and Sober Grant through the State of Minnesota, Department of Public Safety.

Adopted July 22, 2003. No. 485

WHEREAS, St. Louis County and the City of Virginia entered into an agreement effective September 4, 1992, continuing occupancy of the Northland Office Building by St. Louis County in exchange for the County's right to acquire the building for \$1.00 upon the satisfaction of the bond obligation of the City of Virginia; and

WHEREAS, the City of Virginia notified St. Louis County on April 11, 2003, that pursuant to the amended lease agreement, the City of Virginia believed that all costs associated with the agreement would be paid in the subsequent six months; and

WHEREAS, the St. Louis County Board desires to acquire the Northland Office Property for the continued housing of County staff.

NOW, THEREFORE, BE IT RESOLVED, that St. Louis County directs the St. Louis County Administrator to immediately provide notice to the City of Virginia, 327 First Street South, Virginia, Minnesota 55792, Attention: City Administrator, of the County's intention to acquire the Northland Office Property Building for the purchase price of \$1.00.

BE IT FURTHER RESOLVED that the St. Louis County Attorney is authorized to contact the City of Virginia to initiate a process to complete the transfer of the building to St. Louis County and to establish a closing date and final accounting.

BE IT FURTHER RESOLVED, that the Chair of the St. Louis County Board, the County Auditor and all necessary staff, are authorized to execute all documents necessary to complete the transfer.

Adopted July 22, 2003. No. 486

RESOLVED, that the Chair of the County Board, the County Auditor, and the County Sheriff are hereby authorized to sign the Agreement for Housing Inmates at the St. Louis County Holding Facility in Hibbing between the City of Hibbing and St. Louis County contained in Contract File No. 03-623.

Adopted July 22, 2003. No. 487

**BY COMMISSIONER NELSON:**

RESOLVED, that the appropriate County officials are hereby authorized to enter into an agreement with the State of Minnesota Department of Natural Resources to provide administrative services relating to the plan design, advertising, award of bid, and forwarding of payments for improvements to the intersection of County-State Aid Highway 33 (McQuade Road) and County-State Aid Highway 61 (North Shore Scenic Drive), S.A.P. 69-661-14. Payable from Fund 08A, Agency 525, Org. 8570, Object 527, reimbursed by the Minnesota Department of Natural Resources State Park Road Account Fund. The County will be reimbursed in an amount not to exceed \$95,000.00 for the County's share of responsibilities as outlined in the agreement.

Yeas - Commissioners Fay, Kron, Forsman, Nelson, Raukar and Chair Fink - 6

Nays - Commissioner Sweeney - 1

Adopted July 22, 2003. No. 488

**BY COMMISSIONER SWEENEY:**

RESOLVED, that the St. Louis County Board of Commissioners supports submission by the St. Louis County Attorney of the **RESPONDENT'S MEMORANDUM IN OPPOSITION TO PETITIONER'S MOTION FOR SUMMARY JUDGMENT** in the matter of *Joanne Fay v. St. Louis County Board of Commissioners*.

Yeas - Commissioners Kron, Forsman, Sweeney, and Raukar - 4

Nays - Commissioners Fay and Nelson - 2

Abstaining - Chair Fink - 1

Adopted July 22, 2003. No. 489

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

258

At 11:53 A.M. on Tuesday, July 22, 2003, upon motion of Commissioner Sweeney, supported by Commissioner Raukar, the Board of County Commissioners adjourned.

Dennis Fink, Chair of the Board  
of County Commissioners

Attest:  
Gordon D. McFaul, County Auditor  
and Ex-Officio Clerk of the Board  
of County Commissioners

(Seal of the County Auditor)

**OFFICIAL PROCEEDINGS**  
**OF THE**  
**BOARD OF COUNTY COMMISSIONERS**  
**OF ST. LOUIS COUNTY, MINNESOTA**

**AUGUST, 2003**

**OFFICIAL PROCEEDINGS OF THE MEETING**  
**OF THE BOARD OF COUNTY COMMISSIONERS**  
**OF THE COUNTY OF ST. LOUIS, MINNESOTA,**  
**HELD ON AUGUST 5, 2003**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 5th day of August, 2003, at 9:38 A.M. at the St. Louis County 4-H Camp, Lake Eshquagama, Biwabik, Minnesota. The meeting was called to order by the Chair with the following members present: Commissioners Joanne Fay, Bill Kron, Mike Forsman, Peg Sweeney, Keith Nelson, Steve Raukar, and Chair Dennis Fink - 7. Absent: None.

Walter Hautala, St. Louis County Promotional Bureau, presented a brief history of the 4-H Camp at Lake Eshquagama.

Chair Fink opened the meeting to persons who wanted to address the Board concerning issues not on the agenda, and the following chose to do so:

Tony Tack, owner of J.T.'s General Store, Markham, said construction on Highway 4 has virtually eliminated customer access to his establishment and he asked the Board to do what it could to force the contractor to open a lane for traffic.

Darlene Saumer, an employee of J.T.'s General Store and a resident of the area, confirmed the access problems and said she feared her job may be in jeopardy.

Alan Mitchell, County Attorney, said if a copy of the contract is presented his office will review the terms to see if there is any relief available.

Commissioner Forsman, supported by Commissioner Nelson, moved to direct Administration, Public Works and the County Attorney's Office to seek remedies to the access problem; seven yeas - zero nays.

Andrew Phillips, Attorney, Virginia, presented a petition signed by 269 residents asking the Board to appoint a citizen's committee to study streamlining and coordinating the permit processes of the Health Department and Planning and Zoning.

Barbara Hayden, Planning Director, said her department is committed to coordinating with Health and other departments and many of the issues raised by Mr. Phillips are being addressed. Director Hayden questioned the need for another committee when the Planning Commission and Board of Adjustment are already in place. Surveys are distributed to customers to determine where problems may lurk. Director Hayden noted that a public process has been established if ordinance amendments or changes are needed.

Vicki Maher, Deputy Social Services Director, said Health is committed to cooperation and the committee studying possible consolidation of Health and Social Services in addressing Environmental Health issues.

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

274

Tom Schlotec, Sr., Tower, said he is familiar with customer surveys and service can be improved with knowledge obtained.

Tom Schlotec, Jr., Mesabi Land Company, said a citizen's committee would be a valuable resource to improve service and spur economic development.

Angelo Paoletti, Tower realtor, detailed where some delays occur and said the goal is to work together and not against each other.

David Twa, County Administrator, reminded the Board that some processes and changes are ongoing and that Planning, Health and other County departments are willing to find solutions when customer problems become known.

At the request of Commissioner Kron, Commissioner Nelson, supported by Commissioner Forsman, moved to refer the petition to the Economic Development Committee for consideration and issuance of recommendations no later than November 1, 2003. After some discussion, Commissioner Nelson considered amending his motion to include referral of the petition to the Planning Commission. After further discussion, Commissioner Nelson moved to amend his motion to refer the petition only to the Economic Development Committee for a response in a "reasonable time."; seven yeas - zero nays.

Chair Fink noted Lake Vermilion Management Plan Committee meetings were upcoming and Commissioners Forsman and Nelson indicated they would attend at least one meeting each.

The following Board and Contract Files were created as a result of documents received at this Board meeting:

Minnesota Department of Health granting license to St. Louis County Board of Commissioners as an Assisted Living Home Care Provider, effective August 9, 2003.-58109

2002 Population and Household Estimates for St. Louis County, as prepared by the Minnesota State Demographic Center.-58110

Petition signed by 269 residents requesting the St. Louis County Board to appoint a committee to address: coordination between the Health Department and Planning and Zoning; streamlining and expediting the process of obtaining a permit from Planning and Zoning and the Health Department; and discussing with professionals ways to accomplish these initiatives.-58111

Service Contract between the County of St. Louis and Crist Garbage Services, Inc., for "Sit" Site Waste Haulage services.-03-624

Contract between Hawkinson Construction Company, Inc. and County of St. Louis for Bituminous Reclamation, Aggregate Base, Bituminous Surface and Aggregate Shoulders on M.P. 583-1255, M.P. 795-1256 and M.P. 904-1257.-03-625

Agreement for Professional Nursing Services between St. Louis County, through its Health Department, and Barbara Louise Larson for Community Care Client No. 06.-03-626

Funding Agreement between County of St. Louis and St. Louis & Lake Counties Regional Railroad Authority for its local share of funding on services related to Mesabi Trail Projects, S.P. 69-090-16, C.P. 3621.-03-627

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

275

Contract between Hoover Construction Company and County of St. Louis for thirteen Centerline R.C.P. Culverts, Crosslead Treatments, Aggregate Base, Plant Mixed Bituminous Surface and Aggregate Shouldering on M.P. 7-1007.-[03-628](#)

Agreement for Implementation of 9-1-1 Telephone System between the County of St. Louis, the State of Minnesota, through its Department of Administration, and Braafladt LLC, d/b/a CP Telcom, to provide and maintain the 9-1-1 emergency telephone system.-[03-629](#)

Agreement No. 81265 between the County of St. Louis and the Duluth, Missabe and Iron Range Railway Company providing for funding of S.P. 69-00159 involving the installation and maintenance of railroad crossing signals on C-SAH 97, Gilbert, Minnesota.-[03-630](#)

Contract with Hardrives, Inc., and County of St. Louis for Bituminous Reclamation, Aggregate Surfacing, Bituminous Surfacing and Aggregate Shoulders on M.P. 955-1258, M.P. 657-1456, and M.P. 6705-3599.-[03-631](#)

St. Louis County Community Development Block Grant Program FY 2003 Agreement between St. Louis County and the Salvation Army - Northern St. Louis County.-[03-632](#)

St. Louis County Community Development Block Grant Program FY 2003 Agreement between St. Louis County and the City of Proctor.-[03-633](#)

St. Louis County Community Development Block Grant Program FY 2003 Agreement between St. Louis County and the Eveleth Economic Development Authority.-[03-634](#)

St. Louis County Community Development Block Grant Program FY 2003 Agreement between St. Louis County and the City of Ely.-[03-635](#)

St. Louis County Community Development Block Grant Program FY 2003 Agreement between St. Louis County and Duluth/North Shore Sanitary District.-[03-636](#)

St. Louis County Community Development Block Grant Program FY 2003 Agreement between St. Louis County and the City of Cook.-[03-637](#)

St. Louis County Community Development Block Grant Program FY 2003 Agreement between St. Louis County and Northeast Entrepreneur Fund, Inc.-[03-638](#)

St. Louis County Community Development Block Grant Program FY 2003 Agreement between St. Louis County and Arrowhead Economic Opportunity Agency relative to Home Ownership Assistance Program.-[03-639](#)

St. Louis County Community Development Block Grant Program FY 2003 Agreement between St. Louis County and the Salvation Army - Virginia.-[03-640](#)

St. Louis County Community Development Block Grant Program FY 2003 Agreement between St. Louis County and Range Women's Advocates.-[03-641](#)

St. Louis County Community Development Block Grant Program FY 2003 Agreement between St. Louis County and Arrowhead Economic Opportunity Agency relative to Single Family Housing Rehabilitation Program.-[03-642](#)

St. Louis County Community Development Block Grant Program FY 2003 Agreement between

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

276

St. Louis County and Arrowhead Economic Opportunity Agency relative to program for Homeless/Shelter Operations.–03-643

St. Louis County Community Development Block Grant Program FY 2003 Agreement between St. Louis County and Project SOAR of Northeast Minnesota.–03-644

St. Louis County Community Development Block Grant Program FY 2003 Agreement between St. Louis County and the City of Hibbing.–03-645

St. Louis County Community Development Block Grant Program FY 2003 Agreement between St. Louis County and the City of Virginia.–03-646

St. Louis County Community Development Block Grant Program FY 2003 Agreement between St. Louis County and Floodwood Services and Training.–03-647

St. Louis County Community Development Block Grant Program FY 2003 Agreement between St. Louis County and the City of Eveleth.–03-648

St. Louis County Community Development Block Grant Program FY 2003 Agreement between St. Louis County and Arrowhead Economic Opportunity Agency relative to program for Raising Our Children's Kids (ROCK).–03-649

St. Louis County Community Development Block Grant Program FY 2003 Agreement between St. Louis County and Legal Aid Service of Northeastern Minnesota.–03-650

St. Louis County Community Development Block Grant Program FY 2003 Agreement between St. Louis County and Sexual Assault Program of Northern St. Louis County.–03-651

Memorandum of Understanding between St. Louis County Communications Department and St. Louis County Planning Department, Community Development Division, to undertake the SLC 9-1-1 Communications Project to improve the emergency response communications system in the Floodwood community.–03-652

Personal Appearance Contract between St. Louis County, through its Solid Waste Department, and Tricia Haynes for "The Toonies" to perform entertainment at the St. Louis County Fair in Chisholm on August 1, 2003.–03-653

Upon motion of Commissioner Raukar, supported by Commissioner Fay, Resolutions No. 490 through 491, as submitted to this Board on the Consent Agenda were unanimously adopted as follows:

**BY COMMISSIONER RAUKAR:**

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, as set forth by the County Attorney, dated July 25, 2003, on file in the office of the County Auditor, identified as County Board File No. 57995, is hereby received and ratified as payable from Fund 52, Department 12.

Adopted August 5, 2003. No. 490

RESOLVED, that the application for a Temporary On-Sale 3.2 Percent Malt Liquor License, on file in the office of the County Auditor, identified as County Board File No. 58039, is hereby approved and the County Auditor is authorized to issue the license to the applicant:

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

277

Embarrass Region Volunteer Fire Department, Embarrass Township, Temporary On-Sale 3.2 Percent Malt Liquor License No. TB039, for August 23 and 24, 2003.  
Adopted August 5, 2003. No. 491

At 10:57 A.M. on Tuesday, August 5, 2003, upon motion of Commissioner Raukar, supported by Commissioner Fay, the Board of County Commissioners adjourned.

Dennis Fink, Chair of the Board  
of County Commissioners

Attest:  
Gordon D. McFaul, County Auditor  
and Ex-Officio Clerk of the Board  
of County Commissioners

(Seal of the County Auditor)

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

278

**OFFICIAL PROCEEDINGS OF THE MEETING  
OF THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF ST. LOUIS, MINNESOTA,  
HELD ON AUGUST 12, 2003**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 12th day of August, 2003, at 9:37 A.M. in the County Board Room, Courthouse, Duluth, Minnesota. The meeting was called to order by the Chair with the following members present: Commissioners Joanne Fay, Bill Kron, Mike Forsman, Peg Sweeney, Keith Nelson, Steve Raukar, and Chair Dennis Fink - 7. Absent: None.

Chair Fink began the meeting by sharing some historical facts about Minnesota.

Chair Fink presented Mark Monacelli, County Recorder, with the NACRC's Public Official of the Year Award. Recorder Monacelli thanked his staff for all their hard work and listed some of the myriad changes that have occurred in his office over the years and some of the challenges that will be faced in the future.

At 9:44 A.M., a sale of county fee land and buildings located at 24 East Willow Street, Duluth, MN, was considered. County Board Resolution No. 429, adopted July 1, 2003, requested that written proposals for the vacant Public Works facility be submitted no later than August 1, 2003, for consideration at the August 12, 2003, County Board meeting. Only a joint proposal from Johnson Frame and Axle and The Builder - two small business operators - was received. The proposal offered \$100,000 for the property (appraised at \$140,000), contingent on the City of Duluth rezoning the area for commercial development. The following persons addressed the issue/offer:

Michael Dean, Assistant County Attorney, listed Board options when considering the proposal: (1) accept the proposal even if it is below the minimum appraised value; (2) reject the proposal and put the property out for bids again; (3) reject the proposal and turn the sale over to a real estate broker, who would be obligated to try and sell the property for at least 90 percent of the minimum appraised value.

Tony Mancuso, Property Manager, said, in addition to the published advertisement, interested parties were contacted about the sale but may have declined to submit bids because of the rezoning issue.

Commissioner Fay, supported by Commissioner Kron, moved to accept the proposal as a means of assisting small business owners with economic development. Commissioners Sweeney and Nelson objected to the proposal because it was far below the appraised value and the contingency made the offer risk free for the buyers while leaving the County on the hook for up to twelve months. Commissioner Raukar suggested settling the rezoning issue with the City of Duluth before putting the property out for new bids. After further discussion, Commissioner Kron, supported by Commissioner Forsman, moved to table the matter until the September 2, 2003, County Board meeting; seven yeas - zero nays.

At 10:22 A.M., a public hearing was convened, pursuant to County Board Resolution No. 419, adopted July 1, 2003, to consider granting an off-sale intoxicating liquor license to Knutson & Son, Inc., d/b/a Jim's Ash Trail Store, Unorganized Township 68-21. Assistant County Attorney Dean advised the Board that: all required County Departments reviewed the application and recommended approval; the Liquor Licensing Committee met with the applicant and recommended approval; all required notices were given; and, the necessary insurance certificate was submitted.

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

279

Jim Knutson, owner, described the nearly-completed business and he thanked the Board and county staff for their assistance securing the license. Commissioners Sweeney and Forsman praised Mr. Knutson for his vision and preparations.

At 10:33 A.M., Commissioner Fay, supported by Commissioner Sweeney, moved to close the public hearing; seven yeas - zero nays. Commissioner Forsman, supported by Commissioner Sweeney, moved to approve granting the license; seven yeas - zero nays. Resolution No. 514.

Chair Fink opened the meeting to persons who wanted to address the Board concerning issues not on the agenda, but no one chose to do so.

At the request of Chair Fink, Item No. 14 of the Consent Agenda was removed for separate consideration under Environment and Natural Resources Committee. Commissioner Forsman, supported by Commissioner Sweeney, moved to approve the remainder of the Consent Agenda; seven yeas - zero nays.

Item No. 14 of the Consent Agenda (sale of tax forfeited land to the City of Duluth) was then considered. Commissioner Forsman, supported by Commissioner Sweeney, moved to approve sale of the land, which will be used by Habitat For Humanity to construct single family homes. In response to concerns of Commissioner Fink about construction delays, Lisa Cerri, representing Habitat For Humanity, said the lots would be used to build homes and she detailed some of the current projects and anticipated completion dates. After some discussion, the resolution was approved; seven yeas - zero nays. Resolution No. 513.

Commissioner Sweeney, supported by Commissioner Fay, moved to approve donation of "surplus and of no value" wheelchairs, walkers and canes previously used at Nopeming Care Center to the "Wheels In Motion" program. Commissioner Nelson, who toured Nopeming and said a large number of useable wheelchairs, walkers and canes remain on the premises, asked for a friendly amendment - not accepted by the makers - to add the following to the resolution: (1) direct Property Management to move all useable equipment to Chris Jensen Health and Rehabilitation Center; (2) complete a full inventory of equipment left at Nopeming; (3) donate 30 percent of remaining wheelchairs to the Wheels In Motion Program and make the balance available to County nonprofit organizations; (4) pursue disposal of any leftover equipment as soon as possible. Commissioner Nelson then offered the changes as a formal amendment and Commissioner Fink supported it for discussion purposes. The following persons then addressed the issue:

Tony Mancuso, Property Manager, said there were surplus items left at Nopeming and an inventory could be done if the Board directed.

Linda Anderson, Social Services Director, said Fletcher Hinds from her department and Lynn Ross from "Wheels In Motion" were present to answer questions about donation of the surplus equipment.

Fletcher Hinds, Social Services, said he initiated the donation to dispose of unclaimed and surplus equipment to a good organization.

Lynn Ross, "Wheels In Motion," demonstrated problems disabled persons have getting around without wheelchairs, walkers or canes. The used wheelchairs, which will be refurbished, are headed for Vietnam and will provide "a gift of mobility" for disabled persons.

Michael Dean, Assistant County Attorney, said statutes allow for disposal of "surplus and no value" items and he didn't believe there would be any County product liability.

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

280

Dick Florey, Director of Purchasing, explained procedures for declaring property as "surplus and of no value" and steps that were taken to dispose of items being considered for donation to "Wheels In Motion".

After lengthy discussion, the amendment failed; one yeas - six nays, Commissioners Fay, Kron, Forsman, Sweeney, Raukar and Chair Fink. Commissioner Forsman, supported by Commissioner Fay, moved to amend the resolution to limit the donation to "up to 20 wheelchairs, 25 walkers and 25 canes". After further discussion, the amendment was approved; six yeas - one nay, Commissioner Sweeney. The amended motion was then approved; seven yeas - zero nays. Resolution No. 515.

Commissioner Raukar, supported by Commissioner Sweeney, moved to authorize an agreement with the City of Virginia for provision of direct dispatch services. The following persons addressed the issue:

Paul Kent, Communications Director, explained how the estimated cost of \$83,000 was calculated. Funding is not currently in the Communications budget, according to Director Kent.

Dana Waldron, Virginia Chief of Police, said his department will purchase Mobile Data Computers for their squad cars at considerable expense. Chief Waldron characterized the decision as a fairness issue.

David Phillips, Undersheriff, said the Sheriff's Office supports inclusion of Virginia in the communications network.

After brief discussion, the motion was approved; seven yeas - zero nays. Resolution No. 516.

Commissioner Kron, supported by Commissioner Sweeney, moved to approve a settlement agreement with Bill & Irv's Properties, Inc., involving litigation arising out of the forfeited land sale of the old Arrowhead Refinery site. In response to a question from Commissioner Fay, Assistant County Attorney Michael Dean said this was a mediated dispute with substantial risk to both parties. After further discussion the settlement was approved; seven yeas - zero nays. Resolution No. 517.

At 2:12 P.M. in the afternoon of Tuesday, August 12, 2003, Commissioner Fay, supported by Commissioner Sweeney, moved to recess the Board until 2:15 P.M. on August 12, 2003, in the Commissioners' Conference Room, Courthouse, Duluth, Minnesota.

The Board reconvened at 2:25 P.M. on August 12, 2003, and the regular order of business resumed with all members.

Sid Jarvis, Farm Service Agency of the U.S. Department of Agriculture, was present to answer questions about the proposed resolution approved at Committee of the Whole asking the Governor to petition the U. S. Department of Agriculture to declare an agricultural disaster in St. Louis County because of crop losses due to winter kill. In response to question from Commissioner Fay concerning losses suffered by berry farmers, Jarvis said they may be eligible for relief under USDA programs.

Commissioner Fay, supported by Commissioner Forsman, moved to approve a Second Consent Agenda consisting of all items passed unanimously at the just-completed Committee of the Whole meeting; seven yeas - zero nays.

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

281

Commissioner Fay, supported by Commissioner Sweeney, moved to authorize MIS Department to enter into an agreement with Koochiching, Lake and Carlton Counties to provide subscriber services to the DAMION Attorney Case Management System. Martin Buscombe, MIS Director, described the system, explained how costs will be allocated and detailed benefits that will be realized. After brief discussion, the resolution was approved; seven yeas - zero nays. Resolution No. 517.

The following Board and Contract Files were created as a result of documents received at this Board meeting:

Notice of Filing of Order in the Sixth Judicial District of the State of Minnesota, County of St. Louis, Stipulation of Dismissal, Settlement, Order for Dismissal, and Judgment of Dismissal with Prejudice in the matter of Sure Frame Construction, Inc., vs. Castle Properties LLC, Tech Builders, Inc., S & C Bank, Minnesota Business Finance Corporation, U.S. Small Business Administration, St. Louis County, Lager/Andrusko Properties.-[58112](#)

Tax Increment Financing Reports for the year ended December 31, 2002.-[58113-D](#)

Normanna Township Board requesting the installation of two signs on either side of their two gravel pits indicating "trucks are hauling"; completion of the work begun on the Lakewood Road when construction was done to repave the road; and after the bridge over the French River is completed in September they would like the installation of end abutment warnings to alert motorists about the bridge.-[58114](#)

Normanna Township Board regarding their concern about the noise associated with a dirt bike track and requesting the Commissioners to check into the matter.-[58115](#)

David Twa, County Administrator, and Anthony J. Bruno, Jr., Civil Service/Personnel Director, submitting Board Letter No. 03-395 regarding Revision to Civil Service Rule XI - Departments and Seniority Units.-[58116](#)

Caribou Lake Wastewater Collection System (CLAWS) requesting resolution of support for the Arrowhead Regional Corrections to negotiate with the Canosia and Grand Lake Township Joint Powers Board for purchase/lease or other formal agreement to use NERCC property for the creation of a decentralized wastewater treatment system for Caribou Lake Wastewater Collection System.-[58117](#)

Documentation from public hearing held on August 12, 2003, to consider granting an off-sale intoxicating liquor license to consider the granting of an Off-Sale Intoxicating Liquor License to Knutson & Son, Inc., d/b/a Jim's Ash Trail Store, Unorganized Township 68-21.-[58118](#)

Hope Haven International Ministries request for old wheelchairs for children and adults outside North America who are in need.-[58119](#)

Post Retirement Health Care Savings Plan for Unclassified Managers covered by Unclassified Managers Pay Plan.-[03-654](#)

Public Water Access Cooperative Agreement between the State of Minnesota, acting through the Commissioner of the Department of Natural Resources, for improvements to the Willard Munger Landing on the St. Louis River at the end of Clyde Avenue.-[03-655](#)

Purchase of Service Agreement between St. Louis County, through its Department of Public Health

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

282

and Long Term Medical Care on behalf of Chris Jensen Health and Rehabilitation Center, and Falk's Nursing Service Pharmacy.-[03-656](#)

Project Contract between the County of St. Louis and Traut Hydro-Tech for developing five soil borings at the Regional Landfill in Virginia.-[03-657](#)

Project Contract between the County of St. Louis and Kangas Excavating, Inc., for drainage improvements at the Hibbing Transfer Station Maintenance Building.-[03-658](#)

Project Contract between the County of St. Louis and Northeast Technical Services for geotechnical investigation at the Regional Landfill in Virginia.-[03-659](#)

License Agreement between St. Louis County and the State of Minnesota, Department of Administration, for use of two parking stalls in the Government Services Center parking ramp.-[03-660](#)

Purchase of Service Agreement, Contract No. 13521, between St. Louis County Board of Commissioners and Gentiva Certified Healthcare Corporation, d/b/a Gentiva Health Services, for home care services.-[03-661ss](#)

Purchase of Service Agreement, Contract No. 13536, between the St. Louis County Board of Commissioners and Homecare Specialists, Inc., for supplies and equipment.-[03-662ss](#)

Addendum to Purchase Agreement, Contract No. 13453A, between the St. Louis County Board of Commissioners and Lakeside Manor for assisted living plus.-[03-663ss](#)

Purchase of Service Agreement, Contract No. 13538, between the St. Louis County Board of Commissioners and Lifeline Systems, Inc., for supplies and equipment.-[03-664ss](#)

Addendum to Contract No. 13404 between the St. Louis County Board of Commissioners and the Northeast Minnesota Office of Job Training for MFIP employment and training services.-[03-665ss](#)

Addendum to Purchase Agreement, Contract No. 13246D, between the St. Louis County Board of Commissioners and St. Francis Health Services of Morris, d/b/a Home Care Service Options of Duluth, for assisted living plus.-[03-666ss](#)

Addendum to Purchase Agreement, Contract No. 13111F, between the St. Louis County Board of Commissioners and TBI Residential and Community Services, Inc., for adult foster care.-[03-667ss](#)

Addendum to Purchase Agreement, Contract No. 13111E, between the St. Louis County Board of Commissioners and TBI Residential and Community Services, Inc., for adult foster care.-[03-668ss](#)

Purchase of Service Agreement, Contract No. 13542, between the St. Louis County Board of Commissioners and NHS - Northstar Specialized Services, Inc., for independent living skills services.-[03-669ss](#)

Purchase of Service Agreement, Contract No. 13543, between the St. Louis County Board of Commissioners and Peterson Colonial Homes, Inc., for adult foster care.-[03-670ss](#)

Addendum to Purchase Agreement, Contract No. 13390E, between the St. Louis County Board of Commissioners and Spectrum Community Health, Inc., for assisted living plus.-[03-671ss](#)

Addendum to Purchase Agreement, Contract No. 13000B, between the St. Louis County Board of

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

283

Commissioners and Interim Healthcare of Lake Superior, Inc., for supplies and equipment.–03-672ss

Group Residential Housing Rate Agreement between the St. Louis County Board of Commissioners and Colonial Homes III.–03-673ss

Group Residential Housing Rate Agreement between the St. Louis County Board of Commissioners and Arleen and Jeff Zapp Adult Foster Care Home.–03-674ss

Group Residential Housing Rate Agreement between the St. Louis County Board of Commissioners and Spectrum Adult Foster Care.–03-675ss

Group Residential Housing Rate Agreement between the St. Louis County Board of Commissioners and TBI Residential & Community Services.–03-676ss

Agreement for Professional Services between the County of St. Louis and MacNeil Environmental, Inc., for Duluth Courthouse asbestos abatement.–03-677

Upon motion of Commissioner Kron, supported by Commissioner Sweeney, Resolutions No. 492 through 512, as submitted to this Board on the Consent Agenda were unanimously adopted as follows:

**BY COMMISSIONER KRON:**

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of July 22, 2003, are hereby approved.

Adopted August 12, 2003. No. 492

RESOLVED, that the recommendations of the Finance Committee for payment of claims and bills against the County of St. Louis, on file in the office of the County Auditor, identified as County Board File No. 57999, are hereby approved and the County Auditor shall issue checks in the following amounts:

<u>FUND</u>		<u>TOTAL</u>
T10	Permits to Carry Firearms	\$ 200.00
T11	Minnesota Trail Assistance	5,891.88
T21	Beer License	10.00
T27	Refunds	46,605.12
T31	Caribou Lake Wastewater Con.	140.47
T50	State of Minnesota	649,074.40
T66	Criminal Fines	127,467.79
T74	Employer/Employee Deductions	1,421,974.36
T77	Cancelled Checks	15,170.21
T80	Lake Superior - Forfeiture	3,500.00
T84	Attorney's Forfeitures	5,092.23
T85	Sheriffs State Forfeitures	176.53
T87	Assault Fees	912.00
01	General Fund	1,360,343.15
02	Public Works	849,569.59
04	Social Services	7,283,449.48
08	County Facilities - Capital Projects	13,976.00
08A	State Aid Road	151,844.03
08B	Road & Bridge Building Const.	15,140.00

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

284

10B	Emer. Shelter 99/00 Funds	13,448.46
11A	Home Grant - All Years	4,111.52
12B	CDBG Grant	158,405.25
127	Enhanced 9-1-1 Fund	23,990.99
128	Law Library	16,674.50
13	St. Louis County HRA	246.00
131	Extension Service	17,285.38
15	Forfeited Tax	106,607.49
16	Forest Resources	23,028.72
26	Solid Waste Authorities	255,506.88
37L	Hibbing Public Works Facility Debt	18,348.05
49	Postage/Office Supplies	20,492.97
50	Printing	9,183.45
51	County Garage	34,690.48
52A	Property, Casualty, Liability	335.49
52B	Workers Compensation	159,356.41
52D	Medical/Dental Self Insurance	3,295.48
53	Management Information Systems	279,941.38
54	Regional Railroad Authority	55,000.95
55	Telecommunications	71,446.99
57	Retired Employees Health Insurance	110,366.82
64A	Chris Jensen Health & Rehab.	435,235.97
65	Laundry	31,364.22
66	Community Food Services	80,162.61
67	Supervised Living Facilities	8,358.55
73	Arrowhead Regional Corrections	326,992.76
74	Community Health Services	<u>20,871.13</u>
		\$14,235,286.14

Adopted August 12, 2003. No. 493

RESOLVED, that pursuant to the recommendations of the Tax Committee, the applications of the following named persons and firms for reduction and correction of assessed valuations and taxes in the following amounts plus on those abatements of penalty and interest, any additional accrual to the date of this resolution, on file in the office of the County Auditor, identified as County Board File No. 58013, are hereby approved:

Real Estate - Jo Baumchen, \$445.08; Neil P. Byce, \$291.94; Julie Carlson, \$588.20; Gene Carter, \$311.72; Richard Grenewich, \$26.18; William Hunter, \$576.96; Becky Jakubek, \$278.40; Brenda Jeka, \$133.90; Kimberly Juntunen, \$70.96; Timothy Kjera, \$5,953.18; Jeffrey Page, \$442.70; Jeramie Pudlick, \$816.34; Frederick Tomassoni, \$233.96; Robert Wheaton, \$174.94.

Personal Property - Sheryl Jones, \$12.92; Janis Malmquist, \$202.50; Katie Roberts, \$47.60; Patricia Slocum, \$128.00.

Adopted August 12, 2003. No. 494

RESOLVED, that pursuant to St. Louis County Ordinance No. 51, the application for license to sell tobacco products, at retail, on file in the office of the County Auditor, identified as County Board File No. 57994, is hereby approved and the County Auditor is authorized to issue the license as follows;

RESOLVED FURTHER, that if named licenseholder sells their licensed business, the County Board, at its discretion, may, after an investigation, transfer the license to a new owner, but without pro-rated refund to the licenseholder:

Knutson & Son, Inc., d/b/a Jim's Ash Trail Store, Unorganized Township 68-21, Tobacco Products License No. T03189, new.

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

285

Adopted August 12, 2003. No. 495

RESOLVED, that pursuant to the provisions of Minnesota Statutes, Section 340A, as amended, and Rules and Regulations adopted by this Board under St. Louis County Ordinance No. 28, dated May 22, 1978, as amended, the following application for a 3.2 percent malt liquor license is hereby approved, on file in the office of the County Auditor, identified as County Board File No. 58039; FURTHER RESOLVED, that said license is approved contingent upon the licenseholder paying real estate or personal property taxes when due;

FURTHER RESOLVED, that if named licenseholder sells their licensed place of business, the County Board, at its discretion, may, after an investigation, transfer the license to a new owner, but without pro-rated refund of the license fee to the licenseholder;

FURTHER RESOLVED, that said license shall be effective through June 30, 2004:

Gnesen Convenience Store, LLC, d/b/a Gnesen Convenience Store, LLC, Gnesen Township, Off-Sale 3.2 Percent Malt Liquor License No. B0465, transfer.

Adopted August 12, 2003. No. 496

RESOLVED, that the appraisal reports for the sale of timber to be offered at Sealed Bid Christmas Tree Auction, Tracts 1 through 6 totaling \$58,287.00, as submitted by the Land Commissioner, on file in the office of the County Auditor, identified as County Board File No. 58000, are approved and the County Auditor is authorized to carry out the recommendations as listed in said appraisal reports.

Adopted August 12, 2003. No. 497

RESOLVED, that the St. Louis County Board of Commissioners approves an amendment to add Woodland Gardens to the Home Delivered Meals (Senior Dining) Contract with the City of Duluth, effective July 1, 2003.

Budget Reference:

Fund 04 Social Service, Agency SSV Social Service, Organization 2300 Title III Home Delivered Meals

Revenue Sources 1873 Home Delivered Meals, 9106 Title III Home Delivered Meals, 9118 USDA Reimbursement-Home Delivered Meals & 9318 State-Home Delivered Meals

Adopted August 12, 2003. No. 498

RESOLVED, that the St. Louis County Board of Commissioners hereby authorizes the Social Services Department to amend SFY 2003 purchase of service agreements with the following providers at the following rates for the period July 1, 2003, through June 30, 2004:

**SEMI-INDEPENDENT LIVING SERVICES (SILS)**

	<u>Per Hour</u>
Duluth Regional Care Center	\$24.96
Empowerment Services of Minnesota, Inc. (Employee of Record)	\$14.06
HOMES, Inc. - Hibbing	\$24.96
HOMES, Inc. - Virginia	\$24.96
Innovative Living, Inc.	\$24.96
Trillium Services, Inc.	\$24.96

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

286

EXPENSE:	<u>Fund</u>	<u>Agency</u>	<u>Organization</u>	<u>Object</u>
	04	SSV	2600	5340
			6300	5340
REVENUE:	<u>Fund</u>	<u>Agency</u>	<u>Source</u>	
	04	SSV	9324	

**DAY TRAINING & HABILITATION**

<u>Program Name</u>	<u>Full</u>	<u>Partial</u>	<u>Round</u>	<u>Full Day</u>
	<u>Day</u>	<u>Day</u>	<u>Trip</u>	<u>Program &amp;</u>
	<u>Program</u>	<u>Program</u>	<u>Transport.</u>	<u>Transport.</u>
Access to Employment Too, Inc.	\$ 81.20	\$60.90	\$ 7.10	\$ 88.30
CHOICE, unlimited - CHOICE	\$ 69.25	\$51.94	\$ 7.64	\$ 76.89
CHOICE, unlimited - OPTIONS	\$ 96.52	\$72.39	\$10.19	\$106.71
East Range DAC	\$ 61.31	\$45.98	\$10.94	\$ 72.25
Floodwood Services & Training, Inc.	\$ 61.84	\$46.38	\$ 5.44	\$ 67.28
MSOCS Duluth - Airpark	\$112.01	\$84.01	\$ 9.27	\$121.28
MSOCS Duluth - West End	\$ 86.29	\$64.72	\$12.92	\$ 99.21

<u>Program Name</u>	<u>Full</u>	<u>Partial</u>	<u>Round</u>	<u>Full Day</u>
	<u>Day</u>	<u>Day</u>	<u>Trip</u>	<u>Program &amp;</u>
	<u>Program</u>	<u>Program</u>	<u>Transport.</u>	<u>Transport.</u>
MSOCS Virginia - Virginia	\$110.89	\$83.17	\$15.71	\$126.60
Range Center, Inc.	\$ 44.14	\$33.11	\$ 4.67	\$ 48.81
UDAC, Inc.	\$ 53.73	\$40.30	\$ 9.90	\$ 63.63

	<u>Level</u>	<u>Hourly Rate</u> *
Pinewood, Inc. - Duluth	A	\$26.85
	B	\$13.11
	C	\$10.35
	D	\$ 9.18

\*Pinewood, Inc.-Duluth was a Rule 75 pilot program and is allowed to have hourly rates.

EXPENSE:	<u>Fund</u>	<u>Agency</u>	<u>Organization</u>	<u>Object</u>
	04	SSV	2600	5660
			6300	5660
REVENUE:	<u>Fund</u>	<u>Agency</u>	<u>Source</u>	
	04	SSV	9301	
			0020	

Adopted August 12, 2003. No. 499

RESOLVED, that the St. Louis County Board of Commissioners accepts grant funds of \$46,435 from the Duluth Area Family Services Collaborative and uses these grant funds to provide one (1) 1.0 FTE St. Louis County Social Services Department social worker and to extend the existing contract with Lutheran Social Services from July 1, 2003, through December 31, 2003, for the provision of one (1) .30 FTE Interagency Review Team program coordinator and two (2) .50 FTE student/family advocates. These funds are already included in the Social Service Department budget in 04 SSV Revenue Source 5870.

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

287

Adopted August 12, 2003. No. 500

RESOLVED, that the St. Louis County Board of Commissioners hereby authorizes the appropriate county officials to enter into a two-year contract relating to St. Louis County's role as Billing Agent for Mental Health Crisis Response Services and Mental Health Rehab Option Services provided by Brainerd Regional Human Services Center (BRHSC) for Region III. St. Louis County will maintain an accounting of billed revenues and collections for Mental Health Crisis Response Services by month, and provide that information to BRHSC. Total billings from BRHSC over the term of this agreement will equal St. Louis County collections minus 10 percent (held back by St. Louis County for administrative costs). If the collections exceed the costs, then Region III and the State will jointly plan for the use of the excess collections.

BUDGET REFERENCE:

Fund: 04 Social Service, Agency: SSV Social Services, Org: 6860 MLRTC SOS, Obj: 4580 MLRTC SOS

Revenue: 0020 County Local Property Tax & 9511 State Other

Adopted August 12, 2003. No. 501

RESOLVED, that the St. Louis County Board of Commissioners hereby authorizes the appropriate county officials to enter into a host county contract with Brainerd Regional Human Services Center of the Northern Region of State Operated Services ("BRHSC") which sets forth the responsibilities for the shared social worker. BRHSC will be responsible for the social worker's salary, while one-third (1/3) of the social worker's responsibilities are designated to St. Louis County. The County will provide on-site supervision and related services. The County will also pay BRHSC one-tenth (1/10) the cost of the social worker, at the hourly rate of \$3.20 per hour for 620 hours, for an annual expense as follows:

\$1,984 for fiscal year ending June 30, 2004, and  
\$1,984 for fiscal year ending June 30, 2005.

BUDGET REFERENCE:

Fund: 04 Social Service, Agency: SSV Social Services, Org: 6860 MLRTC SOS, Obj: 4580 MLRTC SOS

Revenue: 0020 County Local Property Tax & 9511 State Other

Adopted August 12, 2003. No. 502

RESOLVED, that the St. Louis County Board of Commissioners hereby authorizes the appropriate county officials to enter into two Host County contracts with Brainerd Regional Human Services Center of the Northern Region of State Operated Services (BRHSC) as follows:

1. **Fiscal Agent.** One contract covers St. Louis County's responsibilities as fiscal agent and host county for these State services. Linda Anderson is identified as St. Louis County's authorized agent for the purposes of this contract. St. Louis County agrees to receive Mental Health Grant funds for Region 3 not to exceed \$1,869,588.00 for each year. St. Louis County will coordinate the delivery of State-provided services with other providers and will authorize the actual delivery of services, which will be paid using those same Mental Health Grant funds. St. Louis County will pay the State for those services in quarterly payments as follows:

\$1,869,588.00 for the fiscal year ending June 30, 2004:  
\$467,397 x 4 in separate payments upon receipt of invoices issued by BRHSC at the end of September, December, March, and June.  
\$1,869,588.00 for the fiscal year ending June 30, 2005:  
\$467,397 X 4 in separate payments upon receipt of invoices issued by BRHSC at the end of September, December, March, and June.

2. **St. Louis County's Share.** The other contract identifies St. Louis County's share of the

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

288

Region 3 Mental Health Grant as an amount equal to 10 percent of the total amount Mental Health Grant amount, not to exceed \$186,958. St. Louis County will use County funds to pay this amount to the State each year, allocated as follows:

\$186,958.00 for the fiscal year ending June 30, 2004  
    \$114,990 for Bridge House (per diem rate: \$286.40)  
    \$ 71,968 for outreach services  
\$186,958.00 for the fiscal year ending June 30, 2005  
    \$114,990 for Bridge House (per diem rate: \$286.40)  
    \$ 71,968 for outreach services.

**BUDGET REFERENCE:**

Fund: 04 Social Service, Agency: SSV Social Services, Org: 6860 MLRTC SOS, Obj: 4580 MLRTC SOS

Revenue: 0020 County Local Property Tax & 9511 State Other

Adopted August 12, 2003. No. 503

WHEREAS, St. Louis County requires contractors to haul mixed solid waste from its canister sites and transport the waste to transfer stations or the landfill for disposal; and  
WHEREAS, this haulage service was competitively bid in November, 2002; and  
WHEREAS, James G-Men was awarded the contract and has since sold his business; and  
WHEREAS, the new owners, The G-Men Company, Inc., intend to provide all of the services upon the same terms and conditions;

NOW, THEREFORE BE IT RESOLVED, the St. Louis County Purchasing Department cancel the previous contract with James G-Men, Inc.;

RESOLVED FURTHER, the St. Louis County Purchasing Department be authorized to enter into a new contract with the new owners, The G-Men Company, Inc., at \$19.50/canister dump for canister at the Soudan, County 77, Embarrass, and Bois Forte Vermilion canister sites and \$3/3-yard canister and \$6/6-yard canister located at the Northwoods Transfer Station, payable from Fund 26, Agency J-35.

Adopted August 12, 2003. No. 504

RESOLVED, the St. Louis County Board of Commissioners hereby authorizes the Property Management Director to offer for sale the parcels described as Lots 16 through 22, Block 15, Duluth Heights Sixth Division, City of Duluth, pursuant to the requirements and procedures of Minnesota Statutes, Section 373.01.

RESOLVED FURTHER, the Board hereby establishes the time for proposal consideration to be at 9:35 A.M. on Tuesday, September 9, 2003, at the St. Louis County Board meeting in the Duluth Courthouse.

Adopted August 12, 2003. No. 505

RESOLVED, the St. Louis County Board of Commissioners hereby authorizes the Property Management Director to offer for public sale the parcel of land 3,628 square feet in size on or about the southwest corner of the intersection of Arrowhead Road and Arlington Avenue in the City of Duluth, pursuant to the requirements and procedures of Minnesota Statutes, Section 373.01.

RESOLVED FURTHER, the Board hereby establishes the time for proposal consideration to be at 9:35 A.M. on Tuesday, September 9, 2003, at the St. Louis County Board meeting in the Duluth Courthouse.

Adopted August 12, 2003. No. 506

RESOLVED, the St. Louis County Board of Commissioners hereby authorizes the Property Management Director to offer for sale, pursuant to the requirements and procedures of Minnesota Statutes, Section 373.01, ten unimproved acres located on Como Avenue in the City of Duluth and

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

289

legally described as Southeast 1/4 of Southwest 1/4 of Southwest 1/4, Section 16, Township 50 North, Range 14 West.

RESOLVED FURTHER, the Board hereby establishes the time for proposal consideration to be at 9:35 A.M. on Tuesday, September 9, 2003, at the St. Louis County Board meeting in the Duluth Courthouse.

Adopted August 12, 2003. No. 507

RESOLVED, the Board authorizes the appropriate County officials to execute a utility easement with the City of Duluth, Minnesota, for the installation of a water line to a housing development in the Smithville/Riverside neighborhoods. The legal description is as follows:

Utility, Grading and Drainage Easement  
across Lots 11, 12, 13 of Block 46  
Ironton Second Division

A parcel of land located in the SW 1/4 SW 1/4 of Section 23, T49N, R15W, 4th Principal Meridian, City of Duluth, St. Louis County, Minnesota, and being located within Lots 11, 12, and 13 of Block 46 and the adjoining alley of Ironton Second Division, a plat of record and on file in the Office of the St. Louis County Recorder, and being more particularly described as follows: Beginning at the intersection of the centerline of the platted alley adjoining said Block 46 with the north right-of-way line of Gogebic Street; thence N 48 degrees 31 minutes 27 seconds E, assumed bearing, 136.18 feet along said alley centerline to an intersection with an elongation of the northeasterly line of said Lot 11, Block 46; thence S 41 degrees 28 minutes 33 seconds E, 8.00 feet along said elongation to the north corner of said Lot 11; thence S 35 degrees 53 minutes 36 seconds W, 103.69 feet to an intersection with the south line of said Block 46; thence S 89 degrees 45 minutes 22 seconds W along the south line of said Block 46 and its elongation to the point of beginning. Said parcel contains 2493 square feet, more or less, and is subject to any easements, restrictions, reservations, or right-of-way of sight and/or of record.

Adopted August 12, 2003. No. 508

RESOLVED, that the Public Works Department is hereby authorized to enter into an agreement with the City of Tower authorizing the appropriate County officials to sign the agreement for S.P. 69-090-14, whereby the City of Tower will pay the City local dollar match of twenty percent (20%) of the actual project costs, and other costs including but not limited to advertising, mailing of plans and proposals, and construction materials testing.

Adopted August 12, 2003. No. 509

WHEREAS, the St. Louis County Communications Department has identified a continuing need to use the Minnesota Public Radio (MPR) antenna site at Buhl for its public safety radio communications systems; and

WHEREAS, it is in the County's best interests to extend the period of the original MPR lease for an additional five year period, ending on January 1, 2008.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board hereby authorizes the Chair of the Board and County Auditor, with approval by the County Attorney, to extend the Minnesota Public Radio antenna site lease for an additional five-year period, ending on January 1, 2008, at an annual cost of \$5,457.11, plus IDP/GNP adjustment, for a total not to exceed \$29,500.00. Funding will be from Fund 01 (General), Agency 099 (Radio Maintenance), Object 342 (Building/Facility Rentals).

Adopted August 12, 2003. No. 510

WHEREAS, St. Louis County and the City of Duluth cooperatively accepted a grant from the State of Minnesota, Office of Drug Policy and Violence Prevention, for funding the Criminal Gang Strike Task Force; and

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

290

WHEREAS, the expiration date of this grant was June 30, 2003; and  
WHEREAS, the State of Minnesota desires to extend the expiration date of this grant to June 30, 2004; and  
WHEREAS, acceptance of this amendment to the Grant would assist the Gang Strike Task Force by allowing monies that have already been approved to be available to the Task Force June 30, 2003, to June 30, 2004.  
NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners hereby accepts Amendment 1 to State Grant Contract No. A25843 extending the Criminal Gang Strike Force expiration date to June 30, 2004; and  
RESOLVED FURTHER, the St. Louis County Board authorizes the appropriate county officials to execute any required amendments to the contract with the State of Minnesota; and  
RESOLVED FURTHER, that this contract amendment be approved as to form and content by the County Attorney.  
Adopted August 12, 2003. No. 511

WHEREAS, St. Louis County is committed to providing comprehensive waste management services including land disposal to its residents; and  
WHEREAS, St. Louis County continues to expand and develop its Regional Landfill in Virginia to provide land disposal services to residents of its solid waste service area; and  
WHEREAS, St. Louis County requested that Northeast Technical Services provide the County with a proposal for engineering services for the design and bidding of the construction of Phase 4 of the Regional Landfill and the closure of portions of Phases 1 and 1A of the Regional Landfill; and  
WHEREAS, St. Louis County also requested that Northeast Technical Services provide the County with a proposal for the delivery of general landfill engineering services for the remainder of 2003 and for 2004; and  
WHEREAS, St. Louis County has reviewed and evaluated the proposal submitted by Northeast Technical Services and found it acceptable and meeting the County's needs.  
NOW, THEREFORE, BE IT RESOLVED, the appropriate County officials are authorized to execute an agreement with Northeast Technical Services to provide landfill engineering services at a cost not to exceed \$67,269, payable from Fund 26, Agency J-48 Landfill.  
Adopted August 12, 2003. No. 512

**BY COMMISSIONER FORSMAN:**

RESOLVED, the St. Louis County Board of Commissioners hereby authorizes the Property Management Director to sell the property described as Lots 14 and 15, Block 15, Duluth Heights Sixth Division, City of Duluth, for \$1,500 each, or \$3,000 total, plus fees, to the City of Duluth.  
Unanimously adopted. August 12, 2003. No. 513

WHEREAS, Knutson & Son, Inc., d/b/a Jim's Ash Trail Store, Unorganized Township 68-21, St. Louis County, Minnesota, has applied for an off-sale intoxicating liquor license; and  
WHEREAS, Minnesota Statutes, Section 340A.405, Subdivision 2(d), requires that a public hearing be held prior to the issuance of an off-sale intoxicating liquor license; and  
WHEREAS, a public hearing was held on August 12, 2003, at or about 9:35 A.M. in the St. Louis County Court House, Duluth, Minnesota, for the purpose of considering the granting of the off-sale intoxicating liquor license; and  
WHEREAS, with regard to the application for said license Jim's Ash Trail Store has complied in all respects with the requirements of Minnesota Law and St. Louis County Ordinance No. 28; and  
WHEREAS, the Liquor Licensing Committee of the St. Louis County Board of Commissioners has considered the nature of the business to be conducted and the propriety of the location and has recommended approval of the application.  
NOW, THEREFORE, BE IT RESOLVED, that Off-Sale Intoxicating Liquor License (License Number OFSL0414) shall be issued to Knutson & Son, Inc., d/b/a Jim's Ash Trail Store,

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

291

Unorganized Township 68-21, contingent upon applicant Knutson complying in all respects with the controlling building, construction, zoning, liquor, health, environmental and sanitary laws, rules and regulations in the construction of the licensed premises;  
FURTHER RESOLVED, that said liquor license shall be effective through June 30, 2004;  
FURTHER RESOLVED, that said license is approved contingent upon payment of real estate taxes when due;  
FURTHER RESOLVED, that if named licenseholder sells the licensed place of business, the County Board, at its discretion, may, after an investigation, transfer the license to a new owner, but without pro-rated refund of license fee to the licenseholder.  
Unanimously adopted. August 12, 2003. No. 514

**BY COMMISSIONER SWEENEY:**

RESOLVED, that the St. Louis County Board of Commissioners hereby donates "surplus and without value" up to 20 wheelchairs, 25 walkers, and 25 canes previously used at the Nopeming Nursing Home to the "Wheels in Motion" Program.  
Unanimously adopted. August 12, 2003. No. 515

**BY COMMISSIONER RAUKAR:**

RESOLVED, that the County Board hereby authorizes the Chair of the Board and the Communications Director, with approval by the County Attorney, to enter into an agreement to provide dispatch services to the City of Virginia, provided that the City of Virginia (1) use a common radio dispatch channel with other law enforcement agencies; (2) install Mobile Data Computers (MDCs) in all their squads to reduce the amount of radio traffic needing to be processed through the County's dispatch center.  
Unanimously adopted. August 12, 2003. No. 516

**BY COMMISSIONER KRON:**

WHEREAS, Bill & Irv's Properties, Inc., and St. Louis County have been involved in litigation arising out of the tax-forfeited land sale of the old Arrowhead Refinery site; and  
WHEREAS, after discovery, motion practice, and mediation, the parties have agreed to a stipulated resolution of this dispute.  
NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board Chair and Auditor are authorized to execute a settlement agreement and release and amendment to Certificate of Sale in a form approved by the St. Louis County Attorney's Office; agreeing to refund \$20,000 of the purchase price already paid for the subject property to Bill & Irv's Properties, Inc., said amount being payable from Fund 15, Agency E21, Revenue Source 5320; and further providing for the amendment of the Certificate of Sale to defer payment of the remaining principal amount of \$173,745, without interest, to be payable on or before February 27, 2012, or immediately upon the sale or development of the subject property.  
Adopted August 12, 2003. No. 517

Upon motion of Commissioner Fay, supported by Commissioner Forsman, Resolutions No. 518 through 525, which were approved at the Committee of the Whole meeting this date, were brought forth to this meeting as a second Consent Agenda and were unanimously adopted as follows:

**BY COMMISSIONER FAY:**

RESOLVED, the Board authorizes the appropriate County officials to execute a utility easement with the Township of Canosia, Minnesota, for the installation of sanitary sewer lines on the north and east property lines at the Public Works facility at Pike Lake. Legal description is as follows:

The Westerly 40 feet of the Easterly 68 feet as measured from the East line of Section 31, Township 51N, Range 15W (Midway Road), Lots 7 through 20, Rosewood Park, St. Louis County;

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

292

and

The North 33 feet of the NE 1/4 of the SE 1/4, Section 31, Township 51N, Range 15W; and

A strip of land 20 feet in width in parcels described as Lot 3, Lot 4, Lot 5, and Lot 6, Rosewood Park, Section 31, Township 51N, Range 15W, St. Louis County.

Adopted August 12, 2003. No. 518

WHEREAS, the Duluth Economic Development Authority has offered to purchase the following described State tax-forfeited parcels for the appraised value of \$71,300.00 plus fees: City of Duluth, Home Park Division of New Duluth, Lot 1, 2 & 3, Block 101, Lots 19-22, Block 101, Lots 1-22, Block 102, and Lots 1-22, Block 103. Parcel Code Numbers: 010-2260-7850, 7860, 7870, 8030, 8070, 8290, for the purpose of constructing single family homes; and

WHEREAS, Minnesota Statute 282.01, Subd. 1(a) authorizes the sale of State Tax Forfeited land to an organized governmental subdivision; and

WHEREAS, said parcels of land have been classified as non-conservation land pursuant to Minnesota Statutes Section 282.01; and

WHEREAS, these parcels of land are not withdrawn from sale pursuant to Minnesota Statutes, Sections 84.012, 92.461, 282.01, Subdivision 8; and 282.018, and other statutes that require the withholding of State Tax-Forfeited lands from sale.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board approves the sale of the above described State tax-forfeited parcels to the Duluth Economic Development Authority for the purpose of residential development for the appraised value of \$71,300.00 plus the following fees: 3 Percent Assurance Fee of \$2,139.00, Deed Fee of \$25.00, Deed Tax of \$235.29, and Recording Fee of \$20.00, for a total of \$73,719.29.

Adopted August 12, 2003. No. 519

RESOLVED, that pursuant to Minnesota Statutes 349.213, the St. Louis County Board of Commissioners hereby waives the thirty-day waiting period for the following organization:

Pequaywan Area Trail Blazers to conduct raffles on October 11, 2003, at the Buffalo House, Midway Township.

Adopted August 12, 2003. No. 520

RESOLVED, that the St. Louis County Board of Commissioners hereby supports the Caribou Lake Alternative Wastewater System (CLAWS) and requests that Arrowhead Regional Corrections (ARC) begin negotiations with the Canosia and Grand Lake Township Joint Powers Board for purchase/lease or other formal agreement to use NERCC property for creation of a decentralized wastewater treatment system for CLAWS.

Adopted August 12, 2003. No. 521

WHEREAS, the St. Louis County Planning Commission, on May 9, 2002, held a public hearing regarding the preliminary plat of Sunrise Ridge, then known as Stoneridge, and granted preliminary approval of the plat; and

WHEREAS, the applicant has submitted the final prints and has satisfied the requirements set forth by the Planning Commission. The County Attorney and County Surveyor have approved the plat.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners grants final approval to Sunrise Ridge located in Section 14, Town 63 North, Range 17 West (Greenwood Township).

Adopted August 12, 2003. No. 522

WHEREAS, it is the intent of the St. Louis County Board to adopt a policy for implementation of a Post Retirement Health Care Savings Plan for Unclassified Managers covered by Unclassified

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

293

Managers Pay Plan and receiving benefits in accordance with the Management Compensation Plan; NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board hereby adopts the Post Retirement Health Care Savings Plan for Unclassified Managers covered by Unclassified Managers Pay Plan and receiving benefits in accordance with the Management Compensation Plan, a copy of which is on file in Contract File No. 03-654, effective August 16, 2003  
Adopted August 12, 2003. No. 523

WHEREAS, County Board Resolution No. 165, dated February 26, 2002, authorized closure of the Nopeming Care Center; and  
WHEREAS, County Board Resolution No. 486, dated September 17, 2002, adopted the Nursing Home Director position; and  
WHEREAS, the County Board subsequently re-organized departmental functions by removing the County's long term medical care function from the Public Health Department and assigned it to the Chris Jensen Health and Rehabilitation Department; and  
WHEREAS, following a public hearing on July 7, 2003, the St. Louis County Civil Service Commission approved amendments to Civil Service Rule XI, specifically 11.2(c) and 11.2(d) modifying the roster of County departments and seniority units in accordance with the reorganization implemented by the County Board;  
NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners hereby adopts said amendments to Civil Service Rule 11.2(c) and 11.2(d), which are on file in County Board File No. 58116.  
Adopted August 12, 2003. No. 524

WHEREAS, the County of St. Louis, subdivision of the State of Minnesota, has sustained heavy losses as a result of winterkill caused by very cold weather and lack of snow cover from December 2002 - March 2003; and  
WHEREAS, an estimated 300 farmers in St. Louis County have been affected with losses sustained by the following:

<u>Crop</u>	<u>Estimated Acres</u>	<u>Loss</u>
Alfalfa/Grass	3,400	\$327,080
Clover/Grass	10,000	\$400,000

WHEREAS, St. Louis County USDA Emergency Board has filed their damage assessment report which supports the need for emergency loans for farmers.  
NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners, for and on behalf of the citizens of St. Louis County, request that the Governor of the State of Minnesota petition the U.S. Secretary of Agriculture to declare St. Louis County a disaster area.  
Adopted August 12, 2003. No. 525

**BY COMMISSIONER FAY:**

RESOLVED, that the County Board authorizes the MIS Department to enter into an agreement with Koochiching County, Lake County and Carlton County with an initial period of three years to provide subscriber services to the DAMION Attorney Case Management System.  
FURTHER RESOLVED, that the MIS Department is authorized to enter into similar agreements with Cook County and with the political subdivisions within these jurisdictions and within St. Louis County as their governing bodies authorize them.  
Unanimously adopted. August 12, 2003. No. 526

At 2:43 P.M. on Tuesday, August 12, 2003, upon motion of Commissioner Sweeney, supported by Commissioner Raukar, the Board of County Commissioners adjourned.

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

294

Dennis Fink, Chair of the Board  
of County Commissioners

Attest:  
Gordon D. McFaul, County Auditor  
and Ex-Officio Clerk of the Board  
of County Commissioners

(Seal of the County Auditor)

**OFFICIAL PROCEEDINGS**  
**OF THE**  
**BOARD OF COUNTY COMMISSIONERS**  
**OF ST. LOUIS COUNTY, MINNESOTA**

**SEPTEMBER, 2003**

**OFFICIAL PROCEEDINGS OF THE MEETING**  
**OF THE BOARD OF COUNTY COMMISSIONERS**  
**OF THE COUNTY OF ST. LOUIS, MINNESOTA,**  
**HELD ON SEPTEMBER 2, 2003**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 2nd day of September, 2003, at 9:34 A.M. in the County Board Room, Courthouse, Duluth, Minnesota. The meeting was called to order by the Chair with the following members present: Commissioners Joanne Fay, Bill Kron, Mike Forsman, Keith Nelson, Steve Raukar, and Chair Dennis Fink - 6. Absent: Commissioner Sweeney - 1.

Chair Fink began the meeting by noting historical events that occurred in the region.

Chair Fink then opened the meeting to persons who wanted to address the Board concerning issues not on the agenda, but no one chose to do so.

At 9:38 A.M., Commissioner Sweeney joined the County Board meeting.

The sale of county fee land located at 24 East Willow Street, Duluth, was then considered. A motion by Commissioner Fay, supported by Commissioner Kron, to accept the proposal submitted by Jim and Cynthia Erlemeier, owners of The Builder, and John Baker and Paul Larson, owners of Johnson Frame and Axle, for the property was tabled at the August 12, 2003, County Board meeting. The following persons addressed the proposal:

Marcus Hall, said County Right of Way Agents, who are also property appraisers, have concluded that the proposal is within a fair value range.

Jim Erlemeier, The Builder, said the twelve-month contingency was needed to determine if the City of Duluth will approve allowing the businesses to relocate to the Willow Street location. Mr. Erlemeier said a six-month contingency was acceptable.

Tony Mancuso, Property Manager, said the property contained approximately .875 acres and was a liability to maintain.

John Baker, Johnson Frame and Axle, said his company has been searching for a year and one half for a suitable relocation site.

David Phillips, Undersheriff, said it would be difficult to find an alternate storage site for Rescue Squad equipment currently stored at the Willow Street location.

Commissioner Sweeney said she would not support acceptance of the proposal because the Rescue Squad needs the site for storage and there are no suitable alternatives. Commissioner Forsman objected to the proposal because it amounted to a twelve-month risk-free offer for the purchasers. Commissioner Kron said the purchase price offer was within an acceptable range, the proposal would assist two small businesses and also put property back on the tax rolls. Commissioner

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

296

Nelson offered a friendly amendment - accepted by the makers - to limit the contingency period to six months. After some discussion, the makers also included a provision in the motion to have the County remove an aboveground diesel fuel storage tank from the property. Alan Mitchell, County Attorney, summarized the motion and what it would entail. Commissioner Nelson then asked to call the question; four yeas - three nays, Commissioners Forsman, Sweeney and Raukar. The amended motion to accept the proposal was approved; four yeas - three nays, Commissioners Forsman, Sweeney and Raukar. Resolution No. 532.

The following Board and Contract Files were created as a result of documents received at this Board meeting:

Andrew Engebretson, Attorney, Duluth, submitting notice of claim against St. Louis County and the City of Duluth in the matter of Shawn W. Embry for injuries resultant from an incident on July 31, 2003.-58120

Jeffrey L. Olson, Commissioner, State of Minnesota Department of Veterans Affairs, informing the County Board that the St. Louis County Veteran Service Officer has successfully attained certification for the year 2002-2003.-58121

Raymond J. Eck, City Clerk, City of Eveleth, relative to a motion passed on August 5, 2003, at the Eveleth City Council meeting requesting that the Veterans Service Offices not be considered for any potential cuts.-58122

Patricia Awada, State Auditor, State of Minnesota, submitting copy of the financial statements of the Western Lake Superior Sanitary District for the year ended December 31, 2002, and a copy of their management and compliance report.-58123

Roy Ranum, Shoestring Bus Conversions, regarding his trip back from a bus bash in Hibbing which he drove along Highway No. 11 that therein turned into County Road 16 which was disgraceful.-58124

Jim Erlemeier, Cynthia Erlemeier, John Baker, and Paul Baker submitting a purchase agreement proposal for the property located at 24 Willow Street - Duluth.-58125

Addendum to Contract No. 13489 between the St. Louis County Board and Mesabi Academy of Kids Peace, Inc., for correctional group living for delinquent youth.-03-678ss

Contract between the County of St. Louis and Landwehr Construction, Inc., for S.P. 69-090-003, TEAX 6902(118), C.P. 3592.-03-679

Contract between the County of St. Louis and Mesabi Bituminous, Inc., for S.P. 69-090-13, HPP MN49(104), C.P. 3627.-03-680

Agreement for improvements to portions of Cedar Island Drive (S.A.P. 69-600-30/C.P. 3637) and Lake Ore-Be-Gone access drive (S.A.P. 69-600-31/C.P. 3638) within the City of Gilbert.-03-681

Contract between the County of St. Louis and Interstate Road Management for 2003 Highway Striping Maintenance on M.P. 3641.-03-682

Amendment of Lease, Amendment No. 1 to Lease Agreement No. 11264, between the State of Minnesota, Department of Administration, on behalf of the Department of Transportation, and St. Louis County for 33,162 usable square feet of exclusive and shared space, used as truck storage,

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

297

maintenance and related use space in the Pike Lake Joint Maintenance Facility.–03-683

Lease Agreement between the County of St. Louis and the Regents of the University of Minnesota for 493 square feet of office space in the Duluth Government Services Center, First Floor, Suite 106.–03-684

Agreement between the Kabetogama Lake Association and the County of St. Louis for the Kabetogama Entrance Enhancement Project, State Project 69-595-04, C.P. 3591.–03-685

Employee Safety & Development Training Contract between St. Louis County and LifeWorks Employee Resource for *Caring for Your Elderly Loved One: Strategies to Cope with Care Giver Stress* session.–03-686

Agreement for Professional Services between the County of St. Louis and MacNeil Environmental, Inc., for Nopeming Boiler House Hazardous Material Abatement.–03-687

Agreement for Professional Services between the County of St. Louis and Foster, Jacobs & Johnson, Inc., for Duluth Motor Pool Ventilation and Heating.–03-688

Project Contract, Contract No. 4391, between the County of St. Louis and Kuehl's Logging for Northwoods Construction and Demolition Materials Processing Pad Development Project.–03-689

Agreement for Subscription between Eco Partners, Inc., and St. Louis County for providing a one-year subscription to the publication *Trash Talk*.–03-690

Addendum to Agreement between St. Louis County and Ecologico Consultants Company for development of an Environmental Management System.–03-691

Agreement between the City of Duluth and the County of St. Louis for Clyde Avenue Bituminous Overlay Project, S.A.P. 69-600-33, C.P. 3640.–03-692

Group Residential Housing Rate Agreement between the St. Louis County Board of Commissioners and Diana Schleinitz.–03-693ss

St. Louis County Family Homeless Prevention and Assistance Program Agreement between St. Louis County and Range Transitional Housing.–03-694

St. Louis County Family Homeless Prevention and Assistance Program Agreement between St. Louis County and Life House, Inc.–03-695

St. Louis County Family Homeless Prevention and Assistance Program Agreement between St. Louis County and Housing Access Center.–03-696

St. Louis County Family Homeless Prevention and Assistance Program Agreement between St. Louis County and Arrowhead Economic Opportunity Agency.–03-697

St. Louis County Family Homeless Prevention and Assistance Program Agreement between St. Louis County and Legal Aid Service of Northeastern Minnesota.–03-698

U.S. Government Lease No. 781 between the U.S. Customs Service and St. Louis County for space at the Crane Lake tower facility.–03-699

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

298

Grant Contract between the State of Minnesota, acting through its Commissioner of Public Safety, Division of Emergency Management, and St. Louis County for development, maintenance, and improvement of local emergency management programs.–03-700

Home Investment Partnership Program Subrecipient Grant Agreement between St. Louis County and Kootasca Community Action, Inc.–03-701

Home Investment Partnership Program CHDO Set-Aside Grant Agreement between St. Louis County and Kootasca Community Action, Inc.–03-702

Home Investment Partnership Program CHDO Operating Grant Agreement between St. Louis County and Kootasca Community Action, Inc.–03-703

St. Louis County Community Development Block Grant Program FY 2003 Agreement between St. Louis County and the City of Floodwood for water and sewer extension.–03-704

St. Louis County Family Homeless Prevention and Assistance Program Agreement between St. Louis County and Churches United in Ministry.–03-705

Home Investment Partnership Program Subrecipient Grant Agreement between St. Louis County and Arrowhead Economic Opportunity Agency for home ownership and single family rehabilitation programs.–03-706

Home Investment Partnership Program Subrecipient Grant Agreement between St. Louis County and Arrowhead Economic Opportunity Agency for administration.–03-707

Home Investment Partnership Program CHDO Set-Aside Grant Agreement between St. Louis County and Arrowhead Economic Opportunity Agency.–03-708

Home Investment Partnership Program CHDO Operating Grant Agreement between St. Louis County and Arrowhead Economic Opportunity Agency.–03-709

Agreement for Professional Services between the County of St. Louis and MacNeil Environmental, Inc., for Duluth Courts Remodeling - Third Floor Asbestos Abatement II.–03-710

Agreement for Professional Services between the County of St. Louis and Short Elliott Hendrickson, Inc., for Duluth Courthouse, Old Jail, and GSC Land Survey.–03-711

Upon motion of Commissioner Kron, supported by Commissioner Fay, Resolutions No. 527 through 531, as submitted to this Board on the Consent Agenda were unanimously adopted as follows with Commissioner Sweeney absent:

**BY COMMISSIONER KRON:**

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of August 5, 2003, are hereby approved.  
Adopted September 2, 2003. No. 527

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of August 12, 2003, are hereby approved.  
Adopted September 2, 2003. No. 528

RESOLVED, that the recommendations of the Finance Committee for payment of claims and bills

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

299

against the County of St. Louis, on file in the office of the County Auditor, identified as County Board File No. 57999, are hereby approved and the County Auditor shall issue checks in the following amounts:

<u>FUND</u>		<u>TOTAL</u>
T10	Permits to Carry Firearms	\$ 15,393.13
T11	Minnesota Trail Assistance	6,958.57
T27	Refunds	13,227.16
T49	Taconite Production Tax	78,028.00
T50	State of Minnesota	341,966.72
T66	Criminal Fines	106,578.57
T74	Employer/Employee Deductions	769,733.68
T77	Cancelled Checks	6,301.59
T80	Lake Superior - Forfeiture	2,000.00
T83	Sheriff Fine Contingency	2,061.76
T85	Sheriffs State Forfeitures	106.50
T87	Assault Fees	1,140.77
01	General Fund	769,029.91
02	Public Works	961,222.66
02A	Road Maintenance - Unorg. Townships	95,951.67
04	Social Services	3,514,576.82
08	County Facilities - Capital Projects	126,426.34
08A	State Aid Road	2,128,000.37
08B	Road & Bridge Building Const.	400.00
10B	Emer. Shelter 99/00 Funds	17,424.34
11A	Home Grant - All Years	12.30
12B	CDBG Grant	150,435.31
127	Enhanced 9-1-1 Fund	9,407.65
128	Law Library	4,604.00
129	City/County Comm. Antenna Site	213.99
13	St. Louis County HRA	1,618.92
131	Extension Service	26,633.29
15	Forfeited Tax	54,014.40
16	Forest Resources	122,294.68
26	Solid Waste Authorities	215,994.73
49	Postage/Office Supplies	21,216.75
49A	Plat Book Revolving	10.00
50	Printing	32,221.85
51	County Garage	28,061.48
52A	Property, Casualty, Liability	257,439.34
52B	Workers Compensation	78,561.91
52D	Medical/Dental Self Insurance	1,264.67
53	Management Information Systems	144,231.29
54	Regional Railroad Authority	155,469.58
55	Telecommunications	32,242.26
57	Retired Employees Health Insurance	24,228.63
64A	Chris Jensen Health & Rehab.	317,332.83
65	Laundry	28,660.63
66	Community Food Services	31,450.99
67	Supervised Living Facilities	4,255.85
72	Northern Counties Land Use Coordinating Board	2,464.62
73	Arrowhead Regional Corrections	237,130.39

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

300

74	Community Health Services	<u>62,589.75</u>
		\$11,000,590.65

Adopted September 2, 2003. No. 529

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, as set forth by the County Attorney, dated August 8, 2003, on file in the office of the County Auditor, identified as County Board File No. 57995, is hereby received and ratified as payable from Fund 52, Department 12.

Adopted September 2, 2003. No. 530

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, as set forth by the County Attorney, dated August 22, 2003, on file in the office of the County Auditor, identified as County Board File No. 57995, is hereby received and ratified as payable from Fund 52, Department 12.

Adopted September 2, 2003. No. 531

**BY COMMISSIONER FAY:**

RESOLVED, that the Chair of the St. Louis County Board of Commissioners and County Auditor are hereby authorized to execute a Purchase Agreement with James V. Erlemeier, John K. Baker and Paul T. Larson for the County fee land and buildings located at 24 East Willow Street, Duluth, Minnesota, consistent with the written proposal submitted by James V. Erlemeier, John K. Baker and Paul T. Larson dated July 25, 2003.

RESOLVED FURTHER, that the Purchase Agreement be for a duration of six (6) months with the entire balance of One Hundred Thousand and 00/100s Dollars (\$100,000) due on or before the conclusion of the six-month duration of the Purchase Agreement.

RESOLVED FURTHER, that the purchasers be allowed to withdraw from the Purchase Agreement if they are unable to obtain the necessary approval from the City of Duluth that would allow their stated business operations at the property located at 24 East Willow Street, Duluth, Minnesota.

RESOLVED FURTHER, that St. Louis County shall undertake responsibility for removing the above-ground diesel fuel tank from the premises prior to the purchasers taking possession of the property.

Yeas - Commissioners Fay, Kron, Nelson, and Chair Fink - 4

Nays - Commissioners Forsman, Sweeney, and Raukar - 3

Adopted September 2, 2003. No. 532

At 10:25 A.M. on Tuesday, September 2, 2003, upon motion of Commissioner Sweeney, supported by Commissioner Kron, the Board of County Commissioners adjourned.

Dennis Fink, Chair of the Board  
of County Commissioners

Attest:  
Gordon D. McFaul, County Auditor  
and Ex-Officio Clerk of the Board  
of County Commissioners

(Seal of the County Auditor)

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

301

**OFFICIAL PROCEEDINGS OF THE MEETING  
OF THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF ST. LOUIS, MINNESOTA,  
HELD ON SEPTEMBER 9, 2003**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 9th of September, 2003, at 9:35 A.M. in the County Board Room, Courthouse, Duluth, Minnesota. The meeting was called to order by the Chair with the following members present: Commissioners Joanne Fay, Bill Kron, Mike Forsman, Peg Sweeney, Keith Nelson, Steve Raukar, and Chair Dennis Fink - 7. Absent: None.

Chair Fink began the meeting by sharing some historical facts about Minnesota.

At 9:38 A.M., written proposals for the purchase of the following three tracts of County fee land were considered:

1. Lots 16 through 22, Block 15, Duluth Heights Sixth Division, City of Duluth located on Basswood Avenue, pursuant to County Board Resolution No. 505, adopted August 12, 2003. Tony Mancuso, Property Manager, said no bids were received for this property. It was the consensus of the Board to remove the item from the agenda and have Property Management explore other options for disposing of the property.
2. A 3,628 square foot parcel on or about the southwest corner of the intersection of Arlington Avenue and Arrowhead Road, pursuant to County Board Resolution No. 506, adopted August 12, 2003. Property Manager Mancuso described the property, which has an appraised value of \$21,768, and said a proposal from an adjacent property owner had been received. Joe Kleiman, Duluth, said he offered \$8,000 for the property based on comparable sales of similar properties and because the site has a three-foot high building limitation. Marcus Hall, Public Works Director, said the property is unused right of way and his department prefers that an exit on Arrowhead be closed and a replacement exit be opened on Arlington Avenue for safety reasons. Alan Mitchell, County Attorney, said the exits could be a contingency in the purchase agreement. Commissioner Sweeney, supported by Commissioner Fay, moved to accept the offer of Mr. Kleiman with the exit contingency; seven yeas - zero nays. Resolution No. 562.
3. A ten acre tract located on Como Avenue, pursuant to County Board Resolution No. 507, adopted August 12, 2003. Property Manager Mancuso said Arrowhead Development Corporation, Minnetonka, MN, submitted a proposal for purchase at the appraised price of \$75,000. After further discussion, Commissioner Fay, supported by Commissioner Forsman, moved to reject the proposal as not in the best interests of the County and direct Property Management explore other options; seven yeas - zero nays.

Chair Fink then opened the meeting to persons who wanted to address the Board concerning issues not on the agenda and the following chose to do so:

Lee Prinkkila, resident of Unorganized Township 53-15, asked the Board to reconsider pooling unorganized township road levies and instead dedicate revenues raised to roads in individual townships.

Commissioner Fay, supported by Commissioner Raukar, moved to certify the Housing and Redevelopment Authority (H.R.A.) maximum property tax levy for 2004 in the amount of \$178,000; seven yeas - zero nays. Resolution No. 563.

Commissioner Fay, supported by Commissioner Nelson, moved to establish a public hearing schedule for Truth In Taxation (TINT) hearings for the 2004 tax year; seven yeas - zero nays. Resolution No.

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

302

564.

David Twa, County Administrator, presented the Preliminary 2004 Budget and Certification of Maximum Property Tax Levy. Administrator Twa described budget components and explained the impact of recent state budget cuts, adding that even though actual County spending will decrease for 2004 the levy will increase by 5.5 percent to make up for the state shortfall. The preliminary budget also includes a \$2 million correction for an Auditor error in the 2003 levy.

At 11:05 A.M. in the forenoon of Tuesday, September 9, 2003, Chair Fink moved to recess the Board until 11:15 A.M. on September 9, 2003, in the County Board Room, Courthouse, Duluth, Minnesota.

The Board reconvened at 11:15 A.M. on September 9, 2003, and the regular order of business resumed with all members present.

Chair Fink announced that a proposed sale of tax forfeited property to the Duluth HRA would be removed from the Committee of the Whole Agenda so members of the public waiting to address that issue would not have to stay.

Discussion of the 2004 Preliminary Budget resumed and the following persons addressed the issue:

Candy Harshner, Executive Director of the Program for Aid to Victims of Sexual Assault (PAVSA), urged the Board to reinstate funding for the organization.

Catherine Conover, PAVSA Advocate, also urged continued County support.

Patty Matejka, First Witness Program, asked the Board to reinstate funding for the First Witness Program to provide needed services to abused children.

Mary Streufert, Twin Ports Area Nonprofit Coalition, explained funding problems experienced by nonprofit organizations and the effects County cuts will have on delivery of services.

Lynn Shubitz, Lutheran Social Services Bethany Crisis Nursery, urged funding reinstatement.

Joan Gardner-Goodno, Lutheran Social Services Youth Services, asked for continued funding for children's safety.

Lynn Gerlach-Collard, Lutheran Social Services Renaissance and Street Outreach, said there are a significant number of homeless youth in the County that need assistance.

John MacKay, Tri-Towers Apartments in Duluth, said Legal Aid prevented his eviction and he urged the Board to continue funding this organization.

Harlan Tardy, Arrowhead Economic Opportunity Agency (AEOA), said the safety net is in jeopardy for the less fortunate. Mr. Tardy said many nonprofits may disappear because their capacity to absorb further budget cuts is not there.

Lee Prinkkila, Duluth, asked the County Administrator a number of questions concerning buildings and employee costs.

Amy Rose, Legal Assistance, described services provided and asked for continued funding to allow low income residents access to legal services.

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

303

At 12:10 P.M. in the afternoon of Tuesday, September 9, 2003, Chair Fink moved to recess the Board until 1:30 P.M. on September 9, 2003, in the County Board Room, Courthouse, Duluth, Minnesota.

The Board reconvened at 1:35 P.M. on September 9, 2003, and the regular order of business resumed with all members present.

Discussion of the proposed Preliminary Budget for 2004 resumed.

Commissioner Fay, supported by Commissioner Nelson, moved to approve a 2004 levy of \$86,017,184, which represented about a 1 percent decrease from the proposed levy. Commissioner Fay cited capital improvements and equipment notes as areas that should be eliminated. After further discussion, Commissioner Nelson withdrew his support and the motion died.

Commissioner Nelson, supported by Commissioner Forsman, moved to approve the Preliminary Budget as submitted by Administration. After some discussion, Commissioner Raukar, supported by Commissioner Forsman, moved to amend the budget by adding an additional \$1 million to the levy to be used to support nonprofits and provide some "wiggle room". After further discussion, the amendment failed; three yeas - four nays, Commissioners Fay, Kron, Nelson and Chair Fink. The original budget motion was then approved; seven yeas - zero nays. Resolution No. 565.

Commissioner Fay, supported by Commissioner Forsman, moved to adopt and certify a \$225,000 unorganized township road levy; seven yeas - zero nays. Resolution No. 566.

Commissioner Kron, supported by Commissioner Sweeney, moved to approve the Remote Support and Stand-by Duty Supplemental Labor Agreement for the Communications Department (9-1-1). Paul Kent, Communications Director, said the agreement will ensure that a technician is available if an emergency should arise. Gordon D. McFaul, County Auditor, presented details of overtime paid during the last three years, which averaged about \$10,000. Costs for the stand-by duty are estimated at \$26,000, according to Director Kent, who added that there is no funding currently available in the Communications Department budget to implement the agreement. After further discussion about other options to cover emergencies, Commissioner Nelson, supported by Commissioner Fay, moved to table the matter to the October 7, 2003, County Board meeting; seven yeas - zero nays.

Commissioner Kron, supported by Commissioner Nelson, moved to suspend the rules to consider going into a closed session for litigation purposes related to redistricting. Commissioner Fay objected to closing the session to the public; six yeas - one nay, Commissioner Fay. Commissioner Kron, supported by Commissioner Sweeney, then moved to request the closed session. County Attorney Mitchell said this clearly was a litigation matter and a public forum may inhibit his ability as legal counsel to openly and completely answer questions. After further discussion, the closed session was approved; six yeas - one nay, Commissioner Fay.

At 3:15 P.M. in the afternoon of Tuesday, September 9, 2003, Commissioner Sweeney, supported by Commissioner Nelson, moved to recess the Board until 4:00 P.M. on September 9, 2003, in the Commissioners' Conference Room, Courthouse, Duluth, Minnesota.

The Board reconvened at 5:40 P.M. on September 9, 2003, and the regular order of business resumed with all members present except Commissioner Raukar.

Commissioner Sweeney, supported by Commissioner Nelson, moved to approve a Second Consent Agenda consisting of all items approved at the just-completed Committee of the Whole meeting; six yeas - zero nays.

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

304

Commissioner Fay asked that it be noted for the record that she did not participate in the closed session. This absence was premised by the belief Commissioner Fay had a conflict of interest in this matter. Commissioner Fay disagreed with the position of the Board.

The following Board and Contract Files were created as a result of documents received at this Board meeting:

Mary Frances Skala, Law Offices of Fryberger, Buchanan, Smith & Frederick, regarding the Housing and Redevelopment Authority of Duluth and the Proposed Establishment of the Harbor View Phase I Tax Increment Financing District.–[58126](#)

St. Louis County Land Department's Environmental Policy.–[58127](#)

Joe Kleiman, Duluth, submitting an offer to purchase vacant land in front of Dairy Delight, corner of Arlington and Arrowhead Roads.–[58128](#)

William C. Marceau, President, Arrowhead Development Corporation, submitting a purchase proposal for the SE 1/4 of SW 1/4 of SW 1/4, Section 16, Township 50 North, Range 14 West, which is adjacent to the Maple Ridge town home project.–[58129](#)

Catherine Canover, Duluth, requesting the County Board to continue to support PAVSA's work in the community.–[58130](#)

Candice Harshner, Executive Director, Program for Aid to Victims of Sexual Assault (PAVSA), urging St. Louis County to continue the funding for sexual assault services to members of the community.–[58131](#)

Operating and Capital Budget for 2004 for St. Louis County.–[58132-D](#)

David Twa, County Administrator, and Anthony J. Bruno, Jr., Civil Service/Personnel Director, submitting Board Letter No. 03-416 regarding Revised Affirmative Action Plan.–[58133](#)

County Auditor submitting 2004 - 2005 Budget departmental detail and 2003 revised Budget.–[58134-D](#)

Lake Superior Safe Harbor Cooperative Agreement between the State of Minnesota, through the Commissioner of Natural Resources, and St. Louis County for the design and funding of the intersection of C-SAH 33 (McQuade Road) and C-SAH 61 (North Shore Scenic Drive).–[03-712](#)

Agreement for Professional Services between the County of St. Louis and Ayres Associates to aid in designing the proposed reconstruction of the Midway Park Sewer System.–[03-713](#)

Contract between the County of St. Louis and Northland Materials, LLC, d/b/a Northland Bituminous, for M.P. 34-1241 and M.P. 2932-1009 for reclamation, grade correction, aggregate base, P.M. bituminous surface, aggregate shouldering, striping, and turf establishment.–[03-714](#)

Upon motion of Commissioner Sweeney, supported by Commissioner Raukar, Resolutions No. 533 through 561, as submitted to this Board on the Consent Agenda were unanimously adopted as follows:

**BY COMMISSIONER SWEENEY:**

RESOLVED, that pursuant to the recommendations of the Tax Committee, the applications of the following named persons and firms for reduction and correction of assessed valuations and taxes in the following amounts plus on those abatements of penalty and interest, any additional accrual to the date

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

305

of this resolution, on file in the office of the County Auditor, identified as County Board File No. 58013, are hereby approved:

Real Estate - City of Buhl, \$174.54; Aubrey Danielson, \$570.82; Harley Diede, \$802.56; Leroy Forstrom, \$2,179.86; Melvin Johnson, \$39.20; Douglas C. Jordan, \$2,256.22; Brian Kjoberg, \$540.60; Timothy Mickle, \$458.60; Harriette Pelletier, \$305.72; John Williams, \$269.92.

Personal Property - Allison Follett, \$204.92; Evelyn McVean, \$166.78; Donald Plerche, \$294.36.  
Adopted September 9, 2003. No. 533

RESOLVED, that the St. Louis County Board of Commissioners authorizes the Chairperson of the County Board, County Auditor, and the Health Director to sign an agreement with Care Givers Network to provide professional nursing services to Community Alternative Care Client No. 027.

Adopted September 9, 2003. No. 534

RESOLVED, that the County Board of Commissioners authorizes submission of the 2003-2004 Radon Risk Reduction Grant to the Minnesota Department of Health in the amount of \$15,000.

Adopted September 9, 2003. No. 535

RESOLVED, that the St. Louis County Board of Commissioners authorizes the Chairperson of the Board, County Auditor, and County Administrator to extend the agreement with the University of Minnesota-Duluth, Department of Family Medicine, in the amount of \$20,000 for the provision of "Girl Hibbing" project services for the period September 1, 2003, through December 31, 2003, payable from Fund 01, Org. 220 (Public Health Nursing), Agency 268.

Adopted September 9, 2003. No. 536

RESOLVED, that the St. Louis County Board of Commissioners hereby authorizes the appropriate County officials to enter into an amendment to the Consolidated Chemical Dependency Treatment Fund (CCDTF) contract with Miller-Dwan Medical Center removing any reference to outpatient or residential treatment for adults effective August 1, 2003.

Funding:

Budget Reference:

Expenditures: Fund 04 Social Service, Agency SSV Social Services, Org. 2700 CD Services, Object 3590 Consolidated Chemical Dependency/Treatment

Revenue: 0020 Local Property Tax

Adopted September 9, 2003. No. 537

WHEREAS, the County Board of Commissioners of the County of St. Louis, State of Minnesota, desires to offer for sale, as recommended by the Land Commissioner, certain parcels of land identified in County Board File No. 58003; and

WHEREAS, the County Auditor has determined that a non-public sale to adjacent property owners will encourage the return of the land to the tax rolls; and

WHEREAS, these parcels of land are not withdrawn from sale pursuant to Minnesota Statutes, Sections 84.012, 92.461, 282.01, Subdivision 8; and 282.018, and other statutes that require the withholding of tax-forfeited lands from sale; and

WHEREAS, these parcels cannot be improved because they are less than the minimum size required by the applicable zoning ordinance; and

WHEREAS, Parcels 010-1350-10700, 010-2320-550, and 010-3540-1950 must be reclassified as non-conservation and will be deemed approved if the County Board does not receive notice of the municipality's disapproval of the classification and sale of these parcels within 60 days of the date on which this resolution is delivered to the Clerk of the Municipality.

NOW, THEREFORE, BE IT RESOLVED, that the parcels identified in County Board File No. 58003, are hereby classified as non-conservation land as provided for in Minnesota Statutes 282.01, and the County Auditor is hereby authorized to offer said lands at a non-public sale limited to the adjacent

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

306

property owners to encourage return of the land to the tax rolls.

BE IT FURTHER RESOLVED, that the St. Louis County Board of Commissioners hereby requests approval from the Commissioner of Natural Resources for the sale of said lands and that the request for approval of the reclassification and sale be transmitted by the St. Louis County Land Department to the Clerks of the Municipalities in which the parcels are located.

Adopted September 9, 2003. No. 538

WHEREAS, the County Board of Commissioners of the County of St. Louis, State of Minnesota, desires to offer for sale, as recommended by the Land Commissioner, certain parcels of land that have forfeited to the State of Minnesota for non-payment of taxes; and

WHEREAS, said parcels of land as described in County Board File No. 58067 have been classified as non-conservation land as provided for in Minnesota Statutes 282.01; and

WHEREAS, said parcels of land are not withdrawn from sale pursuant to Minnesota Statutes 84.012, 92.461, 282.01, Subdivision 8, and 282.018, and other statutes that require the withholding of tax forfeited lands from sale; and

WHEREAS, the classification and sale of these lands has been approved by the government subdivision in which they are located.

NOW, THEREFORE, BE IT RESOLVED, the County Auditor is hereby authorized to offer said lands at public sale at not less than the basic sale price in accordance with terms set forth in the Land Department Policy No. 5450-1, and in a manner provided for by law on Tuesday, October 14, 2003, at 11:00 A.M. at the Miners Memorial Building, 9th Avenue and 6th Street, Virginia, Minnesota.

BE IT FURTHER RESOLVED, that the St. Louis County Board of Commissioners hereby requests approval from the Commissioner of Natural Resources for the sale of said lands.

Adopted September 9, 2003. No. 539

WHEREAS, the Land Department has reviewed a request of Minnesota Power for a permanent electrical distribution line right of way easement across State Tax Forfeited land and recommends approval.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Auditor, by the authority vested in him by Minnesota Statutes 282.04, Subd. 4, is hereby authorized to grant a permanent electrical distribution line right of way easement to Minnesota Power over the following State Tax-Forfeited parcels: Government Lot 1, Section 6, Township 58N, Range 15W.

The description of the easement is:

An easement 80 feet in width, being 40 feet in width on each side of the following described line: Commencing at the Northwest corner of Government Lot 1, Section 6, Township 58N, Range 15W; thence South 89 degrees 56 minutes 48 seconds West along the North line of said Government Lot 1 a distance of 1284.9 feet, more or less, to the POINT OF BEGINNING; thence South 02 degrees 46 minutes 53 seconds West a distance of 448 feet to a point on the West line of said Government Lot 1 and there terminating. The boundaries of said 80 foot wide easement are lengthened or shortened to terminate on the North and West boundaries of said Government Lot 1.

The granting of this easement is conditioned on payment of \$1200.00 Land Use Fee, \$100.00 Administration fee, \$6.00 Publication Fee, \$20.00 Recording Fee, for a total cost of \$1,326.00.

Adopted September 9, 2003. No. 540

WHEREAS, the Land Department has reviewed a request of Kevin E. Pietrini for a permanent road access easement across State Tax Forfeited land and recommends approval.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Auditor, by the authority vested in him by Minnesota Statutes 282.04, Subd. 4, is hereby authorized to grant a permanent easement to Kevin E. Pietrini described as follows:

A 30 foot wide easement for ingress and egress purposes on, over, and across the Northeast Quarter of

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

307

the Northwest Quarter and the Northwest Quarter of the Northeast Quarter of Section 18, Township 64 North, Range 17 West of the Fourth Principal Meridian, the centerline of said easement described as follows: Com-mencing at the northwest corner of Section 7, Township 64 North, Range 17 West; thence South 00 degrees 16 minutes 20 seconds East, assigned bearing, along a line between said northwest corner of Section 7 and the southwest corner of Section 31, Township 64 North, Range 17 West, a distance of 4996.16 feet; thence East 2525 feet to the point of beginning of said centerline; thence South 37 degrees 48 minutes 52 seconds East 375 feet; thence South 15 degrees 20 minutes 24 seconds East 127 feet; thence South 02 degrees 17 minutes 50 seconds East 421 feet; thence South 43 degrees 18 minutes 42 seconds East 110 feet; thence South 68 degrees 59 minutes 45 seconds East 364 feet; thence North 86 degrees 45 minutes 34 seconds East 299 feet; thence South 85 degrees 21 minutes 10 seconds East 238 feet; thence North 83 degrees 30 minutes 06 seconds East 165 feet more or less to the east line of said Northwest Quarter of the Northeast Quarter and there terminating.

The granting of this easement is conditioned on payment of \$1,275.00 Land Use Fee, \$100.00 Administration fee, \$6.00 Publication Fee, \$20.00 Recording Fee, for a total cost of \$1,401.00. Adopted September 9, 2003. No. 541

WHEREAS, the Land Department has reviewed a request of Marty Vadis for a permanent road access easement across State Tax Forfeited land and recommends approval.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Auditor, by the authority vested in him by Minnesota Statutes 282.04, Subd. 4, is hereby authorized to grant a permanent easement to Marty Vadis described as follows:

A 30 foot wide easement for ingress and egress purposes on, over, and across the Northwest Quarter of the Northeast Quarter of Section 20, Township 57 North, Range 19 West of the Fourth Principal Meridian, the center line of said easement described as follows: Beginning at a point on the north line and 799.74 feet east of the northwest corner of said Northwest Quarter of the Northeast Quarter of said Section 20, and assigning a bearing of North 89 degrees 42 minutes 21 seconds East to said north line; thence South 42 degrees 34 minutes 06 seconds West 158.48 feet; thence South 55 degrees 59 minutes 20 seconds West 182.38 feet; thence South 08 degrees 47 minutes 42 seconds West 171.39 feet; thence South 15 degrees 13 minutes 14 seconds East 449.07 feet; thence South 32 degrees 52 minutes 40 seconds East 432.34 feet; thence North 76 degrees 04 minutes 17 seconds East 214.80 feet; thence North 54 degrees 01 minutes 59 seconds East 315 feet more or less to the east line of said Northwest Quarter of the Northeast Quarter and there terminating.

The granting of this easement is conditioned on payment of \$845.00 Land Use Fee, \$100.00 Administration fee, \$6.00 Publication Fee, \$20.00 Recording Fee, for a total cost of \$971.00. Adopted September 9, 2003. No. 542

WHEREAS, the Land Department has reviewed a request of Gary E. Johnson, Michael E. Hopkins and Eric W. Canfield for a permanent road access easement across State Tax Forfeited land and recommends approval.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Auditor, by the authority vested in him by Minnesota Statutes 282.04, Subd. 4, is hereby authorized to grant a permanent easement to Gary E. Johnson, Michael E. Hopkins and Eric W. Canfield described as follows:

A sixty-six (66) foot wide easement over, under, and across all that part of the Northwest Quarter of the Southwest Quarter (NW 1/4 of SW 1/4), Section 15, Township 55 North, Range 16 West of the 4th Principal Meridian, St. Louis County, Minnesota, being thirty-three (33.00) feet on each side of the centerline described as follows:

Commencing at the Northwest Corner of said NW 1/4 of SW 1/4 (W 1/4 Corner of said Section 15);

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

308

thence S 0 degrees 41 minutes 18 seconds E, along the West line of said NW 1/4 of SW 1/4, a distance of 651.76 feet; thence N 41 degrees 14 minutes 52 seconds E, a distance of 32.41 feet to the centerline of the existing Round Lake Spur and the point of beginning; thence N 41 degrees 14 minutes 52 seconds E, a distance of 86.04 feet to a tangential curve, concave to the South; thence Northeasterly along said curve, with a delta angle of 44 degrees 09 minutes 10 seconds and a radius of 50.00 feet, a distance of 38.53 feet; thence N 85 degrees 24 minutes 02 seconds E, a distance of 84.69 feet, to a tangential curve, concave to the Northwest; thence northeasterly, along said curve, with a delta angle of 29 degrees 00 minutes 24 seconds and a radius of 167.00 feet, a distance of 84.55 feet; thence N 56 degrees 23 minutes 38 seconds E, a distance of 319.36 feet, to a tangential curve, concave to the Northwest; thence northeasterly, along said curve, with a delta angle of 35 degrees 58 minutes 01 seconds and a radius of 567.00 feet, a distance of 355.93 feet; thence N 20 degrees 25 minutes 38 seconds E, a distance of 61.90 feet, to the North line of said NW 1/4 of SW 1/4 and there terminating. Sidelines of said easement are to be extended to and truncated by the north line of said NW 1/4 of SW 1/4.

The granting of this easement is conditioned on payment of \$1,500.00 Land Use Fee, \$100.00 Administration fee, \$6.00 Publication Fee, \$20.00 Recording Fee, for a total cost of \$1,626.00. Adopted September 9, 2003. No. 543

WHEREAS, the Land Department has reviewed a request of City of Hermantown for a permanent easement across State Tax Forfeited land and recommends approval.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Auditor, by the authority vested in him by Minnesota Statutes 282.04, Subd. 4, is hereby authorized to grant a permanent sewer line easement to City of Hermantown over the following State Tax-Forfeited parcels:

An easement for utility purposes over, under and across the North 100 feet of the West 920 feet of the Northwest Quarter of the Northwest Quarter (NW 1/4 of NW 1/4) lying East of Easterly Right of Way line of Getchell Road, Section 1, Township 49 North, Range 15 West, City of Duluth, St. Louis County, Minnesota.

The granting of this easement is conditioned on payment of \$25.00 Timber Damages, \$5,900.00 Land Use Fee, \$100.00 Administration Fee, \$6.00 Publication Fee, \$20.00 Recording Fee, for a total cost of \$6,051.00. Adopted September 9, 2003. No. 544

RESOLVED, the St. Louis County Board of Commissioners hereby authorizes the Property Management Director to offer for public sale the Morris Thomas garage, a building which is 8,284 square feet in size, on a parcel of land approximately 3.621 acres in size, located in the SW 1/4 of SW 1/4 of Section 30, Township 50 North, Range 14 West, City of Duluth, pursuant to the requirements and procedures of Minnesota Statutes, Section 373.01.

RESOLVED FURTHER, the Board hereby establishes the time for proposal consideration to be at 9:35 A.M. on Tuesday, October 7, 2003, at the St. Louis County Board meeting in the Duluth Courthouse. Adopted September 9, 2003. No. 545

RESOLVED, that the Public Works Department is hereby authorized to enter into an agreement with the Town of Embarrass and authorizing the appropriate County officials to sign the agreement for S.P. 69-090-12, C.P. 3595, whereby the Township will pay the Township local dollar match of twenty percent (20%) of the actual projects costs, and other costs including, but not limited to, advertising, mailing of plans and proposals, and construction materials testing. The Township funds will be used to reimburse Fund 08A, Agency 525, Org. 3595, Object 527. Adopted September 9, 2003. No. 546

RESOLVED, that the County of St. Louis enter into Agreement No. 81266 with the Burlington Northern

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

309

and Santa Fe Railway Company and the Commissioner of Transportation for the installation and maintenance of railroad crossing signals at the intersection of C-SAH 5 (USDOT No. 061254G) with the tracks of the Burlington Northern and Santa Fe Railway in Hibbing, Minnesota, S.P. 69-00160, and appointing the Commissioner of Transportation agent for the County to supervise said project and administer available Federal Funds in accordance with Minnesota Statute, Section 161.36. The County's share of the cost shall be ten percent of the total signal cost, estimated at \$11,140.80. County Funding (Fund 2, Agency A17, Org. 9293, Object 528).  
Adopted September 9, 2003. No. 547

WHEREAS, the St. Louis County Public Works Department budgeted for replacement of Unit No. 7195; and

WHEREAS, the Purchasing Department solicited bids for a 3.5 cubic yard wheel loader including trade-in of Unit No. 7195; and

WHEREAS, it was determined that the new Case 821C wheel loader bid by St. Joseph Equipment, Inc., was the lowest bid price of available units; and

WHEREAS, the new Case 821C will cost, \$110,917 plus an additional \$7,209.61 State of Minnesota sales tax, for a total of \$118,126.61.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners authorizes the Director of Purchasing to issue a purchase order to St. Joseph Equipment, Inc., of Duluth for the purchase of a 2003 Case 821C wheel loader. Funding for this purchase is payable from Fund 02, Agency A14, Object 664.

Adopted September 9, 2003. No. 548

RESOLVED, that the St. Louis County Board Chair, County Auditor, and County Attorney are authorized to renew the lease with the Minnesota Department of Employment and Economic Development (formerly Department of Trade and Economic Development) (lessee) for the lease of 885 square feet of office space located in the Duluth Government Services Center, 7th Floor, Suite 707, for the period July 1, 2003, through July 31, 2004, for a total thirteen month revenue of \$9,616.23.

Budget Reference: Fund 01, Agency 081, Organization GSC

Revenue Source 5037

Adopted September 9, 2003. No. 549

WHEREAS, the St. Louis County Board is authorized to act on behalf of Unorganized Townships for purposes of furnishing fire protection services, pursuant to Minnesota Statutes, Section 365.43; and WHEREAS, the following legally organized corporations under the State of Minnesota have contracted with St. Louis County to provide fire protection in said townships for the year 2004;

NOW, THEREFORE, BE IT RESOLVED, that the County Auditor is hereby authorized to spread said local levies for the furnishing of fire protection in unorganized townships:

<u>City of Babbitt</u>	
Unorganized Townships 61-12 and 61-13	\$37,800.00
<u>City of Bearville</u>	
Unorganized Township 62-21	\$3,150.00
<u>City of Chisholm</u>	
Unorganized Township 59-21	\$11,932.00
<u>City of Cook</u>	
Unorganized Township 62-17	\$1,050.00
Unorganized Township 63-17	\$4,725.00

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

310

<u>City of Ely</u>	
Unorganized Township 64-12	\$1,192.00
Unorganized Township 64-13	\$1,688.00
<u>City of Floodwood</u>	
Unorganized Township 52-21	\$7,831.00
<u>City of Orr</u>	
Unorganized Township 63-19	\$2,520.00
Unorganized Township 66-20	\$6,090.00
<u>Central Lakes</u>	
Unorganized Township 56-17	\$26,250.00
<u>Colvin</u>	
Unorganized Township 55-15	\$8,899.00
<u>Crane Lake</u>	
Unorganized Townships 67-18	\$2,100.00
<u>Evergreen</u>	
Unorganized Townships 60-19 and 60-20	\$14,700.00
<u>French</u>	
Unorganized Township 59-21	\$735.00
<u>Gnesen</u>	
Unorganized Township 53-15	\$8,634.00
<u>Lakeland</u>	
Unorganized Township 57-16	\$47,670.00
<u>Makinen</u>	
Unorganized Township 56-16	\$36,750.00
<u>Northland</u>	
Unorganized Township 53-16	\$13,650.00
<u>Pequaywan Lake</u>	
Unorganized Township 54-13	\$2,625.00
<u>Pike-Sandy-Britt Region</u>	
Unorganized Township 59-16	\$4,646.00
Unorganized Township 60-18	\$15,304.00
Unorganized Township 59-18	\$3,098.00
<u>Silica</u>	
Unorganized Township 55-21	\$31,500.00

Adopted September 9, 2003. No. 550

RESOLVED, that pursuant to the recommendation of the Civil Service/Personnel Department, the revised St. Louis County Affirmative Action Plan be approved.

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

311

Adopted September 9, 2003. No. 551

RESOLVED, that the St. Louis County Board of Commissioners authorizes the St. Louis County Sheriff's Office to enter into a grant agreement with the State of Minnesota, Department of Public Safety, for a 2004 Safe and Sober grant entitled "North St. Louis County Safe and Sober Communities" during the period of October 1, 2003, to September 30, 2004, and to accept the grant funds in the amount of \$50,000, payable to the General Fund (01), Agency (091), Organization (NSS3).

RESOLVED FURTHER, that the St. Louis County Sheriff is authorized to execute agreements necessary to implement the project on behalf of the St. Louis County Sheriff's Office.

Adopted September 9, 2003. No. 552

RESOLVED, that the St. Louis County Board of Commissioners authorizes the St. Louis County Sheriff's Office to enter into a grant agreement with the State of Minnesota, Department of Public Safety, for a 2004 Safe and Sober grant entitled "South St. Louis County Safe and Sober Communities" during the period of October 1, 2003, to September 30, 2004, and to accept the grant funds in the amount of \$27,000, payable to the General Fund (01), Agency (091), Organization (SSS3).

RESOLVED FURTHER, that the St. Louis County Sheriff is authorized to execute agreements necessary to implement the project on behalf of the St. Louis County Sheriff's Office.

Adopted September 9, 2003. No. 553

WHEREAS, St. Louis County is committed to protecting the environment; and  
WHEREAS, the St. Louis County Land Department is developing an ISO 14001 Environmental Management System which requires an environmental policy; and  
WHEREAS, the environmental policy establishes an overall management direction and sets principles of action for the Land Department; and  
WHEREAS, the environmental policy sets the goal as to the level of environmental responsibility and performance required of the Land Department; and

WHEREAS, the environmental policy will be made available to the public.  
NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners hereby adopts the St. Louis County Land Department's Environmental Policy, on file in County Board File No. 58127.

Adopted September 9, 2003. No. 554

WHEREAS, bids have been received by the County Auditor for the following project: S.A.P. 69-622-15 (low), C-SAH 22, C.P. 9174, from T.H. 53 to C-SAH 912 (Ralph Road), 4 miles South of Cook, MN, 1.985 miles and S.A.P. 69-622-18, C-SAH 22, C.P. 9275, from T.H. 73 to C-SAH 668 (Samuelson Road), 8 miles South of Cook, MN, 6.199 miles. Project to consist of Mill Bituminous Surface, Bituminous Surface, Bituminous Shoulders and Aggregate Shoulders.

WHEREAS, said bids or proposals were duly opened in the County Board Room at 10:00 A.M., August 18, 2003, and this Board has, with the County Highway Engineer, determined the lowest bidder of said project for which proposals were invited and submitted; and

WHEREAS, in the judgment of this Board it is for the best interest of St. Louis County that the award of said contract be made to the lowest bidder.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of St. Louis County, Minnesota, in regular session duly convened, that they hereby approve the award of contract on the above project to the lowest bidder:

<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
Hardrives, Inc.	14475 Quiram Drive Rogers, MN 55374	\$831,353.50

RESOLVED FURTHER, that the Chairman of the County Board, the County Auditor, and the County

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

312

Attorney, on behalf of the County of St. Louis, are hereby authorized to approve the Contractor's Performance Bonds and to execute the bonds and contracts with the Contractor for the above listed project; Fund 08A, Agency 525, Org. 9174, Object 527 - \$272,094.10 and Fund 08A, Agency 525, Org. 9275, Object 527 - \$559,259.40.

Adopted September 9, 2003. No. 555

WHEREAS, bids have been received by the County Auditor for the following project: S.A.P. 69-728-09, C-SAH 128, C.P. 9287, C-SAH 128 (Bearhead State Park Road), between C.R. 989 and Bearhead Lake, length 4.837 miles. Construction to consist of Bituminous Reclamation, Aggregate Base, Bituminous Surface and Aggregate Shoulders.

WHEREAS, said bids or proposals were duly opened in the County Board Room at 10:00 A.M., August 18, 2003, and this Board has, with the County Highway Engineer, determined the lowest bidder of said project for which proposals were invited and submitted; and

WHEREAS, in the judgment of this Board it is for the best interest of St. Louis County that the award of said contract be made to the lowest bidder.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of St. Louis County, Minnesota, in regular session duly convened, that they hereby approve the award of contract on the above project to the lowest bidder:

<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
Hawkinson Construction Co.	P.O. Box 278 Grand Rapids, MN 55744	\$446,839.68

RESOLVED FURTHER, that the Chairman of the County Board, the County Auditor, and the County Attorney, on behalf of the County of St. Louis, are hereby authorized to approve the Contractor's Performance Bonds and to execute the bonds and contracts with the Contractor for the above listed project; payable from State Park Road Account Funds (Fund 08A, Agency 525, Org. 9287, Object 527). Adopted September 9, 2003. No. 556

WHEREAS, bids have been received by the County Auditor for the following project: S.P. 69-598-28, MN Project BRSTPX 6903 (161), County Project 9581, Bridge No. 69644 & Approaches, located on C.R. 750 (Oja Road) between C-SAH 5 and C.R. 230, 17 miles S.E. of Hibbing, MN; length 0.38 miles. Project to consist of Bridge No. 69644 and Approaches Over Swan River;

WHEREAS, said bids or proposals were duly opened in the County Board Room at 10:00 A.M., August 25, 2003, and this Board has, with the County Highway Engineer, determined the lowest bidder of said project for which proposals were invited and submitted; and

WHEREAS, in the judgment of this Board it is for the best interest of St. Louis County that the award of said contract be made to the lowest bidder.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of St. Louis County, Minnesota, in regular session duly convened, that they hereby approve the award of contract on the above project to the lowest bidder:

<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
Redstone Construction Co. Inc.	P.O. Box 218 Mora, MN 55051	\$744,279.42

RESOLVED FURTHER, that the Chairman of the County Board, the County Auditor, and the County Attorney, on behalf of the County of St. Louis, are hereby authorized to approve the Contractor's Performance Bonds and to execute the bonds and contracts with the Contractor for the above listed project; Federal Funds - 48 percent (Fund 08A, Agency 525, Org. 9581, Object 527); Local Funds - 40 percent (Fund 02, Agency A17, Org. 9581, Object 528); State Bridge Bond Fund 29 - 12 percent (Fund 08A, Agency 525, Org. 9281, Object 527).

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

313

Adopted September 9, 2003. No. 557

WHEREAS, bids have been received by the County Auditor for the following project: S.P. 69-609-30, (Low) and S.P. 69-609-34, MN Project HPP-STP MN (100), County Project No. 8231 & 8265, Bridge No. 69653 over Tischer Creek located on C-SAH 9 (Wallace Ave.), between St. Marie Street and Arrowhead Road, in Duluth, MN; length 0.249 miles. Construction to consist of Grading, Concrete Curb and Gutter, Bituminous Pavement, Storm Sewer, Sanitary Sewer, Street Lighting, Concrete Walk, and Bridge No. 69653 over Tischer Creek.

WHEREAS, said bids or proposals were duly opened in the County Board Room at 10:00 A.M., August 25, 2003, and this Board has, with the County Highway Engineer, determined the lowest bidder of said project for which proposals were invited and submitted; and

WHEREAS, in the judgment of this Board it is for the best interest of St. Louis County that the award of said contract be made to the lowest bidder.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of St. Louis County, Minnesota, in regular session duly convened, that they hereby approve the award of contract on the above project to the lowest bidder:

<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
Northland Constructors	4843 Rice Lake Rd. Duluth, MN 55803	\$1,297,901.85

RESOLVED FURTHER, that the Chairman of the County Board, the County Auditor, and the County Attorney, on behalf of the County of St. Louis, are hereby authorized to approve the Contractor's Performance Bonds and to execute the bonds and contracts with the Contractor for the above listed project; Roadway payable from Federal Funds - 62.5 percent (Fund 08A, Agency 525, Org. 8231, Object 527); State Aid Funds - 15.6 percent (Fund 08A, Agency 525, Org. 8231, Object 527); City of Duluth Funds - 21.9 percent (Fund 08A, Agency 525, Org. 8231, Object 527) and Bridge payable from Federal Funds - 49 percent (Fund 08A, Agency 525, Org. 8265, Object 527); State Bridge Bond Fund 29 - 49 percent (Fund 08A, Agency 525, Org. 8265, Object 527); State Aid Funds - 2 percent (Fund 08A, Agency 525, Org. 8265, Object 527).

Adopted September 9, 2003. No. 558

WHEREAS, the Nopeming Nursing Home ceased operation in November, 2002, and St. Louis County desires to divest itself of the property located at 2650 Nopeming Road in Midway Township; and WHEREAS, the services of a real estate appraiser are needed to determine alternative use opportunities and price expectations;

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board authorizes the appropriate County officials to enter into an agreement with *Ramsland & Vigen, Inc.*, of Duluth, Minnesota, for the appraisal of Nopeming Nursing Home in an amount not to exceed \$38,000. Funds are available from Fund 01, Agency 081, Org. NOPE.

Adopted September 9, 2003. No. 559

WHEREAS, the residents of the County of St. Louis place a high value on respect and civility in their lives and they understand that these characteristics are essential to any healthy community; and

WHEREAS, the St. Louis County Board of Commissioners supports opportunities for civil discourse and discussion in the community and in the County; and

WHEREAS, the St. Louis County Board of Commissioners addresses sometimes controversial issues about which people often feel passionately - which at times leads to uncivil behavior; and

WHEREAS, an atmosphere of incivility and disrespect can have a damaging effect on the proceedings, on the quality of debate and on the practice of democracy itself.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners recognizes nine tools of civility that will provide increased opportunities for civil discourse in order to

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

314

find positive resolutions to the issues that face our county. These tools include:

1. Pay attention
2. Listen
3. Be inclusive
4. Don't gossip
5. Show respect
6. Be agreeable
7. Apologize
8. Give constructive criticism
9. Take responsibility

BE IT FURTHER RESOLVED, that the St. Louis County Board of Commissioners shall promote the use and adherence of these tools in conducting the business of the St. Louis County Board of Commissioners.

Adopted September 9, 2003. No. 560

RESOLVED, the St. Louis County Board of Commissioners hereby appoints the following individual to the Arrowhead Library System Governing Board to complete the unexpired term which ends June 30, 2004: M. Teresa Dawson

Adopted September 9, 2003. No. 561

**BY COMMISSIONER SWEENEY:**

RESOLVED, that the Chair of the St. Louis County Board of Commissioners and County Auditor are hereby authorized to execute a Purchase Agreement with Joe Kleiman for the County fee land located at the Southwest corner of Arrowhead Road and Arlington Avenue in the City of Duluth, Minnesota, consistent with the written proposal submitted by Joe Kleiman, dated September 2, 2003, and to include a provision that provides for the elimination of the current most easterly curb cut on Arrowhead Road to be replaced by a curb cut on Arlington Avenue.

RESOLVED FURTHER, that the purchase price shall be for eight thousand and no/100 dollars (\$8,000.00) and shall be payable in full on the date of closing.

Unanimously adopted. September 9, 2003. No. 562

**BY COMMISSIONER FAY:**

WHEREAS, the H.R.A. must establish a maximum proposed property tax levy and have this amount certified by the St. Louis County Board by September 15, 2003;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board hereby certifies the H.R.A. maximum property tax levy for 2004 in the amount of \$178,000.

Unanimously adopted. September 9, 2003. No. 563

WHEREAS, Minnesota Statutes 273.065 require the County to establish a schedule of public hearing dates for the purposes of receiving comments from the public on the proposed property tax levy and budget for the year 2004 and adopting a final levy and budget;

NOW, THEREFORE, IT BE RESOLVED, the St. Louis County Board establishes the following schedule for public hearings on the proposed property tax levy and budget for the tax year 2004:

Initial Public Hearing:

December 4, 2003 - 5:00 P.M. Court House, Virginia, MN

Additional Public Hearing:

December 11, 2003 - 5:00 P.M. Court House, Duluth, MN

Continuation Public Hearing (if required):

December 16, 2003 - 9:35 A.M. Court House, Duluth, MN

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

315

Subsequent Hearing (at which levy and budget will be adopted):  
December 16, 2003 - 9:40 A.M. Court House, Duluth, MN  
Unanimously adopted. September 9, 2003. No. 564

**BY COMMISSIONER NELSON:**

**PRELIMINARY 2004 BUDGET**

**WHEREAS**, Minnesota State Statutes, Section 275.07, pertaining to Truth-in-Taxation, requires that St. Louis County certify to the County Auditor a maximum proposed property tax levy for 2004 on or before September 15, 2003.

**NOW, THEREFORE, BE IT RESOLVED**, the St. Louis County Board of Commissioners adopts the preliminary 2004 Operating and Capital Budget, as presented at the September 9, 2003, Board meeting and certifies a maximum proposed property tax levy for 2004 of \$86,840,310 to the St. Louis County Auditor.

**FURTHER, BE IT RESOLVED**, the St. Louis County Board of Commissioners adopts the 2003 Revised Budget as presented and with the provision that \$50,000 for the Mesabi Trail Project be paid from the Economic Development Fund (Fund 125).

The maximum proposed property tax levy includes the following:

<b>A. County-wide Levy (Non-debt)</b>		
Fund 01 General Fund	\$ 38,200,578	
Fund 02 Road & Bridge Fund	16,071,977	
Fund 02 Road & Bridge Fund-Auditor's Correction	2,000,000	
Fund 04 Social Services Fund	22,759,968	
Fund 08 Capital Project-Courthouse	565,081	
Fund 08B Capital Project-Road & Bridge	<u>92,895</u>	
		\$ 79,690,499
<b>B. Regional Levy (Non-debt)</b>		
Fund 01 General Fund - Arrowhead Regional Library		\$ 469,011
<b>C. Debt service (County-wide)</b>		
1993 Series Fund 37O Refunding Bond Correctional Facilities	\$ 1,429,005	
1995 Series Fund 37J AJC Expansion	179,760	
1997 Series Fund 37K Tax Lease Obligation for Law Enforcement Facilities	531,515	
1997 Series Fund 37L Tax Lease Obligation for Hibbing Public Works Garage	85,789	
1999 Series Fund 37M Capital Equipment Note	953,237	
2001 Series Fund 37N Capital Improvement Bond	1,441,965	
2002 Series Fund 37P Nursing Home Revenue Bond	116,261	
2002 Series Fund 37Q 2002 Capital Equipment Note	1,122,917	
2004 Series Fund 37R 2004 Capital Equipment Note	45,685	
2004 Series Fund 37S 2004 Capital Improvement Bond	<u>774,666</u>	
		\$ 6,680,800
<b>TOTAL PROPERTY TAX LEVY</b>		<b><u>\$ 86,840,310</u></b>

**BUDGET BY FUND TYPE AND MEANS OF FINANCING INCLUDING PROPERTY TAX LEVIES**

Fund	Proposed Budget	MEANS OF FINANCING			Total Financing
		Use of Fd Bal or Working Capital	Property Tax Levy	Other Sources of Revenue	
<b>GENERAL FUND</b>					
General Fund	\$69,394,376		\$38,669,589	\$30,724,787	\$69,394,376
ESG Grant	<u>110,000</u>			<u>110,000</u>	<u>110,000</u>
Total GENERAL FUND	\$69,504,376		\$38,669,589	\$30,834,787	\$69,504,376

**SPECIAL REVENUE FUNDS**

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

316

Public Works Fund	\$34,237,734		\$18,071,977	\$18,827,797	\$36,899,774
Social Service Fund	\$61,181,887		\$22,759,968	\$38,421,919	\$61,181,887
Land Department	\$4,835,883			\$7,970,970	\$7,970,970
Memorial Forests	\$1,115,500	\$615,500		\$500,000	\$1,115,500
Economic Development Fund	\$500,000			\$500,000	\$500,000
CDBG Fund	\$2,971,000			\$2,971,000	\$2,971,000
Home Grant Fund	\$752,672			\$752,672	\$752,672
Total SPECIAL REVENUE	\$105,594,676	\$615,500	\$40,831,945	\$69,944,358	\$111,391,803

**DEBT SERVICE FUNDS**

Correctional Facilities Refunding Fund 37O	\$1,373,300		\$1,429,005		\$1,429,005
95 AJC Construction Fund 37J	\$171,200		\$179,760		\$179,760
97 Law Enforcement Facilities Fund 37K	\$506,205		\$531,515		\$531,515
97 Hibbing Public Works Facility Fund 37L	\$85,789		\$85,789		\$85,789

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

317

99 Capital Equipment Note Fund 37M	\$907,845		\$953,237		\$953,237
2001 Capital Improvement Bond Fund 37N	\$1,360,957		\$1,441,965		\$1,441,965
2002 Nursing Home Revenue Bond Fund 37P	\$110,725		\$116,261		
2002 Capital Equipment Note Fund 37Q	\$1,069,445		\$1,122,917		
2004 Capital Equipment Note Fund 37R	\$43,509		\$45,685		
2004 Capital Improvement Bond Fund 37S	\$737,778		\$774,666		
<b>Total DEBT SERVICE FUNDS</b>	<b>\$6,366,753</b>		<b>\$6,680,800</b>		<b>\$6,680,800</b>
<b>CAPITAL PROJECTS FUNDS</b>					
Road & Bridge Construction Fund 08A	\$10,340,142		\$10,340,142		\$10,340,142
Bldg Construction/Improvement Fund 08B	\$110,000		\$92,895	\$17,105	\$110,000
Courthouse Buildings Fund 08	\$600,000		\$565,081	\$34,919	\$600,000
2004 Capital Improvement Fund Fund 08S	\$8,000,000		\$8,000,000		\$8,000,000
<b>Total CAPITAL PROJECTS FUNDS</b>	<b>\$19,050,142</b>		<b>\$657,976</b>	<b>\$18,392,166</b>	<b>\$19,050,142</b>
<b>ENTERPRISE FUNDS</b>	<b>\$24,530,921</b>	<b>\$1,774,314</b>		<b>\$23,120,371</b>	<b>\$24,894,685</b>
<b>INTERNAL SERVICE FUNDS</b>	<b><u>\$32,484,655</u></b>	<b><u>\$1,687,237</u></b>		<b><u>\$33,602,129</u></b>	<b><u>\$35,289,366</u></b>
<b>TOTAL BUDGET</b>	<b>\$257,531,523</b>	<b>\$4,077,051</b>	<b>\$86,840,310</b>	<b>\$175,893,811</b>	<b>\$266,811,172</b>

MEMO

The Arrowhead Library has a 2004 adopted budget of \$469,011, for which means of financing is a regional property tax levy. This regional property tax is levied against all taxable real and personal property of the County of St. Louis, exclusive of monies and credits and excluding taxable real and personal property of any city or township wherein a free public library is located or which is already taxed for local support of any such library.

The budget expenditure during the fiscal year 2004 in the several departments of St. Louis County, the estimates of receipts from sources other than the monies herein levied, and the estimates of balances remaining in the several funds as of December 31, 2003, all of which are hereinafter itemized, are hereby approved, allowed, levied, and apportioned to the several departments and made a part of the proceedings of this Board as follows:

**REVENUES**

**GENERAL FUND**

**\$ 69,504,376**

Estimated Fund Balance	
Property Tax	\$ 38,669,589
Other Taxes	3,548,968
Fees and Services	7,061,716
Fines and Forfeitures	1,644,800
Licenses and Permits	127,070
Other Revenues	3,886,962
Intergovernmental Aid	<u>14,565,271</u>

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

318

**TOTAL MEANS OF FINANCING** **\$ 69,504,376**

Of the foregoing budget allowance, the sum of \$69,504,376 is hereby apportioned to the several departments operating under the General Fund, and pursuant to Chapter 240 of the Laws of Minnesota for 1990, and the rules and regulations thereof, heretofore approved by the Board, there is hereby appropriated from the General Fund for expenditure during the fiscal year of 2004 the sum of \$257,531,522 to the items, in the amounts of hereinafter listed; and said expenditure shall be made by appointed or elected department heads in charge of such items (subject to the fiscal policies of the Board as adopted in the Budget), all of whom are hereby declared to be the encumbrance officers for said items within the meaning of said Chapter 240. The expenditures shall be made for the purpose as shown in the 2004 budget record which is made part of these proceedings by reference, to wit:

Board of County Commissioners	\$	834,782	
Aid to Other Agencies		823,282	
Administrator		363,267	
Intergovernmental Affairs		279,465	
Administrative Support Division		359,132	
Labor Relations		<u>45,760</u>	
<b>TOTAL POLICY AND MANAGEMENT</b>			<b>\$ 2,705,688</b>
Community Development	\$	225,000	
Planning & Zoning		<u>1,215,330</u>	
<b>TOTAL PLANNING DEPARTMENT</b>			<b>\$ 1,440,330</b>
MIS Common Charges	\$	1,598,979	
Veterans' Services		582,572	
Employee Development		185,018	
Safety Office		<u>479,267</u>	
<b>TOTAL ADMINISTRATION</b>			<b>\$ 2,845,836</b>
Property Management			<b>\$ 5,396,460</b>
Purchasing	\$	487,768	
Microfilming		<u>201,060</u>	
<b>TOTAL PURCHASING</b>			<b>\$ 688,828</b>
Auditor	\$	3,871,826	
Elections		<u>246,000</u>	
<b>TOTAL AUDITOR</b>			<b>\$ 4,117,826</b>
Reserve for Retired Employees			<b>\$ 350,000</b>
Civil Service			<b>\$ 1,297,970</b>
Attorney			<b>\$ 3,579,915</b>
Assessor			<b>\$ 2,020,987</b>
Recorder			<b>\$ 1,592,391</b>
Emergency Communications	\$	2,710,000	
Radio Maintenance		<u>457,570</u>	
<b>TOTAL COMMUNICATIONS</b>			<b>\$ 3,167,570</b>
Extension Service			<b>\$ 834,156</b>
Support Services	\$	1,671,537	
Health Risk Reduction		3,435,387	
Assessment/Evaluation		<u>1,450,204</u>	
<b>TOTAL HEALTH</b>			<b>\$ 6,557,128</b>
Court Administrator	\$	5,573,322	
Examiner of Titles		<u>154,701</u>	

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

319

<b>TOTAL COURT ADMINISTRATOR</b>		<b>\$ 5,728,023</b>
Commitments		<b>\$ 60,438</b>
Sheriff Patrol	\$ 8,992,280	
Boat and Water Safety	126,449	
Medical Examiner	326,100	
Emergency Management	188,040	
Rescue Squad	109,861	
Law Enforcement Services	783,568	
County Jail	<u>6,624,967</u>	
<b>TOTAL SHERIFF</b>		<b>\$ 17,151,265</b>
Administration	\$ 1,956,553	
Court and Field Services	8,023,508	
Northeast Regional Corrections Center	4,492,552	
Arrowhead Juvenile System	2,879,575	
Grants/Reimbursements	<u>(8,438,789)</u>	
<b>TOTAL ARROWHEAD REGIONAL CORRECTIONS</b>		<b>\$ 8,913,399</b>
Mine Inspector	\$ 212,443	
Land Survey	<u>733,723</u>	
<b>TOTAL PUBLIC WORKS</b>		<b>\$ 946,166</b>
Emergency Shelter Grant Fund		<b>\$ 110,000</b>
<b><u>TOTAL GENERAL FUND BUDGET ALLOWANCE</u></b>		<b>\$ 69,504,376</b>

**SPECIAL REVENUE FUNDS**

**PUBLIC WORKS FUND**

<u>Budget Allowance</u>		
Administration & Engineering	\$ 6,283,046	
Road Maintenance	14,244,881	
Equipment & Maintenance Shops	9,238,865	
Road Construction - County	<u>4,470,942</u>	
<b><u>TOTAL BUDGET ALLOWANCE</u></b>		<b>\$ 34,237,734</b>
<u>Means of Financing</u>		
Property Tax	\$ 18,071,977	
Fees and Services	215,000	
Licenses and permits	21,000	
Other Revenue	3,270,800	
Intergovernmental Aid	<u>15,320,997</u>	
<b><u>TOTAL MEANS OF FINANCING</u></b>		<b>\$ 36,899,774</b>

**SOCIAL SERVICES FUND**

<u>Budget Allowance</u>		
Administration and Support Services	\$ 8,897,096	
Financial Assistance	11,184,731	
Social Services	<u>41,100,060</u>	
<b><u>TOTAL BUDGET ALLOWANCE</u></b>		<b>\$ 61,181,887</b>
<u>Means of Financing</u>		
Property Tax	\$ 22,759,968	
Fees and Services	1,631,300	
Other Revenue	590,553	
Intergovernmental Aid	<u>36,200,066</u>	
<b><u>TOTAL MEANS OF FINANCING</u></b>		<b>\$ 61,181,887</b>

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

320

<b>ECONOMIC DEVELOPMENT</b>		<b>\$ 500,000</b>
<u>Means of Financing</u>		
Other Revenue		\$ 500,000
 <b>LAND DEPARTMENT</b>		 <b>\$ 4,835,883</b>
<u>Means of Financing</u>		
Fees and Services	\$ 2,000	
Other Revenue	7,954,500	
Intergovernmental Aid	<u>14,470</u>	
<b><u>TOTAL MEANS OF FINANCING</u></b>		<b>\$ 7,970,970</b>
 <b>MEMORIAL FORESTS FUND</b>	 \$1,115,500	
<u>Means of Financing</u>		
Use of Fund Balance	\$ 615,500	
Other Taxes	400,000	
Intergovernmental Aid	<u>100,000</u>	
<b><u>TOTAL MEANS OF FINANCING</u></b>		<b>\$ 1,115,500</b>
 <b>SPECIAL REVENUE FUND GRANTS</b>		
Community Development Block Grant	\$ 2,971,000	
Home Grant	<u>752,672</u>	
<b><u>TOTAL BUDGET ALLOWANCE</u></b>		<b>\$ 3,723,672</b>
<u>Means of Financing</u>		
Intergovernmental Aid		\$ 3,723,672
<b><u>TOTAL SPECIAL REVENUE FUNDS BUDGET ALLOWANCE</u></b>		<b>\$ 105,594,676</b>
 <b>DEBT SERVICE FUNDS</b>		
Fund 37J AJC Construction	\$ 171,200	
Fund 37H Correction Facilities Refunding	1,373,300	
Fund 37K Range Lockups	506,205	
Fund 37L Hibbing Public Works Maintenance Facility	85,789	
Fund 37M 1999 Capital Equipment Note	907,845	
Fund 37N 2001 Capital Improvement Bond	1,360,957	
Fund 37P 2002 Nursing Home Revenue Bond	110,725	
Fund 37Q 2002 Capital Equipment Note	1,069,445	
Fund 37R 2004 Capital Equipment Note	43,509	
Fund 37S 2004 Capital Improvement Bond	<u>737,778</u>	
<b><u>TOTAL BUDGET ALLOWANCE</u></b>		<b>\$ 6,366,753</b>
<u>Means of Financing</u>		
Property Tax:		
Fund 37J AJC Construction	\$ 179,760	
Fund 37H Correction Facilities Refunding	1,429,005	
Fund 37K Range Lockups	531,515	
Fund 37L Hibbing Public Works Maintenance Facility	85,789	
Fund 37M 1999 Capital Equipment Note	953,237	
Fund 37N 2001 Capital Improvement Bond	1,441,965	
Fund 37P 2002 Nursing Home Revenue Bond	116,261	
Fund 37Q 2002 Capital Equipment Note	1,122,917	
Fund 37R 2004 Capital Equipment Note	45,685	
Fund 37S 2004 Capital Improvement Bond	<u>774,666</u>	
<b><u>TOTAL MEANS OF FINANCING</u></b>		<b>\$ 6,680,800</b>



**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

322

<u>Budget Allowance</u>			
Central Services Fund-Printing	\$	830,387	
Motor Pool Fund	\$	1,700,198	
Insurance Funds			
Property, Casualty, Liability	\$	560,000	
Workers Compensation	\$	2,715,646	
Self-Insurance - Medical/Dental	\$	<u>20,776,270</u>	
	\$	24,051,916	
Management Information Systems Fund	\$	4,274,419	
Telecommunications Fund	\$	1,627,735	
<b><u>TOTAL BUDGET ALLOWANCE</u></b>			<b>\$ 32,484,655</b>
<u>Means of Financing</u>			
Central Services Fund			
Use of Working Capital	\$	42,000	
Fees and Services	\$	<u>788,387</u>	
	\$	830,387	
Motor Pool Fund			
Use of Working Capital	\$	106,500	
Fees and Services	\$	1,568,791	
Other Revenue	\$	23,150	
Intergovernmental Aid	\$	<u>1,757</u>	
	\$	1,700,198	
Insurance Funds			
Use of Working Capital	\$	815,627	
Fees and Services	\$	25,668,022	
Other Revenue	\$	<u>372,978</u>	
	\$	26,856,627	
Management Information Systems Fund			
Use of Working Capital	\$	458,248	
Fees and Services	\$	3,804,419	
Intergovernmental Aid	\$	<u>11,752</u>	
	\$	4,274,419	
Telecommunications			
Use of Working Capital	\$	264,862	
Fees and Services	\$	1,361,426	
Intergovernmental Aid	\$	<u>1,447</u>	
	\$	1,627,735	
<b><u>TOTAL MEANS OF FINANCING</u></b>			<b>\$ 35,289,366</b>

Unanimously adopted. September 9, 2003. No. 565

**BY COMMISSIONER FAY:**

WHEREAS, Minnesota Laws 1995, Chapter 47, authorizes the County to pool unorganized town road levies levied pursuant to Minnesota Statutes 163.06;

NOW, THEREFORE, BE IT RESOLVED, that the County Board, acting on the behalf of unorganized townships for the purpose of furnishing road maintenance, will adopt and certify an additional maximum levy of \$225,000 for the year 2004 to be levied only in such unorganized townships.

Unanimously adopted. September 9, 2003. No. 566

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

323

Upon motion of Commissioner Sweeney, supported by Commissioner Nelson, Resolutions No. 567 through 575, which were approved at the Committee of the Whole meeting this date, were brought forth to this meeting as a second Consent Agenda and were unanimously adopted as follows with Commissioner Raukar absent:

**BY COMMISSIONER SWEENEY:**

WHEREAS, the St. Louis County Public Works Department budgeted for replacement of eight tandem trucks for snow and ice control and hauling sand and gravel; and

WHEREAS, the Purchasing Department solicited bids for dump body installations including hydraulic systems and cab-shields; and

WHEREAS, Midland Equipment Company of Lakeville, Minnesota, submitted the low specification bid; and

WHEREAS, the materials and labor costs for installation of six dump bodies, eight hydraulic systems and eight chassis mounted cab-shields will be, \$122,290 plus an additional \$7,948.85 State of Minnesota sales tax, for a total of \$130,238.85.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners authorizes the Director of Purchasing to issue a purchase order to Midland Equipment Company of Lakeville, Minnesota, for the installation of ten cubic yard dump bodies, hydraulic systems and cab-shields as specified in Bid No. 4402. Funding for this purchase is payable from Fund 02, Agency A14, Object 663.

Adopted September 9, 2003. No. 567

WHEREAS, bids have been received by the County Auditor for the following project: S.A.P. 69-604-54, C-SAH 4 (Vermillion Trail), C.P. 9211, from 1.3 mi. South of C.R. 547 to 0.1 mi. West of C.R. 265; length 8.609 miles. Project to consist of Bituminous Reclamation, Culverts, Bituminous Surfacing, and Aggregate Shoulders.

WHEREAS, said bids or proposals were duly opened in the County Board Room at 10:00 A.M., September 8, 2003, and this Board has, with the County Highway Engineer, determined the lowest bidder of said project for which proposals were invited and submitted; and

WHEREAS, in the judgment of this Board it is for the best interest of St. Louis County that the award of said contract be made to the lowest bidder.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of St. Louis County, Minnesota, in regular session duly convened, that they hereby approve the award of contract on the above project to the lowest bidder:

<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
Hawkinson Construction Co.	501 W. County Road 63 P.O. Box 278 Grand Rapids, MN 55744	\$1,650,985.72

RESOLVED FURTHER, that the Chairman of the County Board, the County Auditor, and the County Attorney, on behalf of the County of St. Louis, are hereby authorized to approve the Contractor's Performance Bonds and to execute the bonds and contracts with the Contractor for the above listed project; Fund 08A, Agency 525, Org. 9211, Object 527.

Adopted September 9, 2003. No. 568

WHEREAS, bids have been received by the County Auditor for the following project: S.A.P. 69-605-39, C-SAH 5, C.P. 9212, from T.H. 37 to T.H. 169; length 5.94 miles. Construction to consist of Pavement and Aggregate Base Removal, Aggregate Base and Bituminous Surfacing.

WHEREAS, said bids or proposals were duly opened in the County Board Room at 10:00 A.M., September 8, 2003, and this Board has, with the County Highway Engineer, determined the lowest bidder of said project for which proposals were invited and submitted; and

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

324

WHEREAS, in the judgment of this Board it is for the best interest of St. Louis County that the award of said contract be made to the lowest bidder.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of St. Louis County, Minnesota, in regular session duly convened, that they hereby approve the award of contract on the above project to the lowest bidder:

<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
Ulland Brothers, Inc.	P.O. Box 340 Cloquet, MN 55720	\$1,099,381.06

RESOLVED FURTHER, that the Chairman of the County Board, the County Auditor, and the County Attorney, on behalf of the County of St. Louis, are hereby authorized to approve the Contractor's Performance Bonds and to execute the bonds and contracts with the Contractor for the above listed project; payable from State Aid Funds (Fund 08A, Agency 525, Org. 9212, Object 527).

Adopted September 9, 2003. No. 569

WHEREAS, bids have been received by the County Auditor for the following project: M.P. 7104-1492, T.R. 7104, from South Intersection of T.H. 73 and T.R. 7104 to North Intersection T.H. 73 & T.R. 7104, South of Hibbing, MN; Length 0.443 miles. Construction to consist of Aggregate Base, Plant Mixed Bituminous Surfacing and Aggregate Shoulders.

WHEREAS, said bids or proposals were duly opened in the County Board Room at 10:00 A.M., September 8, 2003, and this Board has, with the County Highway Engineer, determined the lowest bidder of said project for which proposals were invited and submitted; and

WHEREAS, in the judgment of this Board it is for the best interest of St. Louis County that the award of said contract be made to the lowest bidder.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of St. Louis County, Minnesota, in regular session duly convened, that they hereby approve the award of contract on the above project to the lowest bidder:

<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
Mesabi Bituminous, Inc.	P.O. Box 728 Gilbert, MN 55741	\$70,883.50

RESOLVED FURTHER, that the Chairman of the County Board, the County Auditor, and the County Attorney, on behalf of the County of St. Louis, are hereby authorized to approve the Contractor's Performance Bonds and to execute the bonds and contracts with the Contractor for the above listed project; payable from Unorganized Township Funds (Fund 02A, Agency 400, Org. 1492, Object 528).

Adopted September 9, 2003. No. 570

WHEREAS, bids have been received by the County Auditor for the following project: S.A.P. 69-733-22, C-SAH 133, C.P. 1264, from C-SAH 7 to Western Avenue in Meadowlands, MN; length 6.363 miles. Construction to consist of Centerline Culverts, Reclamation, Mill Bituminous Surface, Plant Mixed Bituminous Surface and Aggregate Shouldering.

WHEREAS, said bids or proposals were duly opened in the County Board Room at 10:00 A.M., September 8, 2003, and this Board has, with the County Highway Engineer, determined the lowest bidder of said project for which proposals were invited and submitted; and

WHEREAS, in the judgment of this Board it is for the best interest of St. Louis County that the award of said contract be made to the lowest bidder.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of St. Louis County, Minnesota, in regular session duly convened, that they hereby approve the award of

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

325

contract on the above project to the lowest bidder:

<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
Northland Constructors, Inc.	4843 Rice Lake Rd. Duluth, MN 55803	\$966,764.62

RESOLVED FURTHER, that the Chairman of the County Board, the County Auditor, and the County Attorney, on behalf of the County of St. Louis, are hereby authorized to approve the Contractor's Performance Bonds and to execute the bonds and contracts with the Contractor for the above listed project; payable from State Aid Funds (Fund 08A, Agency 525, Org. 1264, Object 527).

Adopted September 9, 2003. No. 571

WHEREAS, bids have been received by the County Auditor for the following project: S.A.P. 69-600-33 (low), C.P. 3640, Clyde Avenue, from Grand Avenue to 25 feet West of RR Track Crossing in Duluth, MN; length 0.33 miles & WAM00056/A-03-23, C.P. 3648, Munger Public Water Access from Clyde Avenue to St. Louis River in Duluth; length 0.08 mile. Construction to consist of Grading, Aggregate Base, Aggregate Shouldering and Bituminous Surfacing.

WHEREAS, said bids or proposals were duly opened in the County Board Room at 10:00 A.M., September 8, 2003, and this Board has, with the County Highway Engineer, determined the lowest bidder of said project for which proposals were invited and submitted; and

WHEREAS, in the judgment of this Board it is for the best interest of St. Louis County that the award of said contract be made to the lowest bidder.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of St. Louis County, Minnesota, in regular session duly convened, that they hereby approve the award of contract on the above project to the lowest bidder:

<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
Duluth Superior Blacktop, Inc.	2301 Becks Rd. P.O. Box 1076 Duluth, MN 55810	\$150,070.75

RESOLVED FURTHER, that the Chairman of the County Board, the County Auditor, and the County Attorney, on behalf of the County of St. Louis, are hereby authorized to approve the Contractor's Performance Bonds and to execute the bonds and contracts with the Contractor for the above listed project; payable from State Park Road Account Funds (Fund 08A, Agency 525, Org. 3640, Object 527) and Minnesota DNR Waters Funds (Fund 08A, Agency 525, Org. 3648, Object 527).

Adopted September 9, 2003. No. 572

WHEREAS, more than \$3 billion has been invested in the steel industry with widespread consolidation, productivity increases and major cost savings; and

WHEREAS, steel prices have stabilized at their 20 year average and producers have moved from operating in the red to the black; and

WHEREAS, steel tariffs are modest and import relief has allowed many U.S. mills to come back on line; and

WHEREAS, the picture for domestic steel using industries has brightened considerably and domestic steel productivity increases will assure a strong supply of competitively priced steel supplies in the United States;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners hereby respectfully requests that President Bush allow the tariffs that are already in place be allowed to continue and allow the steel industry to complete their restructuring.

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

326

Adopted September 9, 2003. No. 573

RESOLVED, that pursuant to the provisions of Minnesota Statutes, Section 340A, as amended, and Rules and Regulations adopted by this Board under St. Louis County Ordinance No. 28, dated May 22, 1978, as amended, the following application for an intoxicating liquor license is hereby approved, on file in the office of the County Auditor, identified as County Board File No. 58004; FURTHER RESOLVED, that said license is approved contingent upon licenseholder paying real estate or personal property taxes when due;

FURTHER RESOLVED, that if named licenseholder sells their licensed place of business, the County Board, at its discretion, may, after an investigation, transfer the license to a new owner, but without pro-rated refund of the license fees to the licenseholder;

FURTHER RESOLVED, that said license shall be effective through June 30, 2004:

J & J Investments of Britt, Inc., d/b/a The Oasis, Unorganized Township 60-18, Combination On/Off-Sale Intoxicating Liquor License No. CMB0478 and Sunday On-Sale Intoxicating Liquor License No. SUN0478.

Adopted September 9, 2003. No. 574

RESOLVED, that a public hearing will be held at 9:35 A.M. on September 23, 2003, in the Morse Town Hall, Ely, Minnesota, for the purpose of considering the granting of an off-sale intoxicating liquor license to J & J Investments of Britt, Inc., d/b/a The Oasis, Unorganized Township 60-18. Adopted September 9, 2003. No. 575

At 5:42 P.M. on Tuesday, September 9, 2003, upon motion of Commissioner Kron, supported by Commissioner Nelson, the Board of County Commissioners adjourned.

Dennis Fink, Chair of the Board  
of County Commissioners

Attest:  
Gordon D. McFaul, County Auditor  
and Ex-Officio Clerk of the Board  
of County Commissioners

(Seal of the County Auditor)

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

327

**OFFICIAL PROCEEDINGS OF THE MEETING  
OF THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF ST. LOUIS, MINNESOTA,  
HELD ON SEPTEMBER 23, 2003**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 23rd day of September, 2003, at 9:32 A.M. in the Morse Town Hall, Ely, Minnesota. The meeting was called to order by the Chair with the following members present: Commissioners Joanne Fay, Bill Kron, Mike Forsman, Peg Sweeney, Keith Nelson, Steve Raukar, and Chair Dennis Fink - 7. Absent: None.

Chair Fink began the meeting by sharing some historical facts about Minnesota.

At 9:36 A.M., a public hearing was convened pursuant to County Board Resolution No. 575, adopted September 9, 2003, to consider granting an off-sale intoxicating liquor license to J & J Investments of Britt, Inc., d/b/a The Oasis, Unorganized Township 60-18. Alan Mitchell, County Attorney, advised the Board that: all required County Departments had reviewed the application and recommended approval; the Liquor Licensing Committee met with the applicant, discussed the location and propriety of the business, and recommended approval; town board approval was not needed because the establishment was located in an unorganized area; all required notices were given; and, the necessary certificate of insurance was submitted. John Honkanen, Britt, owner of The Oasis, said he understood and would abide by state statutes and County Ordinance No. 28 (Liquor Ordinance). No one else chose to address the issue.

At 9:42 A.M., Commissioner Kron, supported by Commissioner Sweeney, moved to close the hearing; seven yeas - zero nays. Commissioner Forsman, supported by Commissioner Raukar, moved to approve granting of the off-sale license; seven yeas - zero nays. Resolution No. 580.

Chair Fink then opened the meeting to persons who wanted to address the Board concerning issues not on the agenda and the following chose to do so:

Mike Loisel, Ely, thanked the Board and the County Attorney for help getting the U.S. Forest Service to close a portage that crossed his property. The alternatives are working very well, according to Mr. Loisel.

Jim Hofsommer, Colvin, said he will accept the results of the special commission appointed by the court to redistrict county commissioner districts and he challenged the Board to do the same.

Commissioner Kron, supported by Commissioner Sweeney, moved to schedule a closed session for litigation purposes at the end of all regular County Board business. County Attorney Mitchell said the session was to discuss settlement of an automobile accident and not for redistricting; seven yeas - zero nays.

At 9:55 A.M. in the forenoon of Tuesday, September 23, 2003, Commissioner Sweeney, supported by Commissioner Forsman, moved to recess the Board until 11:00 A.M. on September 23, 2003, in the Morse Town Hall, Ely, Minnesota.

The Board reconvened at 4:20 P.M. on September 23, 2003, and the regular order of business resumed with all members present.

Commissioner Sweeney, supported by Commissioner Forsman, moved to approve a second consent agenda consisting of all items passed unanimously at the just completed Committee of the Whole

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

328

meeting; seven yeas - zero nays.

Commissioner Nelson, supported by Commissioner Sweeney, moved to authorize Public Works to complete site preparations for the Wellstone Historical Marker at a cost of \$16,500; seven yeas - zero nays. Resolution No. 599.

Commissioner Sweeney, supported by Commissioner Forsman, moved to appoint Ann Busche, Interim County Administrator, effective November 17, 2003, at the salary grade of 33/Step D of the Management Compensation Plan. Commissioner Fink, supported by Commissioner Nelson, moved to table the matter to the October 7, 2003, County Board meeting, but the motion failed; two yeas - five nays, Commissioners Fay, Kron, Forsman, Sweeney and Raukar. The original appointment resolution was then approved; seven yeas - zero nays. Resolution No. 600.

Commissioner Sweeney, supported by Commissioner Nelson, moved to exclude Commissioner Fay because of a conflict of interest from voting on a resolution directing the County Attorney to appeal the Order by the court appointing a citizen commission to redistrict county commissioner districts; six yeas - zero nays. Commissioner Forsman, supported by Commissioner Sweeney, moved to direct the County Attorney to appeal the order; six yeas - zero nays. Resolution No. 601.

The following Board and Contract Files were created as a result of documents received at this Board meeting:

Documentation from public hearing held on September 23, 2003, to consider granting an off-sale intoxicating liquor license to J & J Investments of Britt, Inc., d/b/a the Oasis, Unorganized Township 60-18.-[58135](#)

Loan Agreement between the County of St. Louis and Jane E. Snilsberg for repairing, replacing or upgrading an individual sewage treatment system.-[03-715](#)

Main Sewer Line Easement between the County of St. Louis and the Town of Canosia for the Public Works facility at Pike Lake.-[03-716](#)

Project Contract, Contract No. 4395, between the County of St. Louis and Steve Horvath, d/b/a Horvath Excavating, for installation of three gates.-[03-717](#)

Agreement for Professional Services between the County of St. Louis, through its Department of Public Health, and the University of Minnesota - Duluth, Department of Family Medicine, for the "Girl Hibbing" Project.-[03-718](#)

Agreement for Professional Nursing Services between St. Louis County, through its Department of Public Health, and Care Givers Network for Community Alternative Care Client No. 027.-[03-719](#)

Lease Agreement between the County of St. Louis and the City of Ely for rental of office space in the Ely City Hall for housing the Sheriff's Office.-[03-720](#)

Employee Safety & Development Training Contract between St. Louis County and Coach for Success, Inc., for *Coaching for Performance (progressive course)* session.-[03-721](#)

Employee Safety & Development Training Contract between St. Louis County and Thea Sheldon for *Coaching for Performance (progressive course)* session.-[03-722](#)

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

329

Employee Safety & Development Training Contract between St. Louis County and Pat Miller for *Change Without Chaos - Helping People and Organizations Change* session.–03-723

Employee Safety & Development Training Contract between St. Louis County and Pat Miller for *Becoming a Quick Change Artist - Coping with Change in the Workplace* session.–03-724

Employee Safety & Development Training Contract between St. Louis County and Cindy Brown for *Guidance to Healthy Eating: Pyramids, Portions, and the Press* session.–03-725

Employee Safety & Development Training Contract between St. Louis County and Denise Moreland for *Transformative Leadership: Supervising Day to Day* session.–03-726

Employee Safety & Development Training Contract between St. Louis County and Northeast Service Cooperative for *Introduction to Palm Handheld Computers* session.–03-727

Employee Safety & Development Training Contract between St. Louis County and Susan Mattis Turnham for *Introduction to GroupWise; Microsoft Word 2000 - Automating Text Production; Introduction to Excel; WordPerfect to Word: Making the Transition; Excel Intermediate; and GroupWise Intermediate* sessions.–03-728

Employee Safety & Development Training Contract between St. Louis County and Susan Mattis Turnham for *WordPerfect to Word: Making the Transition; Introduction to Excel; Introduction to GroupWise; Excel Intermediate; GroupWise Intermediate; and Microsoft Word 2000 - Automating Text Production* sessions.–03-729

St. Louis County Customized Training Income Contract between Lake Superior College and St. Louis County for *Effective Business Writing I* session.–03-730

Employee Safety & Development Training Contract between St. Louis County and Edens Group Training Center for *Cultural Diversity: Disability Issues* session.–03-731

Employee Safety & Development Training Contract between St. Louis County and Northeast Service Cooperative for *Introduction to Microsoft Access XP and Intermediate Microsoft Access XP* sessions.–03-732

Employee Safety & Development Training Contract between St. Louis County and Casperson Leadership Consultants for *Effective Change Management: Shift Happens...to Everyone* session.–03-733

Upon motion of Commissioner Fay, supported by Commissioner Sweeney, Resolutions No. 576 through 579, as submitted to this Board on the Consent Agenda were unanimously adopted as follows:

**BY COMMISSIONER FAY:**

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of September 2, 2003, are hereby approved.

Adopted September 23, 2003. No. 576

RESOLVED, that the recommendations of the Finance Committee for payment of claims and bills against the County of St. Louis, on file in the office of the County Auditor, identified as County Board File No. 57999, are hereby approved and the County Auditor shall issue checks in the following amounts:

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

330

<u>FUND</u>		<u>TOTAL</u>
T11	Minnesota Trail Assistance	\$ 4,120.30
T21	Beer License	20.00
T22	Cities and Towns	98,652.33
T27	Refunds	11,080.97
T49	Taconite Production Tax	8,214,390.00
T50	State of Minnesota	285.43
T74	Employer/Employee Deductions	1,046,632.18
T75	Savings Bonds	45.00
T77	Cancelled Checks	5,050.84
T80	Lake Superior - Forfeiture	3,785.25
T85	Sheriffs State Forfeitures	170.65
01	General Fund	1,090,668.63
02	Public Works	1,230,985.30
03C	State Erosion Loan MPCA	17,000.00
04	Social Services	4,070,725.78
08	County Facilities - Capital Projects	7,780.62
08A	State Aid Road	685,027.84
08B	Road & Bridge Building Const.	3,402.48
10B	Emer. Shelter 99/00 Funds	3,458.16
11A	Home Grant - All Years	40,789.82
12B	CDBG Grant	197,146.99
127	Enhanced 9-1-1 Fund	3,777.31
128	Law Library	7,369.41
129	City/County Comm. Antenna Site	4,524.00
13	St. Louis County HRA	1,988.92
131	Extension Service	6,271.33
15	Forfeited Tax	89,714.01
16	Forest Resources	36,288.73
26	Solid Waste Authorities	252,754.96
49	Postage/Office Supplies	29,408.74
50	Printing	32,762.74
51	County Garage	35,363.21
52B	Workers Compensation	139,915.23
52D	Medical/Dental Self Insurance	1,223.46
53	Management Information Systems	228,009.33
54	Regional Railroad Authority	42,412.66
55	Telecommunications	60,554.62
57	Retired Employees Health Insurance	16,450.06
64A	Chris Jensen Health & Rehab.	443,885.93
64B	Nopeming Care Center	364.13
65	Laundry	23,775.10
66	Community Food Services	50,008.06
67	Supervised Living Facilities	10,244.98
72	Northern Counties Land Use Coordinating Board	2,309.88
73	Arrowhead Regional Corrections	274,348.74
74	Community Health Services	2,393.97
85	Patients Trust Fund	<u>127.50</u>
		\$18,527,465.58

Adopted September 23, 2003. No. 577

RESOLVED, that the workers' compensation report of claims by employees for work-related

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

331

injuries, as set forth by the County Attorney, dated September 5, 2003, on file in the office of the County Auditor, identified as County Board File No. 57995, is hereby received and ratified as payable from Fund 52, Department 12.  
Adopted September 23, 2003. No. 578

RESOLVED, that the appraisal report for sale of timber, numbered Tract 1, as submitted by the Land Commissioner, on file in the office of the County Auditor, identified as County Board File No. 58000, is approved and the County Auditor is authorized to carry out the recommendations as listed in said appraisal report.  
Adopted September 23, 2003. No. 579

**BY COMMISSIONER FORSMAN:**

WHEREAS, J & J Investments of Britt, Inc., d/b/a The Oasis, Unorganized Township 60-18, St. Louis County, Minnesota, has applied for an off-sale intoxicating liquor license; and  
WHEREAS, Minnesota Statutes, Section 340A.405, Subdivision 2 (d), requires that a public hearing be held prior to the issuance of an off-sale intoxicating liquor license; and  
WHEREAS, a public hearing was held on September 23, 2003, at or about 9:35 A.M. in the Morse Town Hall, Ely, Minnesota, for the purpose of considering the granting of the off-sale intoxicating liquor license; and  
WHEREAS, with regard to the application for said license The Oasis has complied in all respects with the requirements of Minnesota Law and St. Louis County Ordinance No. 28; and  
WHEREAS, the Liquor Licensing Committee of the St. Louis County Board of Commissioners has considered the nature of the business to be conducted and the propriety of the location and has recommended approval of the application;  
NOW, THEREFORE, BE IT RESOLVED, that Off-Sale Intoxicating Liquor License (License Number CMB478) shall be issued to J & J Investments of Britt, Inc., d/b/a The Oasis, Unorganized Township 60-18;  
FURTHER RESOLVED, that said liquor license shall be effective through June 30, 2004;  
FURTHER RESOLVED, that said license is approved contingent upon payment of real estate taxes when due;  
FURTHER RESOLVED, that if named licenseholder sells the licensed place of business, the County Board, at its discretion, may, after an investigation, transfer the license to a new owner, but without pro-rated refund of license fee to the licenseholder.  
Unanimously adopted. September 23, 2003. No. 580

Upon motion of Commissioner Sweeney, supported by Commissioner Forsman, Resolutions No. 581 through 598, which were approved at the Committee of the Whole meeting this date, were brought forth to this meeting as a second Consent Agenda and were unanimously adopted as follows:

**BY COMMISSIONER SWEENEY:**

RESOLVED, that the County Board of Commissioners authorizes the Chairperson of the Board, County Auditor and Health Director to sign an agreement with the Minnesota Department of Health's Sage Screening Program in the amount of \$36,432 for the period September 30, 2003, through September 30, 2004, payable to Fund 01, Agency 220 (Public Health Nursing), Org. 230D, and amends the Department's 2003 budget by said amount.  
Adopted September 23, 2003. No. 581

RESOLVED, that the St. Louis County Board of Commissioners authorizes the Chairperson of the Board, County Auditor and Health Director to sign the agreement with Laura Bodin to provide professional nursing services to Community Alternative Care Client No. 19.  
Adopted September 23, 2003. No. 582

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

332

RESOLVED, that the County Board of Commissioners authorizes the Chairperson of the Board, County Auditor and Health Director to sign a grant agreement with the State of Minnesota for Radon Risk Reduction in the amount of \$8,000 for the period October 1, 2003 (or date of the final required signature), through September 30, 2004, payable to Fund 01, Agency 220, Org. 241E. Adopted September 23, 2003. No. 583

WHEREAS, a necessary and critical part of St. Louis County's land management program involves maintenance of its forest management road network; and  
WHEREAS, major maintenance projects of this magnitude cannot be performed by Department staff; and

WHEREAS, a company engaged in road construction is the most effective way to accomplish this task; and

WHEREAS, the Purchasing Department solicited bids through the DemandStar system; and

WHEREAS, four bids were received, and C.O.A.L. Rental, Inc., was the lowest responsible bidder.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners authorizes the Land Department to contract with local vendor C.O.A.L. RENTAL, INC., to apply, spread, and compact 13,100 cubic yards of Class 5 gravel and 4,385 cubic yards of Class 2 gravel on the Kugler Ridge and Morcom Washusk Forest Management Roads.

BE IT FURTHER RESOLVED, that said contract is \$51,478.00, payable from Fund 16, F51, Object 299.

Adopted September 23, 2003. No. 584

WHEREAS, St. Louis County has requested the conveyance of State Tax Forfeited land legally described as: That part of SW 1/4 of the SE 1/4 lying N. of the N'y right of way of the Bodas Road ex. the W'y 613 feet, Section 23, Township 57 North, Range 17 West, Town of Fayal. Parcel Code No. 340-0010-04292; and

WHEREAS, the Commissioner of Revenue is authorized to convey State Tax Forfeited property to an organized or incorporated governmental subdivision, for an authorized public use, pursuant to Minnesota Statutes 282.01, Subdivision 1a.

NOW, THEREFORE, BE IT RESOLVED, that the County Board recommends that the Commissioner of Revenue convey Tax Forfeited land to St. Louis County legally described as: That part of SW 1/4 of the SE 1/4 lying N. of the N'y right of way of the Bodas Road ex. the W'y 613 feet, Section 23, Township 57 North, Range 17 West, Town of Fayal. Parcel Code No. 340-0010-04292; for the following authorized public use: The land will be used as a park and historic marker near the site where Senator Wellstone's airplane went down.

RESOLVED FURTHER, that St. Louis County pay the following fees: Appraisal Fee of \$100.00, Deed Fee of \$25.00, Deed Tax of \$1.65, and Recording Fee of \$20.00, for a total of \$146.65.

Adopted September 23, 2003. No. 585

RESOLVED, that the St. Louis County Auditor, by the authority vested in him under Minnesota Statutes, Section 282.04, Subdivision 1, is hereby authorized to offer earthen material at public sale to the highest responsible bidder, a maximum sixty thousand (60,000) cubic yards loose volume measure [twenty five thousand cubic yards (25,000) minimum] from a pit to be developed on State Tax Forfeited land described as Government Lot 4, Section 7, Township 57 North, Range 19 West, DuPont Pit. This material will be made available at public sale, at the minimum appraised price of \$.95 per cubic yard loose volume measure. The successful bidder shall make an initial non-refundable payment equal to the bid per cubic yard price times 25,000 cubic yards, plus \$50.00 Administration fee, \$6.00 Publication Fee, and a refundable reclamation deposit of \$5,000.00, for a minimum total cost of \$28,806.00 due at the time of sale and subject to the terms and conditions set forth by the St. Louis County Land Commissioner in the earthen material permit.

RESOLVED FURTHER, quantities will be determined by records and information supplied by the St. Louis County Public Works Department.

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

333

RESOLVED FURTHER, said sale will be held at 9:30 A.M., October 8, 2003, Room 607, Government Services Center, 320 West Second Street, Duluth, MN.  
Adopted September 23, 2003. No. 586

WHEREAS, in 1993, the Solid Waste Department implemented a combined Solid Waste Tipping Fee and Service Fee to collect revenue to operate the program; and  
WHEREAS, in 1995, the Service Fee, based on fee per residential parcel, was reduced significantly, from \$68/residential parcel to \$58/residential parcel; and  
WHEREAS, in 1996-2003 the Service Fee for the North Solid Waste Service Area remained at \$58/residential parcel; and  
WHEREAS, in 2001, the County Board established the South Solid Waste Service Area, hauler collected fees, and tax statement line item, and in 2002, set the 2003 Service Fee for the South Solid Waste Service Area at \$12/residential parcel; and  
WHEREAS, the revenue generated by solid waste service fees are still adequate to fund recycling, household hazardous waste, administration, and waste reduction programs.  
NOW, THEREFORE, BE IT RESOLVED, that for 2004, the Solid Waste Department recommends that the North Solid Waste Service Area Solid Waste Service Fee remain the same as 2003 and be set as follows:

Residential Parcels	\$58.00
Seasonal/Recreational Parcels	\$19.72
Commercial Parcels:	
EMV less than \$50,000	\$58.00
EMV \$50,001 to \$100,000	\$87.00
EMV \$100,001 to \$150,000	\$116.00
EMV \$150,001 to \$200,000	\$145.00
EMV more than \$200,000	\$174.00

The Solid Waste Department also recommends that the 2004 South Solid Waste Service Area Solid Waste Service Fees remain the same as 2003 and be set as follows:

Residential Parcels	\$12.00
Seasonal/Recreational Parcels	\$6.00
Commercial Parcels:	
EMV less than \$50,000	\$12.00
EMV \$50,001 to \$100,000	\$18.00
EMV \$100,001 to \$150,000	\$24.00
EMV \$150,001 to \$200,000	\$30.00
EMV more than \$200,000	\$36.00

Adopted September 23, 2003. No. 587

RESOLVED, that the Chair of the St. Louis County Board of Commissioners and the County Auditor are hereby authorized to execute a Purchase Agreement with the Duluth, Missabe and Iron Range Railway Company for the acquisition of D.M. & I.R. Bridge Z7A over C-SAH 132 and 0.15 acres in Fayal Township, for the purchase price of \$1.00, payable from Fund 08A, Dept. 500, Obj. 365.

RESOLVED FURTHER, that said purchase agreement shall be approved as to form by the County Attorney.  
Adopted September 23, 2003. No. 588

RESOLVED, that pursuant to the recommendations of the Tax Committee, the applications of the following named persons and firms for reduction and correction of assessed valuations and taxes in the following amounts plus on those abatements of penalty and interest, any additional accrual to the date of this resolution, on file in the office of the County Auditor, identified as County Board

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

334

File No. 58013, are hereby approved:

Real Estate - Scott Allen, \$323.50; Randy Hipple, \$1,374.28; Barney Pearson, \$303.90; Robert Santeramo, \$2,304.94; St. Louis County, \$396.54; Fredrick Sylvester, \$160.80.

Personal Property - William Houdek, \$68.84; James Knapp, \$323.94.

Adopted September 23, 2003. No. 589

RESOLVED, that pursuant to Minnesota Statutes 349.213, Subdivision 2, the St. Louis County Board of Commissioners hereby approves the following Premises Permit application, on file in the office of the County Auditor, identified as County Board File No. 58051, for the following organization:

National Multiple Sclerosis Society-Minnesota Chapter to operate out of the following:

Billy's Bar, Rice Lake Township, new;  
Breeze Inn, Lakewood Township, renewal;  
Lakeview Castle, Duluth Township, renewal;  
LeGrand Supper Club, Grand Lake Township, renewal;  
Pequaywan Inn, Unorganized Township 54-13, renewal;  
Riverside Inn of Side Lake, French Township, renewal;  
Sportsmans Last Chance, Portage Township, renewal;  
Sunset Lounge, Rice Lake Township, renewal.

Adopted September 23, 2003. No. 590

RESOLVED, that pursuant to the recommendation of the Civil Service Commission on September 22, 2003, the Civil Service classification of Internal Auditor is adopted and placed in Grade 25 of the Civil Service Supervisory Unit Pay Plan effective October 7, 2003.

Adopted September 23, 2003. No. 591

WHEREAS, St. Louis County has a long history of high quality and productive employees; and  
WHEREAS, the County Board strongly supports all of its county employees; and  
WHEREAS, the County Board remains committed to seeing that all county employees affected by the budget reductions who wish to continue as employees of St. Louis County are given the opportunity.

NOW, THEREFORE, BE IT RESOLVED, the County Board directs the County Administrator to take all steps necessary to insure that every county employee whose position is identified for reduction be given an opportunity to continue employment with St. Louis County. The County Administrator is directed to work with Civil Service/Personnel, in accordance with the appropriate Collective Bargaining Agreements and Civil Service Rules, to provide, to the extent possible, for the orderly transfer and placement of available county employees to other County Departments.

RESOLVED FURTHER, by the St. Louis County Board as follows: The County Board hereby directs the departments in St. Louis County to make every effort possible to provide alternative employment opportunities for the individual employees whose positions are identified for reduction in order to continue their employment with St. Louis County. The County Board is highly desirous of retaining the services of these employees recognizing their past commitment and dedication to St. Louis County. The Civil Service/Personnel Director is requested and the Department Heads are hereby directed to work with the County Administrator to ensure that all opportunities are taken advantage of within the civil service law/rules and appropriate Collective Bargaining Agreements relevant to this matter.

RESOLVED FURTHER, the County Board requests that elected officials make every effort possible to provide alternative employment opportunities for the individual employees whose positions are identified for reduction in order to continue their employment with St. Louis County. The elected officials are hereby requested to work with the County Administrator to ensure that all opportunities are taken advantage of within the civil service law/rules and appropriate Collective

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

335

Bargaining Agreements relevant to this matter.  
Adopted September 23, 2003. No. 592

WHEREAS, St. Louis County serves as the sponsor of various winter recreational trails that are part of the State of Minnesota Grant-in-Aid Trail System; and  
WHEREAS, the construction and maintenance of these trails are funded through the Minnesota Trail Assistance Program Grants issued with the approval of the Minnesota Department of Natural Resources; and

WHEREAS, Minnesota Trail Assistance Program Applications have been prepared for approval of St. Louis County as sponsor for the following trail funded by the State of Minnesota Trail Assistance Program: Aurora-Biwabik Trail (10 miles of trail - maintained by the Ranger Snowmobile and ATV Club of Hoyt Lakes)

NOW, THEREFORE, BE IT RESOLVED, that St. Louis County agrees to sponsor said trail at no cost to the County; and

RESOLVED FURTHER, that the Chairperson of the St. Louis County Board of Commissioners and/or County Auditor be authorized to sign grant applications, agreements, and reimbursements claims to the Minnesota Department of Natural Resources for construction, maintenance, and administration of said trails;

RESOLVED FURTHER, that the Chairperson of the St. Louis County Board of Commissioners and/or County Auditor are authorized to sign all easements, licenses, or other instruments associated with the trail, subject to the approval of the County Attorney.

RESOLVED FURTHER, that this Resolution is contingent upon the Ranger Snowmobile and ATV Club of Hoyt Lakes being individually named as an insured on the general liability policy covering St. Louis County sponsored State Grant-in-Aid Trails, and the club naming as additional insureds on said general liability policy, the landowners over whose lands the trails travel.

Adopted September 23, 2003. No. 593

RESOLVED, based upon recommendations by the 9-1-1 System User Boards and the Communications Department, the County Board hereby authorizes the Chair of the Board and County Auditor, with approval by the County Attorney, to enter into a 9-1-1 Implementation Agreement with AT&T Communications of the Midwest, Inc., and the State of Minnesota to include AT&T's provision of 9-1-1 service in the County's 9-1-1 Plan and enable the State of Minnesota to pay for AT&T's recurring costs for supporting 9-1-1 service.

Adopted September 23, 2003. No. 594

RESOLVED, based upon recommendations by the 9-1-1 System User Boards and the Communications Department, the County Board hereby authorizes the Chair of the Board and County Auditor, with approval by the County Attorney, to amend the 9-1-1 Implementation Agreement between Infotel Communications, the State of Minnesota and St. Louis County to change the name of the company providing 9-1-1 service from Infotel Communications, L.L.C., to Integra Telecom of Minnesota, Inc., and add the company's recurring charges for automatic location identification updates to be paid by the State of Minnesota.

Adopted September 23, 2003. No. 595

RESOLVED, the St. Louis County Board of Commissioners hereby authorizes the Chair of the Board, the County Sheriff, and the County Auditor to execute an addendum with Praxis International, Incorporated.

RESOLVED FURTHER, that the Sheriff is authorized to expend these Federal grant funds, payable from General Fund 01, Law Enforcement 091, REDA.

Adopted September 23, 2003. No. 596

WHEREAS, bids have been received by the County Auditor for the following combined projects:

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

336

M.P. 4137-1493, (low), Spring Ridge Road from C-SAH 70 to Birch Lake in Babbitt, MN; length 0.869; and M.P. 4135-1494, T.R. 4135, from C.R. 904 to Bear Island Lake, 5 miles northeast of Babbitt, MN; length 0.515 miles. Construction to consist of Aggregate Base, Plant Mixed Bituminous Surface and Aggregate Shoulders.

WHEREAS, said bids or proposals were duly opened in the County Board Room at 10:00 A.M., September 15, 2003, and this Board has, with the County Highway Engineer, determined the lowest bidder of said project for which proposals were invited and submitted; and

WHEREAS, in the judgment of this Board it is for the best interest of St. Louis County that the award of said contract be made to the lowest bidder.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of St. Louis County, Minnesota, in regular session duly convened, that they hereby approve the award of contract on the above project to the lowest bidder:

<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
Hawkinson Construction Co.	P.O. Box 278 Grand Rapids, MN 55744	\$122,468.64

RESOLVED FURTHER, that the Chairman of the County Board, the County Auditor, and the County Attorney, on behalf of the County of St. Louis, are hereby authorized to approve the Contractor's Performance Bonds and to execute the bonds and contracts with the Contractor for the above listed project; payable from Unorganized Township Funds (Fund 02A, Agency 400, Org. 1493, Object 528, \$81,841.54) and (Fund 02A, Agency 400, Org. 1494, Object 528, \$40,627.10). Adopted September 23, 2003. No. 597

WHEREAS, since 1977, the Association of Minnesota Counties has recognized valuable innovations and improvements in County Government; and

WHEREAS, AMC County Achievement Awards are annually presented to projects that may benefit other Minnesota Counties; and

WHEREAS, the St. Louis County Purchasing Department has chosen to nominate the Procurement Card Program for the 2003 AMC County Achievement Award.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners hereby supports the Purchasing Department's application to the Association of Minnesota Counties County Achievement Awards for the Procurement Card Program.

Adopted September 23, 2003. No. 598

**BY COMMISSIONER NELSON:**

WHEREAS, Senator Paul Wellstone died when his airplane went down near Eveleth; and

WHEREAS, St. Louis County and Wellstone Action wish to place a historical marker near this site alongside the Bodas Road; and

WHEREAS, the County has requested the Commissioner of Revenue to convey a tax forfeited parcel near the site for the purpose of a park and historic marker.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board hereby authorizes the Public Works Department to proceed with the site preparation and authorizes the Department to expend up to \$16,500, payable from Fund 02, Agency A12.

RESOLVED FURTHER, the design of the marker shall be approved by the County.

Adopted September 23, 2003. No. 599

**BY COMMISSIONER SWEENEY:**

RESOLVED, the St. Louis County Board of Commissioners hereby appoints Ann Busche as Interim County Administrator, effective Monday, November 17, 2003, until a permanent appointment is confirmed and that individual begins employment in that appointment, at which time she will revert to her position as Deputy County Administrator; and

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

337

FURTHER RESOLVED, that she shall be compensated at the Salary Grade 33/Step D rate of the Management Compensation Plan.  
Adopted September 23, 2003. No. 600

**BY COMMISSIONER FORSMAN:**

RESOLVED, that the St. Louis County Board of Commissioners hereby directs the County Attorney to appeal the Findings, Conclusions and Order Appointing Redistricting Commission issued on September 3, 2003, in the matter of *Joanne Fay v. St. Louis County Board of Commissioners*.

Yeas - Commissioners Kron, Forsman, Sweeney, Nelson, Raukar and Chair Fink - 6

Nays - None

Not Voting - Commissioner Fay - 1

Adopted September 23, 2003. No. 601

At 4:27 P.M. on Tuesday, September 23, 2003, upon motion of Commissioner Sweeney, supported by Commissioner Kron, the Board of County Commissioners adjourned.

Dennis Fink, Chair of the Board  
of County Commissioners

Attest:  
Gordon D. McFaul, County Auditor  
and Ex-Officio Clerk of the Board  
of County Commissioners

(Seal of the County Auditor)

**OFFICIAL PROCEEDINGS**  
**OF THE**  
**BOARD OF COUNTY COMMISSIONERS**  
**OF ST. LOUIS COUNTY, MINNESOTA**

**OCTOBER, 2003**

**OFFICIAL PROCEEDINGS OF THE MEETING**  
**OF THE BOARD OF COUNTY COMMISSIONERS**  
**OF THE COUNTY OF ST. LOUIS, MINNESOTA,**  
**HELD ON OCTOBER 7, 2003**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 7th day of October, 2003, at 9:35 A.M. in the County Board Room, Courthouse, Duluth, Minnesota. The meeting was called to order by the Chair with the following members present: Commissioners Joanne Fay, Bill Kron, Mike Forsman, Peg Sweeney, Keith Nelson, Steve Raukar, and Chair Dennis Fink - 7. Absent: None.

Chair Fink began the meeting by sharing some historical facts.

Commissioner Sweeney reminded everyone that October was Breast Cancer Awareness Month.

At 9:40 A.M., written proposals for the sale of the Morris Thomas Public Works Garage were considered. Pursuant to County Board Resolution No. 545, adopted September 9, 2003, all proposals were to be submitted to the Clerk of the County Board by 4:00 P.M., September 30, 2003. The following persons addressed the issue:

Tony Mancuso, Property Manager, said a proposal (Bechthold proposal) was received ten minutes after the 4:00 P.M. deadline because of incorrect information that he gave to the prospective purchaser and he asked that it be distributed to the Board for consideration along with the other three proposals.

John Stauber, Stauber Properties, Duluth, explained his proposal and his offer of \$90,000 for the property. The purchase would be contingent on the City of Duluth granting needed zoning changes or special use permits.

Krista Harju, Duluth, appeared on behalf of her husband Brent Harju and said their plans include conversion of the current structure to a cold storage facility and possible construction of a preschool day care center on the property. The Harju offer was for \$80,000 and was also contingent on zoning changes.

Chad Binsfield, Binsfield & Associates, Inc., said his submitted proposal was in error and should have included an offer of \$35,000 rather than \$3500 for the property. Mr. Binsfield said he plans to use the property for a business or affordable housing. The offer is not necessarily contingent on Duluth zoning, according to Mr. Binsfield.

James Bechthold, Duluth, said he would establish an automobile maintenance/repair facility on the property and his offer was \$100,000 with no contingencies.

Bonnie Solberg, Duluth, said the Morris Thomas area is quiet residential and an automobile repair facility would be unwelcome. Housing is a more pressing need, according to Ms. Solberg.

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

339

Commissioner Forsman, supported by Commissioner Fay, moved to accept the offer submitted by Mr. Bechthold with a time frame of forty days to complete the purchase. Lengthy discussion ensued about zoning changes and the late submission of the Bechthold bid.

Commissioner Sweeney, supported by Commissioner Raukar, moved to table the matter, but the motion failed; two yeas - five nays, Commissioners Fay, Kron, Forsman, Nelson and Chair Fink.

Alan Mitchell, County Attorney, advised the Board that the safest course of action would be to reject all proposals.

Commissioner Nelson, supported by Commissioner Sweeney, moved to reject all bids and turn the sale over to a real estate broker of Administration's choosing. After further discussion, Commissioner Raukar, who preferred re-advertising for proposals, asked for a division of the question. Commissioner Fay, supported by Commissioner Kron, moved to amend the motion to reject all bids after forty days if the sale to Bechthold does not occur. After some discussion, Commissioner Kron withdrew his support and the amendment died.

The first part of the motion to reject all bids was then approved; five yeas - two nays, Commissioners Fay and Kron. The second part of the motion to turn the property over to a broker failed; three yeas - four nays, Commissioners Fay, Kron, Raukar and Chair Fink.

At 11:10 A.M. in the forenoon of Tuesday, October 7, 2003, Chair Fink moved to recess the Board until 11:15 A.M. on October 7, 2003, in the County Board Room, Courthouse, Duluth, Minnesota.

The Board reconvened at 11:20 A.M. on October 7, 2003, and the regular order of business resumed with all members present.

Chair Fink opened the meeting to persons who wanted to address the Board concerning issues not on the agenda and the following chose to do so:

Alice Haglund, 4-H Coordinator, said this is National 4-H Week and she outlined some of the programs and accomplishments of 4-H.

Jan Dzwonkowski, 4-H Volunteer, said she has been involved with 4-H for thirty-eight years, adding that the program is training future leaders.

Commissioner Kron, supported by Commissioner Raukar, moved to approve the Consent Agenda. Commissioner Fay, supported by Commissioner Nelson, moved to amend the Official Proceedings of the County Board for the meeting of September 9, 2003 (Item #1 of the Consent Agenda), to include a statement "Commissioner Fay disagreed with the position of the Board" in the narrative on Page 4 regarding her non-participation in a closed session held to discuss redistricting matters; seven yeas - zero nays.

After discussion concerning language to be included on Page 2 of the Official Proceedings of the County Board for the meeting of September 23, 2003 (Item #2 of the Consent Agenda), regarding Commissioner Fay's position on whether or not she had a conflict of interest, Commissioner Kron, supported by Commissioner Raukar, moved to remove the Proceedings from the Consent Agenda; seven yeas - zero nays.

Commissioner Fay, supported by Commissioner Nelson, moved to table consideration of the minutes of the September 23, 2003, meeting for one week; seven yeas - zero nays.

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

340

Commissioner Nelson, Chair of Public Works and Transportation Committee, requested that Item #4 of the Agenda (Award of contract for Hibbing Public Works Facility) be removed from the agenda because the item will be considered at Committee of the Whole later in the day.

Commissioner Fay, supported by Commissioner Nelson, moved to award the contract for S.A.P. 69-621-29 (C-SAH 21) to Bauerly Brothers, Inc., on their low bid of \$1,271,254.39. Marcus Hall, Public Works Director, distributed a list of tentative 2004 C-SAH apportionments which indicate St. Louis County will receive a larger than expected share of funding. Director Hall recommended that bids for this project be rejected and the project be rebid in conjunction with the second phase of C-SAH 21 reconstruction. The makers amended their motion to reject all bids and rebid the project with the second phase of C-SAH 21 reconstruction; seven yeas - zero nays.

Commissioner Nelson, supported by Commissioner Raukar, moved to reject all bids S.A.P. 69-688-08 (C-SAH 88) because it is a project related to the C-SAH 21 projects and should be rebid at the same time; seven yeas - zero nays.

At 12:01 P.M. in the afternoon of Tuesday, October 7, 2003, Chair Fink moved to recess the Board until 1:10 P.M. on October 7, 2003, in the County Board Room, Courthouse, Duluth, Minnesota.

The Board reconvened at 1:14 P.M. on October 7, 2003, and the regular order of business resumed with all members present.

Commissioner Sweeney, supported by Commissioner Kron, moved to approve the 2004-2005 St. Louis County Biennial Service Agreement for the Minnesota Family Investment Program (MFIP) and the Children and Community Service Act (CCSA). The following persons addressed the issue:

Linda Anderson, Director of Public Health and Social Services, said new state legislation has significantly changed how the plan is submitted. Director Anderson emphasized that the plan is still preliminary and can be amended if budget considerations warrant.

Fletcher Hinds, Social Services, presented a summary of public input concerning the plan.

Shelley Saukko, Social Services, highlighted segments of the Biennial Service Agreement. Ms. Saukko also described the new St. Louis County MFIP Crisis Fund Guidelines that will be submitted with the Biennial Plan.

Kris Boswinkel, Social Services, detailed financial aspects of the Biennial Plan.

Lengthy discussion ensued. County Attorney Mitchell expressed reservations about the Crisis Funding Guidelines because his office had not thoroughly reviewed the document. Commissioner Sweeney amended her motion to include the word "preliminary" in the resolution. After further discussion, the plan was approved; seven yeas - zero nays. Resolution No. 604.

At the request of Administration, approval of the Remote Support and Stand-by Duty Supplemental Labor Agreement for the Communications Department was removed from the agenda.

Commissioner Kron, supported by Commissioner Nelson, moved to approve a settlement in the matter of Leo Sams v. St. Louis County - auto accident involving a County vehicle; seven yeas - zero nays. Resolution No. 605.

Commissioner Kron, supported by Commissioner Forsman, moved to suspend the rules to consider approval of language revisions to the Health Care Basic Bargaining Unit contract; seven yeas - zero

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

341

nays. Steven Fecker, County Labor Negotiator, explained the changes which include seniority credits for transferred Nopeming employees and insurance eligibility guidelines. Commissioner Kron, supported by Commissioner Nelson, moved to approve the contract revisions; seven yeas - zero nays. Resolution No. 606.

Commissioner Kron, supported by Commissioner Fay, moved to approve a list of projects for the Governor to consider including in the State's 2004 capital appropriation (bonding bill); seven yeas - zero nays. John Ongaro, Intergovernmental Relations Director, said November 1 was the deadline for submission of proposed projects. Chance of inclusion for any of the projects was termed a "longshot" by Director Ongaro. After brief discussion, Commissioner Raukar offered a friendly amendment - accepted by the makers - to add the Hibbing Annex to the list of projects. After further discussion, the amended resolution was approved; seven yeas - zero nays. Resolution No. 607.

Commissioner Kron, supported by Commissioner Raukar, moved to suspend the rules to consider approving a resolution outlining the process for recruitment and selection of a new County Administrator to replace David Twa, who accepted a position of Administrator in Ramsey County; seven yeas - zero nays. Tony Bruno, Civil Service Director, briefly outlined the process. Commissioner Kron, supported by Commissioner Fink, moved to adopt the resolution: six yeas - one nay, Commissioner Forsman. Resolution No. 608.

Commissioner Kron, supported by Commissioner Nelson, moved to suspend the rules to consider specifications/qualifications for County Administrator; seven yeas - zero nays. Commissioner Kron, supported by Commissioner Fink, moved to approve the specifications: seven yeas - zero nays. Resolution No. 609.

Commissioner Kron, supported by Commissioner Raukar, moved to approve specific areas designated for tax-free zones under the Job Opportunity Building Zone (JOBZ) Program. The following persons addressed the issue:

Barbara Hayden, Planning Director, briefly explained what the JOBZ program is trying to accomplish.

John Chell, Director, Arrowhead Regional Development Commission, said the application includes acreage from Itasca, Koochiching, Aitkin, Carlton, Cook, Lake and St. Louis Counties. Director Chell said all interested communities have participated and he outlined how the process will work.

After discussion about Tax Increment Financing Districts and concerns that the program not be abused, the resolution was approved; seven yeas - zero nays. Resolution No. 610.

The following Board and Contract Files were created as a result of documents received at this Board meeting:

Louis A. Stockman, Petersen, Sage, Graves & Stockman, submitting Summons and Complaint in the matter of LuAnn Collicott versus Thomas Semmelroth and St. Louis County.-58136

McGladrey & Pullen submitting Financial and Compliance Report for the City of Virginia, Minnesota, Year Ended December 31, 2002.-58137-D

Public Works Department submitting *2003 County Screening Board Data, October, 2003, Comparison of the Actual 2003 to the Tentative 2004 C-SAH Apportionment.*-58138

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

342

Social Services Department submitting *St. Louis County MFIP Crisis Fund Guidelines, Revised MFIP and CSSA Biennial Service Agreement, and Summary of Public Input for the 2004-2005 Biennial Service Agreement, September 2003.*—[58139](#)

State of Minnesota Department of Finance regarding 2004 Capital Budget Requests.—[58140](#)

County Administrator specifications/qualifications, recruitment/selection process, and salary range review.—[58141](#)

Language revisions to the Health Care Basic Bargaining Unit Agreement.—[03-734](#)

St. Louis County Family Homeless Prevention and Assistance Program Agreement between St. Louis County and The Salvation Army.—[03-735](#)

Employee Safety & Development Training Contract between St. Louis County and David W. Johnson for *Making Tough Decisions and Still Sleeping at Night* session.—[03-736](#)

Employee Safety & Development Training Contract between St. Louis County and Susan Beasy Latto for *Stand Up, Say Hello - Tell Us What We Need to Know...Effective Public Speaking for the Workplace and Beyond* session.—[03-737](#)

Contract between Ulland Brothers, Inc., and St. Louis County for S.A.P. 69-605-39 for Pavement and Aggregate Base Removal, Aggregate Base and Bituminous Surfacing.—[03-738](#)

Project Contract between the County of St. Louis and Craig Turnboom for upgrading of Headquarter's Lake Road.—[03-739](#)

Employee Safety & Development Training Contract between St. Louis County and Sister Kay O'Neil for *Coping with Stress and Regaining Hope and Resiliency through Affirmation* session.—[03-740](#)

Agreement for Professional Services between the County of St. Louis and Robert LeBlanc for St. Louis County Facilities Explosives Audit.—[03-741](#)

Minnesota Department of Health Grant Agreement between the St. Louis County Department of Health and Long Term Medical Care and the State of Minnesota, acting through its Minnesota Department of Health, for the Sage Screening Program.—[03-742](#)

Loan Agreement between the County of St. Louis and Robin Hoshal Solberg for repairing, replacing or upgrading an individual sewage treatment system.—[03-743](#)

Loan Agreement between the County of St. Louis and James M. Pohl and Lynn Ellen Pohl for repairing, replacing or upgrading an individual sewage treatment system.—[03-744](#)

Agreement for Professional Nursing Services between St. Louis County, through its Health Department, and Laura Bodin for Community Alternative Care Client No. 19.—[03-745](#)

Solid Waste Department Service Agreement between the County of St. Louis and The G-Men Co. for collection of waste from canister sites.—[03-746](#)

Agreement No. 81266 between the County of St. Louis, the Burlington Northern and Santa Fe Railway Company, and the Commissioner of Transportation of the State of Minnesota for the

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

343

installation and maintenance of railroad crossing signals/gates on C-SAH 5 in Hibbing.–03-747

Contract between the County of St. Louis and Hawkinson Construction Company, Inc., for S.A.P. 69-728-09 for Bituminous Reclamation, Aggregate Base, Bituminous Surface and Aggregate Shouldering.–03-748

Contract between the County of St. Louis and Hawkinson Construction Company, Inc., for S.A.P. 69-604-54, C-SAH 4, C.P. 9211, for Bituminous Reclamation, Culverts, Bituminous Surfacing and Aggregate Shoulders.–03-749

Agreement between the County of St. Louis and the Town of Embarrass for project costs for S.P. 69-090-12, C.P. 3595 (Embarrass Heritage Trail).–03-750

Contract between the County of St. Louis and Hardrives, Inc., for S.A.P. 69-622-15 (low), C.P. 9174, and S.A.P. 69-622-18, C.P. 9275, for Mill Bituminous Surface, Bituminous Surface, Bituminous Shoulders and Aggregate Shoulders.–03-751

Grant Project Agreement for Community Health Boards between the State of Minnesota, through its Minnesota Department of Health, and Carlton-Cook-Lake-St. Louis County Community Health Board for Radon Risk Reduction.–03-752

Contract between the County of St. Louis and Northland Materials, LLC, d/b/a Northland Bituminous, for S.A.P. 69-733-22, C-SAH 133, C.P. 1264, for Centerline Culverts, Reclamation, Mill Bituminous Surface, Plant Mixed Bituminous Surface and Aggregate Shouldering.–03-753

Contract between the County of St. Louis and Mesabi Bituminous, Inc., for M.P. 7104-1492 for Aggregate Base, Plant Mixed Bituminous Surface and Aggregate Shoulders.–03-754

HIPAA Compliance Agreement between St. Louis County and UDAC, Inc.–03-755

Contract between the County of St. Louis and Duluth Superior Blacktop for S.A.P. 69-600-33 (low) and WAM00056/A-03-23, C.P. 3640 & 3648, for Grading, Aggregate Base, Aggregate Shouldering and Bituminous Surfacing and Munger Public Water Access Reconstruction.–03-756

Project Contract, Contract No. 4391A, between the County of St. Louis and Kuehl's Logging for Demolition Landfill Coverage at Northwoods Transfer Station.–03-757

Agreement for Professional Services between Arrowhead Regional Corrections and The Design Group to update climate control system in old part of Arrowhead Juvenile Center Building.–03-758

Project Contract No. 4406 between the County of St. Louis and C.O.A.L. Rental, Inc., for Application, Spreading and Compaction of Gravel (Class 5) and Class 2 Screened Material on Forest Management Roads.–03-759

Project Contract No. 4403 between the County of St. Louis and Graves Drilling for Well Closure and Drilling of New Well at the Brookston Transfer Station.–03-760

Upon motion of Commissioner Kron, supported by Commissioner Raukar, Resolutions No. 602 through 603, as submitted to this Board on the Consent Agenda were unanimously adopted as follows:

**BY COMMISSIONER KRON:**

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

344

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of September 9, 2003, are hereby approved.  
Adopted October 7, 2003. No. 602

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, as set forth by the County Attorney, dated September 19, 2003, on file in the office of the County Auditor, identified as County Board File No. 57995, is hereby received and ratified as payable from Fund 52, Department 12.  
Adopted October 7, 2003. No. 603

**BY COMMISSIONER SWEENEY:**

RESOLVED, that the St. Louis County Board of Commissioners approves the Preliminary 2004-2005 St. Louis County Biennial Service Agreement (MFIP and CCSA).  
Unanimously adopted. October 7, 2003. No. 604

**BY COMMISSIONER KRON:**

WHEREAS, on November 14, 1997, a St. Louis County truck was involved in a motor vehicle collision with Leo Sams at the intersection of County Highway 24 and County Highway 115, Cook, Minnesota; and  
WHEREAS, Mr. Sams initiated a claim against St. Louis County and its employee alleging injuries to himself and his personal property; and  
WHEREAS, it appears from the investigation that St. Louis County was partially at fault for the collision; and  
WHEREAS, Mr. Sams has agreed to settle this matter and release St. Louis County and its employee from any and all liability occasioned by the collision.  
BE IT HEREBY RESOLVED, that the St. Louis County Board authorizes, upon receipt of all necessary releases approved by the County Attorney, payment to Mr. Leo Sams and his attorney, Mr. Joe Leoni, the amount of Thirty-Six Thousand Dollars (\$36,000) as a full, final and complete settlement of any and all claims arising out of the collision on November 14, 1997, to be paid from the Tort Liability Fund Account No. 52A.  
Unanimously adopted. October 7, 2003. No. 605

Upon motion of Commissioner Kron, supported by Commissioner Forsman, the rules were suspended to adopt Resolution No. 606 which was not on the agenda.

**BY COMMISSIONER KRON:**

RESOLVED, that the proposed language revisions to the Health Care Basic Bargaining Unit Agreement, a copy of which is on file in Contract File No. 03-734, is hereby approved and the appropriate County officials are authorized to execute said contract.  
Unanimously adopted. October 7, 2003. No. 606

Upon motion of Commissioner Kron, supported by Commissioner Fay, the rules were suspended to adopt Resolution No. 607 which was not on the agenda.

**BY COMMISSIONER KRON:**

WHEREAS, the state budget crisis has negatively impacted all counties, including St. Louis County which lost over \$12 million in previous state funding; and  
WHEREAS, if St. Louis County were able to make up our entire state cut through increased property taxes it would require a 24 percent increase in our levy; and  
WHEREAS, St. Louis County is a political subdivision of the state with the vast majority of the programs and services which we provide (75 percent - 85 percent) mandated, primarily by state government; and

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

345

WHEREAS, many of the mandated programs and services which counties provide, in most other states, would instead be directly administered and paid for by state government, but in Minnesota are instead, state supervised/county administered; and

WHEREAS, this longstanding partnership between counties and the state has already been strained due to the state's underfunding of many of the vital programs and services which county government performs for them; and

WHEREAS, the state has also neglected to take into consideration the capital costs that counties incur in order to deliver these vital services and programs on behalf of the state; and

WHEREAS, St. Louis County believes the following projects meet all of the requirements for state capital appropriations.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners hereby requests the Governor of the State of Minnesota include the following projects, listed in priority order, be included in the State's 2004 capital appropriation:

1. Duluth Courthouse HVAC
2. Old Jail Deconstruction
3. Chris Jensen Capital Improvements
4. Nopeming Abandoned Building Abatement
5. Hibbing Annex

Unanimously adopted. October 7, 2003. No. 607

Upon motion of Commissioner Kron, supported by Commissioner Raukar, the rules were suspended to adopt Resolution No. 608 which was not on the agenda.

**BY COMMISSIONER KRON:**

WHEREAS, County Administrator David Twa has submitted his resignation and accepted an appointment as County Manager for Ramsey County;

BE IT RESOLVED, that the St. Louis County Board of Commissioners establishes the following process for recruiting and hiring a new County Administrator:

1. The St. Louis County Civil Service/Personnel Department will review the qualifications and job specifications for the position of County Administrator, subject to final approval by the County Board.
2. The position will be advertised in newspapers statewide, the five state edition of the Minneapolis Star-Tribune, in appropriate National Association of Counties (NACO) publications, in the Association of Minnesota Counties (AMC) publication, as well as the Minnesota Association of County Administrators (MACA) newsletter, with publication dates and application/resume submission deadlines approved by the County Board.
3. The Civil Service/Personnel Department will review all applications/resumes received for appropriate qualifications and submit copies of all qualified applicant resumes to each member of the County Board. Each Commissioner will rank the candidates and submit the rankings to the Civil Service/Personnel Director. The Civil Service/Personnel Director will present all relevant data, including cumulative rankings, to the County Board for the selection of applicants/finalists for interview.
4. Each applicant to be interviewed will have the opportunity to meet individually with all Commissioners, as well as have a public interview with the entire County Board. Finalists will also meet with groups of Department Heads and Elected officials.
5. The County Board will, using a modified nominal group theory process, select an Administrator. The County Board and County Attorney will negotiate contract terms with the finalist and present the contract to the County Board for final approval.

Yeas - Commissioners Fay, Kron, Sweeney, Nelson, Raukar and Chair Fink - 6

Nays - Commissioner Forsman - 1

Adopted October 7, 2003. No. 608

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

346

Upon motion of Commissioner Kron, supported by Commissioner Nelson, the rules were suspended to adopt Resolution No. 609 which was not on the agenda.

**BY COMMISSIONER KRON:**

RESOLVED, the St. Louis County Board of Commissioners hereby approves the job qualifications and specifications for County Administrator as follows:

Candidates for the position of County Administrator should have a Masters Degree or equivalent (Bachelors degree accepted) in Public or Business Administration plus ten years progressively responsible public or related administrative experience, including five years in an administrative capacity at a local or County level.

Preferred candidates will possess:

- Experience in County or municipal government in an urban and rural setting.
- Knowledge of state and federal programs and guidelines.
- Strong financial management skills and experience operating with reduced funding sources.
- Experience supervising a complex budgeting process.
- Significant formal reporting and communication skills.
- Successful experience in strategic planning addressing a wide range of issues.
- Expertise in managing personnel issues and experience working in a labor union environment.

RESOLVED FURTHER, the Board hereby authorizes the Civil Service/Personnel Department to place advertisements of the County Administrator vacancy.

RESOLVED FURTHER, the Board authorizes Civil Service/Personnel to accept resumes/applications up to the closing date of November 21, 2003.

Unanimously adopted. October 7, 2003. No. 609

**BY COMMISSIONER KRON:**

WHEREAS, job creation, business development, and individual wealth growth in St. Louis County, Minnesota, have been less than the national and state average; and

WHEREAS, the resulting affects of such lagging job creation, business development, and individual wealth growth have harmed and are forecasted to continue to harm the economy of St. Louis County; and

WHEREAS, the Job Opportunity Building Zone (JOBZ) Program created in Minnesota Session Laws 2003, 1st Special Session, Chapter 21, Article 1, allows for the formation of tax free zones; and

WHEREAS, an application for tax free zone designation in St. Louis County is being prepared for submission to the Minnesota Department of Employment and Economic Development via the Arrowhead Regional Development Agency, Zone Administrator.

NOW, THEREFORE, BE IT RESOLVED, that St. Louis County, at its meeting held on the 7th day of October, 2003, upon careful consideration and review, approves the specific areas designated in the application for tax free zones, approves of the use of tax exemptions and tax credits within the designated zones (subject to proper review and approval by the other appropriate taxing authorities within the zones), and encourages the Minnesota Department of Employment and Economic Development to approve the Tax Free Zone Application being submitted by the Arrowhead Regional Development Agency.

BE IT FURTHER RESOLVED that St. Louis County agrees to provide all of the local tax exemptions and credits required and provided for under the Job Opportunity Building Zones (JOBZ) Legislation and agrees to forego the tax benefits resulting from the local and state tax exemptions and credits provided under the Job Opportunity Building Zones (JOBZ) Legislation.

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

347

Unanimously adopted. October 7, 2003. No. 610

At 4:42 P.M. on Tuesday, October 7, 2003, upon motion of Commissioner Forsman, supported by Commissioner Nelson, the Board of County Commissioners adjourned.

Dennis Fink, Chair of the Board  
of County Commissioners

Attest:  
Gordon D. McFaul, County Auditor  
and Ex-Officio Clerk of the Board  
of County Commissioners

(Seal of the County Auditor)

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

348

**OFFICIAL PROCEEDINGS OF THE MEETING  
OF THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF ST. LOUIS, MINNESOTA,  
HELD ON OCTOBER 14, 2003**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 14th day of October, 2003, at 9:34 A.M. in the County Board Room, Courthouse, Duluth, Minnesota. The meeting was called to order by the Chair with the following members present: Commissioners Joanne Fay, Bill Kron, Mike Forsman, Peg Sweeney, Keith Nelson, Steve Raukar, and Chair Dennis Fink - 7. Absent: None.

Chair Fink began the meeting by sharing historical facts about Minnesota.

Commissioner Forsman noted that Roland Fowler, Town of Embarrass Supervisor, was named Township Officer of the Year.

Bonnie Holz, Minnesota Department of Health - Northeast Regional Public Health Preparedness Consultant, presented the regional smallpox preparedness "Golden Needle Award" to the St. Louis County Department of Public Health and Social Services. Vicki Maher, Social Services, and Mary (Libby) Welsh, Health Department, accepted the award on behalf of the department.

Chair Fink then opened the meeting to persons who wanted to address the Board concerning issues not on the agenda and the following chose to do so:

Walt Sorenson, Adolph, outlined the valuable services provided by Home Care Specialists and he urged the Board to reinstate funding cuts.

Eric Lehto, A.F.S.C.M.E. Director, said there are alternatives to costly layoffs and he urged the Board to engage employees in discussions to find solutions.

At the request of Alan Mitchell, County Attorney, Item No. 24 of the Consent Agenda (award of contract for Hibbing Public Works facility) was amended to make funding "contingent" on the covenancy agreement (MnDOT - 15%, St. Louis County - 47%, Hibbing - 38%). Commissioner Raukar, supported by Commissioner Sweeney, moved to approve the Consent Agenda with the amended resolution; seven yeas - zero nays.

Commissioner Raukar, supported by Commissioner Kron, moved to approve reclassification and sale of four tax forfeited lots located in Crosley Park Addition to Duluth to the Duluth Housing and Redevelopment Authority (HRA) to be used as part of a new housing development. The following persons addressed the issue:

David Epperly, Land Commissioner, outlined options available to the County for the property including reclassification and sale to the HRA, putting the property up for public auction, or leaving the lots in conservation status. The lots, while nonconforming to current standards, could be buildable because they were platted prior to 1958 and would be "grandfathered".

David Peterson, Duluth HRA, said wetland delineation may make the lots nonbuildable. The development project goal is to create a mixed income housing neighborhood.

Gary Glass, Duluth, said area residents are concerned about the effects of the development on their neighborhood. Mr. Glass distributed a list of project shortcomings that need to be corrected to bring the development up to neighborhood standards.

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

349

Charles Grubb, Duluth, spoke against the project and urged the Board to keep the property in conservation status or put the lots up for public auction. Mr. Grubb wanted the area to remain "as is", adding that HRA should concentrate on refurbishing older homes rather than new developments.

Martin Running, Duluth, also spoke against the project.

Steve Preston, Duluth, said while he was not averse to the development, the price offered for the lots by HRA was too low.

After lengthy discussion, Commissioner Kron asked for a friendly amendment - accepted by the maker - to add a contingency that the City Council approve the reclassification. Commissioner Kron added that he wanted to send a strong message to the City Council to set aside time to hear and properly address concerns of area residents. Commissioner Fay, supported by Commissioner Nelson, then moved to table the matter until the following conditions are met: the City of Duluth is finished with their inventory list of conservation land in eastern Duluth and reports back to the County Board; the City Council approves a resolution supporting the project overall; and, the plat gets "final" plat approval. The tabling motion was approved; four yeas - three nays, Commissioners Kron, Sweeney and Raukar.

Commissioner Raukar, supported by Commissioner Sweeney, moved to approve a resolution establishing a public hearing for Tuesday, November 4, 2003, to consider bonding for seven capital improvement projects. Alan Mitchell, County Attorney, said the resolution simply establishes the hearing but takes no action on any project. Commissioner Nelson offered a friendly amendment - accepted by the makers - to list the Government Services Center and the Hibbing Annex (Item 4b) and Chris Jensen Home and Nopeming Nursing Home (Item 4c) separately under their respective categories. After brief discussion, the amended resolution was approved; seven yeas - zero nays. Resolution No. 636.

Commissioner Kron, supported by Commissioner Sweeney, moved to approve the official proceedings of the St. Louis County Board of Commissioners for the meeting of September 23, 2003. The minutes were tabled at the October 7, 2003, County Board meeting because of concerns by Commissioner Fay that her objection to being excluded from voting on redistricting matters because of a conflict of interest was not noted in the minutes. Paul Tynjala, Deputy Auditor/Clerk of the County Board, said he reviewed the video tape of the meeting and verified that there was no discussion about the conflict of interest vote at the County Board meeting. Discussion had taken place earlier at Committee of the Whole and Commissioner Fay's objections were noted in those minutes; seven yeas - zero nays. Resolution No. 637.

At 11:30 A.M. in the forenoon of Tuesday, October 14, 2003, Commissioner Kron, supported by Commissioner Sweeney, moved to recess the Board until 1:15 P.M. on October 14, 2003, in the County Board Room, Courthouse, Duluth, Minnesota.

The Board reconvened at 3:30 P.M. on October 14, 2003, and the regular order of business resumed with all members present.

Commissioner Sweeney, supported by Commissioner Kron, moved to approve a second consent agenda consisting of all items passed unanimously at the Committee of the Whole meeting completed earlier; seven yeas - zero nays.

Commissioner Sweeney, supported by Commissioner Kron, moved to approve sale of certain county fee lands by various methods; five yeas - two nays, Commissioners Forsman and Nelson.

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

350

Resolution No. 646.

The following Board and Contract Files were created as a result of documents received at this Board meeting:

Virginia Clifford, Crane Lake, urging St. Louis County to keep the planning and zoning under county control and urging the county to balance the Sewer Board by appointing residential property owners who do not have an interest in profiteering from land development.–58142

Dennis P. Demers, Executive Director, First Call Minnesota, advocating the continuation of St. Louis County's Information and Referral System.–58143

Notice of Intent to Issue Capital Improvement Bonds.–58144

Eric Lehto, A.F.S.C.M.E. Director, submitting article from the Collective Bargaining Reporter entitled *Put Down That Ax: Alternatives to Layoffs*.–58145

Documentation against the proposed reclassification and sale to the Duluth Housing and Redevelopment Authority of state forfeited parcels described as Lots 2250 and 2251, Block 159, and Lots 2264 and 2265, Block 160, Crosley Park Addition to Duluth, City of Duluth. –58146

Motorplex Project Memorandum of Understanding between the City of Hibbing, State of Minnesota acting through its Commissioner of Iron Range Resources and Rehabilitation, County of St. Louis, City of Chisholm, and the Town of Balkan.–03-761

Agreement for Professional Services between the County of St. Louis and Ramsland & Vigen, Inc., for appraisal of the Nopeming Nursing Home facility.–03-762

Agreement for HIPAA Compliance between the County of St. Louis and Strategic Technologies, Inc.–03-763

Agreement for HIPAA Compliance between the County of St. Louis and PTL Consulting, Inc.–03-764

Addendum to Purchase Agreement, Contract No. 13467A, between the County of St. Louis and the Center for Alcohol and Drug Treatment for chemical dependency treatment services.–03-765ss

Addendum to Purchase Agreement, Contract No. 13469A, between the County of St. Louis and Duluth Bethel Society for chemical dependency treatment services.–03-766ss

Addendum to Purchase Agreement, Contract No. 13471A, between the County of St. Louis and the Minnesota Indian Primary Residential Treatment Center, Inc., for chemical dependency treatment services.–03-767ss

Addendum to Purchase Agreement, Contract No. 13472A, between the County of St. Louis and the University Medical Center - Mesabi Fairview Hospitals for chemical dependency treatment services.–03-768ss

Addendum to Contract No. 13489 between the St. Louis County Board and the Mesabi Academy of Kids Peace, Inc., for children's residential services.–03-769ss

Group Residential Housing Rate Agreement between the St. Louis County Board of Commissioners

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

351

and Lamb House.–03-770ss

Addendum to Purchase Agreement, Contract No. 13456B, between the County of St. Louis and the Personal Staff Senior Care, Inc., for home care services.–03-771ss

Addendum to Purchase Agreement, Contract No. 13481C, between the County of St. Louis and Interim Health Care of Lake Superior for assisted living services.–03-772ss

Addendum to Purchase Agreement, Contract No. 13191C, between the County of St. Louis and Interim Health Care of Lake Superior for assisted living plus services.–03-773ss

Addendum to Purchase Agreement, Contract No. 13481D, between the County of St. Louis and Interim Health Care of Lake Superior for assisted living services.–03-774ss

Addendum to Purchase Agreement, Contract No. 13387A, between the County of St. Louis and Reed's Pine Boarding and Lodging for residential care services.–03-775ss

Addendum to Purchase Agreement, Contract No. 13514A, between the County of St. Louis and Stepping Stones for Living, LLC, for adult foster care services.–03-776ss

Addendum to Purchase Agreement, Contract No. 13168B, between the County of St. Louis and Wesley Residence for assisted living plus services.–03-777ss

Addendum to Purchase Agreement, Contract No. 13474B, between the County of St. Louis and Woodhill Homes, Inc., for adult foster care services.–03-778ss

Addendum to Purchase Agreement, Contract No. 13453B, between the County of St. Louis and Lakeside Manor for assisted living plus services.–03-779ss

Purchase of Service Agreement, Contract No. 13545, between the County of St. Louis and The Lamb House for assisted living services.–03-780ss

Addendum to Purchase Agreement, Contract No. 13112B, between the County of St. Louis and Healthstar Home Health Agency - Northern Diagnostic Services, Inc., for supplies and equipment services.–03-781ss

Professional Services Agreement between the County of St. Louis and PTL Consulting, Inc., for Crystal Report Training.–03-782

Upon motion of Commissioner Raukar, supported by Commissioner Sweeney, Resolutions No. 611 through 635, as submitted to this Board on the Consent Agenda were unanimously adopted as follows:

**BY COMMISSIONER RAUKAR:**

RESOLVED, that the recommendations of the Finance Committee for payment of claims and bills against the County of St. Louis, on file in the office of the County Auditor, identified as County Board File No. 57999, are hereby approved and the County Auditor shall issue checks in the following amounts:

<u>FUND</u>		<u>TOTAL</u>
T21	Beer License	\$ 10.00
T27	Refunds	10,693.34
T48	Taconite Relief/Other	1,394,945.00

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

352

T49	Taconite Production Tax	71,228.00
T50	State of Minnesota	349,694.48
T66	Criminal Fines	112,380.89
T72	Home CHDO Program Income	3,500.00
T74	Employer/Employee Deductions	763,917.81
T77	Cancelled Checks	1,913.03
T80	Lake Superior - Forfeiture	9,789.06
T85	Sheriffs State Forfeitures	106.50
T87	Assault Fees	2,320.93
01	General Fund	1,019,210.34
02	Public Works	646,847.36
02A	Road Maintenance - Unorganized Townships	5,443.92
03B	State Septic Loan MPCA	26,000.00
03C	State Erosion Loan MPCA	15,640.00
04	Social Services	5,069,161.19
08	County Facilities - Capital Projects	77,052.39
08A	State Aid Road	1,918,975.98
08N	Hibbing Courthouse Improvements	39,778.10
08S	Chris Jensen Remodeling	25,320.49
10B	Emer. Shelter 99/00 Funds	3,683.75
11A	Home Grant - All Years	105,292.47
12B	CDBG Grant	81,889.05
127	Enhanced 9-1-1 Fund	1,982.55
128	Law Library	6,784.11
129	City/County Comm. Antenna Site	189.56
13	St. Louis County HRA	306.00
131	Extension Service	20,341.54
15	Forfeited Tax	114,076.09
16	Forest Resources	64,608.22
26	Solid Waste Authorities	56,420.78
49	Postage/Office Supplies	20,490.81
50	Printing	3,903.61
51	County Garage	19,554.67
52A	Property, Casualty, Liability	406.98
52B	Workers Compensation	102,768.49
52D	Medical/Dental Self Insurance	1,673.89
53	Management Information Systems	196,124.78
54	Regional Railroad Authority	78,435.40
55	Telecommunications	12,024.75
57	Retired Employees Health Insurance	89,038.52
64A	Chris Jensen Health & Rehab.	276,221.75
65	Laundry	16,456.01
66	Community Food Services	26,498.68
67	Supervised Living Facilities	5,150.89
73	Arrowhead Regional Corrections	367,490.28
74	Community Health Services	<u>6,233.15</u>
		<b>\$13,241,975.59</b>

Adopted October 14, 2003. No. 611

RESOLVED, that pursuant to the recommendations of the Tax Committee, the applications of the following named persons and firms for reduction and correction of assessed valuations and taxes in the following amounts plus on those abatements of penalty and interest, any additional accrual

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

353

to the date of this resolution, on file in the office of the County Auditor, identified as County Board File No. 58013, are hereby approved:

Real Estate - Nathanael Bailey, \$394.80; David Berkelman, \$237.34; Kirk Bratrud, \$2,029.98; Dul-Superior Friends, \$2,144.70; Joan Edman, \$29.14; Tony Ferrazzi, \$302.02; Thomas Grand, \$211.20; Rebecca Haugland, \$394.80; Douglas C. Jordan, \$444.20; M.A. Hanna Co., \$586.20; Noelle Paaso, \$476.40; Daren Sawyer, \$24.10; Jessica Shenett, \$218.40; State of Minnesota, \$277.02; Bob Sun, \$168.42.

Personal Property - Jesse Hoffbauer, \$48.80; Greg Maki, \$68.72; Mildred Mayerle, \$81.52; William McNamara, \$37.48; Fred Potenza, \$561.10; R & J Partnership, \$312.38; Gina Reynolds, \$66.74.

Adopted October 14, 2003. No. 612

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, as set forth by the County Attorney, dated October 3, 2003, on file in the office of the County Auditor, identified as County Board File No. 57995, is hereby received and ratified as payable from Fund 52, Department 12.

Adopted October 14, 2003. No. 613

RESOLVED, that pursuant to St. Louis County Ordinance No. 51, the applications for license to sell tobacco products, at retail, on file in the office of the County Auditor, identified as County Board File No. 57994, are hereby approved and the County Auditor is authorized to issue the licenses as follows;

RESOLVED FURTHER, that if named licenseholder sells their licensed business, the County Board, at its discretion, may, after an investigation, transfer the license to a new owner, but without pro-rated refund to the licenseholder:

Pike River, Inc., d/b/a Silverado Saloon, Unorganized Township 59-16, Tobacco Products License No. T03190, transfer;

Bob's better BAIT and BOBBERS, d/b/a Bob's better BAIT and BOBBERS, Unorganized Township 60-18, Tobacco Products License No. T03191, transfer.

Adopted October 14, 2003. No. 614

RESOLVED, that pursuant to the provisions of Minnesota Statutes, Section 340A, as amended, and Rules and Regulations adopted by this Board under St. Louis County Ordinance No. 28, dated May 22, 1978, as amended, the following application for an intoxicating liquor license is hereby approved, on file in the office of the County Auditor, identified as County Board File No. 58004;

FURTHER RESOLVED, that said licenses is approved contingent upon licenseholder paying real estate or personal property taxes when due;

FURTHER RESOLVED, that if named licenseholder sells their licensed place of business, the County Board, at its discretion, may, after an investigation, transfer the license to a new owner, but without pro-rated refund of the license fees to the licenseholder;

FURTHER RESOLVED, that said license shall be effective through June 30, 2004:

Pike River, Inc., d/b/a Silverado Saloon, Unorganized Township 59-16, On-Sale Intoxicating Liquor License No. CMB0479 and Sunday On-Sale Intoxicating Liquor License No. SUN0479, transfer.

Adopted October 14, 2003. No. 615

RESOLVED, that the St. Louis County Board of Commissioners authorizes the Chairperson of the Board, County Auditor, and County Administrator to sign the agreement for Medical Director Services with Gary Peterson, M.D., for the period October 1, 2003, through September 30, 2005,

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

354

payable from Fund 64A (Chris Jensen), Agency N71, Org. 1100, Object 299.  
Adopted October 14, 2003. No. 616

RESOLVED, that the St. Louis County Board of Commissioners authorizes the Chairperson of the County Board, County Auditor, and the Health Director to sign an agreement with Care Givers Network to provide professional nursing services to Community Alternative Care Client No. 028. Adopted October 14, 2003. No. 617

RESOLVED, that the St. Louis County Auditor, by the authority vested in him under Minnesota Statutes, Section 282.04, Subdivision 1, is hereby authorized to offer earthen material at public sale to the highest responsible bidder, a maximum forty thousand (40,000) cubic yards loose volume measure [twenty thousand cubic yards (20,000) minimum] from a pit to be developed on State Tax Forfeited land described as SW 1/4 of NW 1/4, Section 21, Township 61 North, Range 13 West, Bear Island Road Pit. This material will be made available at public sale, at the minimum appraised price of \$.90 per cubic yard loose volume measure. The successful bidder shall make an initial non-refundable payment equal to the bid per cubic yard price times 20,000 cubic yards, plus \$50.00 Administration Fee, \$6.00 Publication Fee, and a refundable reclamation deposit of \$4,000.00, for a minimum total cost of \$22,056.00 due at the time of sale and subject to the terms and conditions set forth by the St. Louis County Land Commissioner in the earthen material permit.

RESOLVED FURTHER, quantities will be determined by records and information supplied by the St. Louis County Public Works Department.

RESOLVED FURTHER, said sale will be held at 9:30 A.M., October 17, 2003, Room 607, Government Services Center, 320 West Second Street, Duluth, MN 55802.

Adopted October 14, 2003. No. 618

WHEREAS, under the provisions of Minnesota Statutes 282.241, State Tax Forfeited land may be repurchased by the previous owner subject to payment of taxes and/or assessments and penalties, interest and costs; and

WHEREAS, Elizabeth Henry, 20679 Denham Crossing Road, Willow River, MN 55795, as applied to repurchase the following parcel: Plat/Parcel Code: 20-200-350. City of Chisholm, Lots 25 & 26, Block 2, Western Addition to Chisholm.

WHEREAS, approving the repurchase will correct undo hardship and promote the use of lands that will best serve the public interest;

NOW, THEREFORE, BE IT RESOLVED, that the repurchase application of Elizabeth Henry, on file in County Board File No. 58018, is approved for the property described above, and will be subject to payment including taxes and assessments of \$5,156.57, a repurchase filing fee of \$114.00, a deed tax of \$17.01, and a deed fee of \$25.00, and a recording fee of \$20.00; for a total of \$5,332.58.

Adopted October 14, 2003. No. 619

WHEREAS, the City of Duluth has offered to purchase the following described State Tax-Forfeited parcel for the sale price of \$8,000.00 plus fees: City of Duluth, Auditors Plat No. A of New Duluth lands, except for McCuen Street extended and except Westerly 140 feet of North 100 feet. Parcel Code Numbers: 010-20-40 and 43; for a gas regulator station; and

WHEREAS, Minnesota Statute 282.01, Subdivision 1(a), authorizes the sale of State Tax Forfeited land to an organized governmental subdivision for a public purpose; and

WHEREAS, said parcel of land has been classified as non-conservation land pursuant to Minnesota Statutes Section 282.01; and

WHEREAS, this parcel of land is not withdrawn from sale pursuant to Minnesota Statutes Sections 84.012, 92.461, 282.01, Subdivision 8; and 282.018, and other statutes that require the withholding of tax-forfeited lands from sale.

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

355

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board approves the sale of the above described tax-forfeited parcel to the City of Duluth for the purpose of a Gas Regulator Station to assist in supplying natural gas to residents, for the sale price of \$8,000.00 plus the following fees: 3 percent assurance fee of \$240.00, deed fee of \$25.00, deed tax of \$26.40, and recording fee of \$20.00, for a total of \$8,311.40.

Adopted October 14, 2003. No. 620

WHEREAS, the City of Duluth has offered to purchase the following described State Tax-Forfeited parcel for the sale price of \$2,500.00 plus fees: City of Duluth, London Addition to Duluth, Lot 13, Block 32. Parcel Code Number: 010-3010-660; for public purpose; and

WHEREAS, Minnesota Statute 282.01, Subdivision 1(a), authorizes the sale of State Tax Forfeited land to an organized governmental subdivision; and

WHEREAS, this parcel of land is not withdrawn from sale pursuant to Minnesota Statutes, Sections 84.012, 92.461, 282.01, Subdivision 8, and 282.018, or any other statutes that require the withholding of State tax forfeited lands from sale; and

WHEREAS, the Land Department recommends that this parcel be re-classified as non-conservation and approved for sale if the County Board does not receive notice of the municipality's disapproval of the re-classification and sale of the parcel within 60 days of the date on which this resolution is delivered to the Clerk of the Municipality.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board approves the re-classification and sale of the above described tax-forfeited parcel to the City of Duluth for the purpose of improving and protecting the storm sewer that transects it; for the sale price of \$2,500.00 plus the following fees: 3 percent assurance fee of \$75.00, deed fee of \$25.00, deed tax of \$8.25, and recording fee of \$20.00, for a total of \$2,628.25.

Adopted October 14, 2003. No. 621

WHEREAS, the Land Department has reviewed a request of Robert & Kathleen Manteuffel for a permanent road access easement across State Tax Forfeited land and recommends approval.

WHEREAS, there are no reasonable alternatives to obtain access to the Grantee's property; and WHEREAS, exercising the easement will not cause significant adverse environmental or natural resource management impacts.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Auditor, by the authority vested in him by Minnesota Statutes 282.04, Subdivision 4, is hereby authorized to grant a permanent road access easement to Robert & Kathleen Manteuffel described as follows:

A 33 foot wide easement for ingress and egress on, over and across the Southwest Quarter of Section 4, Township 63N, Range 20W of the Fourth Principal Meridian; being 16.5 feet on each side of the following described centerline: Commencing at the Northwest Corner of said Section 4; thence South 3 degrees 12 minutes 11 seconds East, along the West line of said Section 4, a distance of 1775.01 feet, to the West 1/4 Corner of said Section 4; thence South 3 degrees 12 minutes 32 seconds East, continuing along said West line, a distance of 46.76 feet, to the centerline of County Road No. 119 and the point of Beginning; thence South 89 degrees 59 minutes 19 seconds East, a distance of 934.55 feet; thence South 88 degrees 08 minutes 39 seconds East, a distance of 811.49 feet, to a tangential curve, concave to the South; thence southeasterly, along said curve, with a delta angle of 13 degrees 59 minutes 08 seconds and a radius of 500.00 feet, a distance of 122.05 feet; thence South 74 degrees 09 minutes 16 seconds East, a distance of 235.37 feet, to a tangential curve, concave to the Northwest; thence northeasterly, along said curve, with a delta angle of 65 degrees 16 minutes 21 seconds and a radius of 50.00 feet, a distance of 59.96 feet; thence North 40 degrees 30 minutes 49 seconds East, a distance of 90 feet, more or less, to the north line of said Southwest Quarter and there terminate.

The granting of this easement is conditioned on payment of \$568.11 appraisal value, \$100.00

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

356

administration fee, \$6.00 publication fee, \$20.00 recording fee, for a total cost of \$694.11.  
Adopted October 14, 2003. No. 622

WHEREAS, the St. Louis County Public Works Department plans to realign and construct an overpass along a segment of County-State Aid Highway 61 (S.A.P. 69-661-14), located in the Town of Duluth, the City of Duluth and Lakewood Township; and  
WHEREAS, the improvement consists of realigning and constructing an overpass of said highway as determined necessary to provide for the safety of the traveling public; and  
WHEREAS, the State of Minnesota has granted an easement along, over and across a portion of State fee owned land required for said proposed bypass and road construction; and  
WHEREAS, the State of Minnesota requests the conveyance of land southerly of new proposed rights of way no longer required for highway purposes.  
NOW, THEREFORE, BE IT RESOLVED, pursuant to MN Statutes, Section 163.11, Subdivision 9, the County Board of Commissioners hereby authorizes the Chair of the County Board and the County Auditor to execute a quit claim deed conveying rights of way to the State of Minnesota.  
Adopted October 14, 2003. No. 623

RESOLVED, that the Public Works Department is hereby authorized to process payments for S.P. 69-090-16, County Project No. 3621 (estimated at \$86,000.00), whereby the Railroad Authority will pay the Railroad Authority local dollar match of twenty percent (20%) of the actual project costs, and the remaining 80 percent is Federally funded. Any overages on the project will be the responsibility of the Rail Authority, with no financial obligation to the County. Payable from Fund 08A, Agency 525, Org. 3631, Object 527, reimbursed with Federal & Local Funds (Railroad Authority).  
Adopted October 14, 2003. No. 624

RESOLVED, that pursuant to Minnesota Statutes 349.213, Subdivision 2, the St. Louis County Board of Commissioners hereby approves the following Premises Permit application, on file in the office of the County Auditor, identified as County Board File No. 58051, for the following organization:

American Red Cross to operate out of the following:  
Burn's Bar & Grill, Rice Lake Township, renewal;  
Every Buddy's Tavern, Cherry Township, renewal;  
Porky's at Island Lake, Gnesen Township, renewal.  
Adopted October 14, 2003. No. 625

RESOLVED, that pursuant to Minnesota Statutes 349.213, Subdivision 2, the St. Louis County Board of Commissioners hereby approves the following Premises Permit application, on file in the office of the County Auditor, identified as County Board File No. 58051, for the following organization:

National Multiple Sclerosis Society-Minnesota Chapter to operate out of Marana's Myrtle Lake Resort, Portage Township, renewal.  
Adopted October 14, 2003. No. 626

RESOLVED, that the St. Louis County Board of Commissioners authorizes the Sheriff to accept an extension of the 2003 grant from the State of Minnesota, Office of Drug Policy and Violence Prevention, in the amount of \$184,500, with a local cash match of \$61,500, for a total of \$246,000. Overtime paid to deputies working drug investigations qualifies as cash match. The grant period runs from January 1, 2003, to June 30, 2004. The St. Louis County Sheriff's Office portion of this cash match is \$23,985 and is contained in the 2003 and 2004 proposed budget in Fund 01, Agency

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

357

091, BW03. Grant funds will be deposited into the Sheriff's Fund 01-091-BW03 Account. RESOLVED FURTHER, that the Sheriff is hereby authorized to sign and execute an updated Joint Powers/Mutual Aid Agreement and other such agreements as are necessary to implement the project on behalf of the County.  
Adopted October 14, 2003. No. 627

WHEREAS, St. Louis County, City of Duluth, and other local agencies cooperatively accepted a grant from the State of Minnesota, Office of Drug Policy and Violence Prevention for funding the Lake Superior Drug Task Force; and  
WHEREAS, the current grant period runs from January 1, 2003, to December 31, 2003, and the State of Minnesota desires to extend the expiration date of this grant to June 30, 2004 (18 months total); and  
WHEREAS, amendment of the current grant would increase the State of Minnesota's contribution from \$134,751.00 to \$201,541.00 for the total 18 month period;  
NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners authorizes the Sheriff and County Auditor to execute any required amendments to the contract with the State of Minnesota and amendments to joint powers agreements applicable to this grant; and  
RESOLVED FURTHER, the Sheriff and Auditor are authorized by the County Board to increase St. Louis County's grant/match requirement from \$10,000.00 (12 months) to \$15,000.00 (18 months) and that this match will be allocated from 01-091 Law Enforcement-Object 103; and  
RESOLVED FURTHER, that this contract amendment be approved as to form and content by the County Attorney.  
Adopted October 14, 2003. No. 628

RESOLVED, that the Chair of the St. Louis County Board, the Auditor, and the Sheriff are hereby authorized to execute an Agreement on behalf of St. Louis County with St. Mary's/Duluth Clinic Health System (SMDC) to provide physician and nursing services at the County Jail for 2003. Said contract fees shall be payable from Fund 01, Agency 101, Object 264.  
Adopted October 14, 2003. No. 629

RESOLVED, that the Chair of the St. Louis County Board, County Auditor, and the Sheriff are hereby authorized to execute a contract addendum on behalf of St. Louis County with the Human Development Center for psychiatric consulting services at the County Jail at the rate of \$150.00 per hour for psychiatrist services, and \$120.00 per hour for psychologist services, payable from Fund 01, Agency 101, Object 264.  
Adopted October 14, 2003. No. 630

WHEREAS, the St. Louis County Board of Commissioners has established a citizen advisory committee to review CDBG applications and to make funding recommendations to the County Board; and  
WHEREAS, the citizen advisory committee has completed its review of 30 applications for FY 2004 totaling \$3.3 million in funding requests; and  
WHEREAS, the anticipated FY 2004 HUD allocations are approximately \$3 million CDBG, \$750,000 HOME, and \$110,000 Emergency Shelter Grant; and  
WHEREAS, HUD requires that a public hearing be conducted to allow citizen input prior to submittal of the FY 2004 Action Plan.  
NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners will hold a public hearing on Tuesday, November 4, 2003, at 9:35 A.M., at the St. Louis County Courthouse in Duluth, Minnesota, for the purposes of receiving citizen comments on the established priorities and funding recommendations included in the FY 2004 Action Plan.  
Adopted October 14, 2003. No. 631

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

358

RESOLVED, the County Board of the County of St. Louis, Minnesota, hereby establishes a public hearing on October 28, 2003, at 9:35 A.M., St. Louis County Courthouse, Virginia, Minnesota, to receive public comment and consider a proposed ordinance governing petitions.  
Adopted October 14, 2003. No. 632

WHEREAS, the St. Louis County Auditor and Civil Service/Personnel Director have been forced by their current providers to consider cost effective alternatives to their current financial, payroll and human resource information systems; and

WHEREAS, a joint task force was established which researched, reviewed, and recommended a new information system solution which will result in a \$1,944,000 savings to the County over the next five years; and

WHEREAS, the Auditor's Office, the Civil Service/Personnel Department, Administration (Employee Safety and Development) and MIS wish to participate in the conversion from existing systems to a new fully integrated financial information system interfaced with a new fully integrated human resource/payroll information system.

NOW, THEREFORE BE IT RESOLVED, the St. Louis County Board of Commissioners hereby authorizes the appropriate County officials to enter into agreements with Mitchell Humphrey, a provider of financial systems, and High Line Corporation, a provider of human resources/payroll systems.

RESOLVED FURTHER, said agreements shall include payments over five years for the purchase of the financial information systems and human resources/payroll information systems, of approximately \$913,180, contingent upon funding by the Board.

RESOLVED FURTHER, the amounts payable in 2003, pursuant to said agreements shall not exceed \$132,604 to Mitchell Humphrey and \$102,353 to High Line Corporation, payable from the Auditor's office budget, Fund 53, Department 560, Org. 051, Object 348 (5 Year Plan).

RESOLVED FURTHER, the payments, pursuant to said agreements shall be made in accordance with the following estimated five year plan:

Due at signing	2004	2005	2006	2007	2008	5 Yr Total
\$234,957	\$253,903	\$140,884	\$136,064	\$72,781	\$74,592	<u>\$913,180</u>

RESOLVED FURTHER, the Auditor's office shall journal voucher as appropriate the other participating departments for their portion of the purchase cost of the systems.

RESOLVED FURTHER, the Auditor's, Civil Service/Personnel, Administration (Employee Safety and Development), and MIS departments shall prepare future operating budgets in accordance with the agreements.

RESOLVED FURTHER, that for all future years that the Mitchell Humphrey and High Line Corporation systems are in use, the County Board authorizes the appropriate County officials to contract for annual ongoing Maintenance and Support of these systems.

Adopted October 14, 2003. No. 633

WHEREAS, bids have been received by the Purchasing Department for the following project:

Bid Number 4405 Hibbing Joint Maintenance Facility. Project to consist of building foundation repairs.

WHEREAS, said bids or proposals were duly opened in the Office of the Purchasing Agent at 2:00 P.M., September 18, 2003, and this Board has, with the County Highway Engineer, determined the lowest bidder of said project for which proposals were invited and submitted; and

WHEREAS, in the judgment of this Board it is for the best interest of St. Louis County that the

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

359

award of said contract be made to the lowest bidder.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of St. Louis County, Minnesota, in regular session duly convened, that they hereby approve the award of contract on the above project to the lowest bidder:

<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
Atlas Foundation Co.	P.O. Box 117 Rogers, MN 55374	\$64,000.00

RESOLVED FURTHER, that the Chairman of the County Board, the County Auditor, and the County Attorney, on behalf of the County of St. Louis, are hereby authorized to approve the Contractor's Performance Bonds and to execute the bonds and contracts with the Contractor for the above listed project; Fund 08A, Agency A14, Org. 0007, Object 309, contingent on split according to the Co-Tenancy Agreement: MnDOT - 15 percent, St. Louis County - 47 percent, Hibbing - 38 percent.

Adopted October 14, 2003. No. 634

WHEREAS, the Auditor was notified on September 17, 2003, by the Minnesota Department of Revenue that 2003 and 2004 market value homestead credit aid amounts for the unorganized townships will be reduced by \$25,807.80 overall; and

WHEREAS, Minnesota Statutes 275.065, Subdivision 3(d), and the Department of Revenue advise that these amounts can be made up through an increase in the 2004 levy for these townships;

NOW, THEREFORE, BE IT RESOLVED, that the County Board, acting on behalf of unorganized townships, will increase the levy as adopted under Resolutions No. 550 and 566, September 9, 2003, by \$25,807.80 to total \$545,346.80 and spread the levy as follows:

	<b>Original Levy</b>	<b>Revised Levy</b>
<u>Unorganized Town Roads</u>	\$225,000.00	\$236,250.00
<u>City of Babbitt</u>		
Unorganized Townships 61-12 and 61-13	\$37,800.00	\$39,585.00
<u>City of Bearville</u>		
Unorganized Township 62-21	\$3,150.00	\$3,307.50
<u>City of Chisholm</u>		
Unorganized Township 59-21	\$11,932.00	\$12,511.25
<u>City of Cook</u>		
Unorganized Township 62-17	\$1,050.00	\$1,102.50
Unorganized Township 63-17	\$4,725.00	\$4,961.25
<u>City of Ely</u>		
Unorganized Township 64-12	\$1,192.00	\$1,251.60
Unorganized Township 64-13	\$1,688.00	\$1,772.40
<u>City of Floodwood</u>		
Unorganized Township 52-21	\$7,831.00	\$8,274.05
<u>City of Orr</u>		
Unorganized Township 63-19	\$2,520.00	\$2,646.00

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

360

Unorganized Township 66-20	\$6,090.00	\$6,394.50
<u>Central Lakes</u>		
Unorganized Township 56-17	\$26,250.00	\$27,562.50
<u>Colvin</u>		
Unorganized Township 55-15	\$8,899.00	\$9,343.95
<u>Crane Lake</u>		
Unorganized Townships 67-18	\$2,100.00	\$2,163.00
<u>Evergreen</u>		
Unorganized Townships 60-19 and 60-20	\$14,700.00	\$15,435.00
<u>French</u>		
Unorganized Township 59-21	\$735.00	\$771.75
<u>Gnesen</u>		
Unorganized Township 53-15	\$8,634.00	\$9,009.40
<u>Lakeland</u>		
Unorganized Township 57-16	\$47,670.00	\$50,053.50
<u>Makinen</u>		
Unorganized Township 56-16	\$36,750.00	\$38,587.50
<u>Northland</u>		
Unorganized Township 53-16	\$13,650.00	\$14,332.50
<u>Pequaywan Lake</u>		
Unorganized Township 54-13	\$2,625.00	\$2,756.25
<u>Pike-Sandy-Britt Region</u>		
Unorganized Township 59-16	\$4,646.00	\$4,878.30
Unorganized Township 60-18	\$15,304.00	\$16,069.20
Unorganized Township 59-18	\$3,098.00	3,252.90
<u>Silica</u>		
Unorganized Township 55-21	\$31,500.00	\$33,075.00
Adopted October 14, 2003. <u>No. 635</u>		

**BY COMMISSIONER RAUKAR:**

**RESOLUTION CALLING FOR A PUBLIC HEARING  
ON INTENT TO ISSUE CAPITAL IMPROVEMENT  
BONDS UNDER MINNESOTA STATUTES, SECTION 373.40**

BE IT RESOLVED by the Board of Commissioners (the "Board") of St. Louis County, Minnesota (the "County"), as follows:

1. Pursuant to Minnesota Statutes, Section 373.40, the Board has authorized preparation of a capital improvement plan for the years 2003 through 2008 (the "Plan").

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

361

2. The Board approved the Plan following a public hearing held June 24, 2003.
  3. The Plan was subsequently approved by the Minnesota Department of Employment and Economic Development and confirmed by letter dated July 28, 2003.
  4. The Board is considering the issuance of capital improvement bonds under Minnesota Statutes, Section 373.40, and Chapter 475 in an amount not to exceed \$10,200,000 (the "Bonds") for the purpose of providing funds for the following capital improvements under the Plan:
    - (a) Courthouse Improvements – including the Duluth Courthouse HVAC upgrades, Phase II;
    - (b) Administration Buildings Improvement, including:
      - (i) Duluth Government Services Center HVAC replacement and roof repair; and
      - (ii) the Hibbing Annex Building remodeling;
    - (c) Health and Social Services Facilities Improvements, including:
      - (i) Chris Jensen Home capital repairs and improvements; and
      - (ii) Nopeming Nursing Home abandoned building hazardous material abatement;
    - (d) Road and Bridge Improvements – including Duluth motor pool facility repairs and improvements; and
    - (e) Jail Improvements – including the deconstruction of the old jail in downtown Duluth;(collectively, the "Project").
  5. The Board of Commissioners shall hold a public hearing at 9:40 A.M. on Tuesday, November 4, 2003, in the County Board Room at the St. Louis County Courthouse located in Duluth, Minnesota, to provide an opportunity for residents to express their views on the issuance of the Bonds for the Project.
  6. The County Auditor shall publish a notice of public hearing on intent to issue Bonds in substantially the form, on file in the office of the County Auditor, identified as County Board File No. 58144, on a date which is not less than 14 days nor more than 28 days before the hearing in the official newspaper of the County.
- Unanimously adopted. October 14, 2003. No. 636

**BY COMMISSIONER KRON:**

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of September 23, 2003, are hereby approved.

Unanimously adopted. October 14, 2003. No. 637

Upon motion of Commissioner Sweeney, supported by Commissioner Kron, Resolutions No. 638 through 645, which were approved at the Committee of the Whole meeting this date, were brought forth to this meeting as a second Consent Agenda and were unanimously adopted as follows:

**BY COMMISSIONER SWEENEY:**

RESOLVED, that pursuant to the recommendations of the Tax Committee, the applications of the

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

362

following named persons and firms for reduction and correction of assessed valuations and taxes in the following amounts plus on those abatements of penalty and interest, any additional accrual to the date of this resolution, on file in the office of the County Auditor, identified as County Board File No. 58013, are hereby approved:

Real Estate - Richard Bosiacki, \$279.70; Robert Croshek, \$291.50; Kirk Johnson, \$155.78; Patrick McKenzie, \$147.28; Morgan-Redepenning, \$595.50; Jennifer Morgan, \$410.98; Frank Romano, \$251.20; David Sullivan, \$293.02; Jeffrey Zakula, \$242.42.

Adopted October 14, 2003. No. 638

RESOLVED, that pursuant to the recommendation of the Civil Service Commission on April 7, 2003, the Civil Service classification of Tax Forfeited Land Coordinator is adopted, and placed in Grade 23 of the Civil Service Basic Unit Pay Plan, effective October 21, 2003.

Adopted October 14, 2003. No. 639

RESOLVED, that a public hearing will be held at 9:40 A.M. on October 28, 2003, in the Virginia Courthouse, Virginia, Minnesota, for the purpose of considering the granting of an Off-Sale Intoxicating Liquor License to BOB's better BAIT and BOBBERS, d/b/a BOB'S better BAIT and BOBBERS, Unorganized Township 60-18.

Adopted October 14, 2003. No. 640

RESOLVED, that a public hearing will be held at 9:45 A.M. on October 28, 2003, in the St. Louis County Courthouse, Virginia, Minnesota, for the purpose of considering the granting of an Off-Sale Intoxicating Liquor License to Pike River, Inc., d/b/a Silverado Saloon, Unorganized Township 59-16.

Adopted October 14, 2003. No. 641

WHEREAS, bids have been received by the County Auditor for the following project:

S.P. 69-090-12 Embarrass Trail - Sisu-Tori to Pyhala Farm Minnesota Project No. TEAX 6904(069). Project to consist of Multi-Use Trail Construction Grade, Aggregate Base, and Bituminous Surface;

WHEREAS, said bids or proposals were duly opened in the County Board Room at 10:00 A.M., October 13, 2003, and this Board has, with the County Highway Engineer, determined the lowest bidder of said project for which proposals were invited and submitted; and

WHEREAS, in the judgment of this Board it is for the best interest of St. Louis County that the award of said contract be made to the lowest bidder.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of St. Louis County, Minnesota, in regular session duly convened, that they hereby approve the award of contract on the above project to the lowest bidder:

<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
Mesabi Bituminous, Inc.	P.O. Box 728 Gilbert, MN 55741	\$99,725.10

RESOLVED FURTHER, that the Chairman of the County Board, the County Auditor, and the County Attorney, on behalf of the County of St. Louis, are hereby authorized to approve the Contractor's Performance Bonds and to execute the bonds and contracts with the Contractor for the above listed project; payable from Federal Funds 80 percent (Fund 08A, Agency 525, Org. 3595, Object 527), and Local Funds 20 percent (Fund 02, Agency A17, Org. 3595, Object 528) reimbursed by Town of Embarrass.

Adopted October 14, 2003. No. 642

WHEREAS, the St. Louis County Board of Commissioners adopted Resolution No. 824, dated

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

363

December 18, 2001, which approved in concept support of the Motorplex Project; and  
WHEREAS, the Iron Range Resources Board approved at its September 4, 2003, meeting the Motorplex Memorandum of Understanding (MOU); and  
WHEREAS, the County's responsibilities under the MOU are to borrow \$500,000 from the IRR and use the proceeds to fund its portion of the public assistance at a 2 percent interest rate and amortized over a 15-year term; and  
WHEREAS, in addition, the County is responsible for working with other public and private entities to affect a transfer of title of the Project Site Lands from their current owners to the IRR or the Developer; and  
WHEREAS, the MOU is contingent upon the subsequent execution of a Development Agreement which will more specifically address the rights and responsibilities of each party and include a financing plan.  
NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners hereby authorizes the Chair of the Board to sign the Memorandum of Understanding as contained in Contract File No. 03-761.  
Adopted October 14, 2003. No. 643

RESOLVED, the St. Louis County Board of Commissioners hereby appoints Gary Eckenberg as Interim Deputy County Administrator effective November 17, 2003, until such time as Ann Busche, the current Deputy County Administrator, reverts to her position, and shall be compensated as such in accordance with the Unclassified Manager's Pay Plan, Step H, and further, is granted a Leave of Absence from the Classified Civil Service in accordance with Civil Service Rule 10.18.  
Adopted October 14, 2003. No. 644

WHEREAS, the 148th Fighter Wing currently flies F-16's ADF Fighting Falcons from its 153-acre base at the Duluth International Airport. Its mission is to provide the best trained personnel to defeat America's adversaries with speed and precision in war and respond to state and local emergencies in times of peace. In addition to national defense, this installation provides critical support and assistance to local naval reserve, coast guard, army reserve, Army National Guard, active duty military personnel, and military retirees; and  
WHEREAS, the Duluth International Airport is the only substantial airport in Northern Minnesota/Northwestern Wisconsin for over 150 miles. The Air National Guard provides critical services to the Duluth International Airport, such as first responder, aircraft rescue and fire fighting and airfield security. Loss of the base will degrade services offered at the airport increasing costs to airport tenants, airlines servicing Duluth, and those travelers utilizing the Duluth International Airport; and  
WHEREAS, Minnesota's Air National Guard's 148th Fighter Wing is one of the top employers in the region with an annual economic impact of 1,809 jobs and \$32.2 million dollars in local sales activity. This includes 396 full-time and 960 part-time jobs, as well as 453 jobs in industries that benefit from the expenditures of airbase employees; and  
WHEREAS, the Air National Guard and its facilities are a major presence in the "aviation industry" economic development efforts in the airport/airpark area, an initiative that is just starting to blossom with numerous "spin off" businesses. Loss of the base would remove an anchor from this initiative to revitalize and realign St. Louis County's economic base.  
NOW, THEREFORE, BE IT RESOLVED, given the importance of the unit to national security and the especially adverse and potentially devastating impact the loss of this facility may have on the regional economy and economic development efforts, St. Louis County opposes any effort to close the Duluth Air National Guard Base as part of the Base Realignment and Closure Commission (BRAC) and supports efforts to keep this installation off the closure list.  
Adopted October 14, 2003. No. 645

**BY COMMISSIONER FINK:**

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

364

WHEREAS, St. Louis County desires to sell three separate properties owned in fee by using the written proposal method, the verbal bid method, and the services of a real estate broker method, to determine which method is the most effective and yields the best results; and

WHEREAS, all parcels shall be sold pursuant to the provisions of Minnesota Statutes, Section 373.01.

NOW, THEREFORE, BE IT RESOLVED, the Board authorizes the County Auditor to advertise the Morris Thomas property for sale pursuant to the requirements of Minnesota Statutes, Section 373.01, requesting written proposals to be submitted to the Auditor for consideration by the Board at the November 18, 2003, Board meeting at 9:35 A.M. in the Duluth Courthouse;

RESOLVED FURTHER, the Board authorizes the County Auditor to advertise the Basswood Avenue property for sale pursuant to the requirements of Minnesota Statutes, Section 373.01, requiring interested buyers to make verbal bids at the December 2, 2003, Board meeting at 9:35 A.M. in the Duluth Courthouse;

RESOLVED FURTHER, the Board authorizes the County Attorney and Property Manager to secure the services of a real estate broker to market the Como Avenue property and to sell the property in accordance with the provisions of Minnesota Statutes, Section 373.01.

Yeas - Commissioners Fay, Kron, Sweeney, Raukar and Chair Fink - 5

Nays - Commissioners Forsman and Nelson - 2

Adopted October 14, 2003. No. 646

At 3:37 P.M. on Tuesday, October 14, 2003, upon motion of Commissioner Fay, supported by Commissioner Raukar, the Board of County Commissioners adjourned.

Dennis Fink, Chair of the Board  
of County Commissioners

Attest:

Gordon D. McFaul, County Auditor  
and Ex-Officio Clerk of the Board  
of County Commissioners

(Seal of the County Auditor)

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

365

**OFFICIAL PROCEEDINGS OF THE MEETING  
OF THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF ST. LOUIS, MINNESOTA,  
HELD ON OCTOBER 28, 2003**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 28th day of October, 2003, at 9:32 A.M. in Courtroom No. 4, Courthouse, Virginia, Minnesota. The meeting was called to order by the Chair with the following members present: Commissioners Joanne Fay, Bill Kron, Mike Forsman, Peg Sweeney, Keith Nelson, Steve Raukar, and Chair Dennis Fink - 7. Absent: None.

Chair Fink began the meeting by sharing some historical facts about Minnesota.

Commissioner Nelson said he attended a redistricting commission public hearing in Hibbing on Mon-day, October 27, 2003, and turnout was poor because of inclement weather. Due to the low attendance, Commissioner Nelson asked the commission to consider scheduling another public hearing.

At 9:37 A.M., a public hearing was convened, pursuant to County Board Resolution No. 632, adopted October 14, 2003, to consider adoption of an ordinance governing submission of petitions to the County. The following persons addressed the issue:

Gordon D. McFaul, County Auditor, said the ordinance will govern only those petitions resulting in county elections not involving township organization. The ordinance is similar to what the Secretary of State uses for petition submissions. The goal of the ordinance is to facilitate signatory verification without making the process too prescriptive, according to Auditor McFaul.

Jim Hofsommer, Colvin Township, expressed concern that citizens' rights to petition the County Board may be limited by the ordinance.

No one else chose to address the issue.

At 10:22 A.M., Commissioner Sweeney, supported by Commissioner Nelson, moved to close the hearing; seven yeas - zero nays.

Discussion ensued about inserting additional language about petitions not related to a county election and limiting the birth date request to month and year of birth only. Commissioner Forsman, supported by Commissioner Sweeney, moved to adopt the ordinance effective November 1, 2003, with the birth date and clarifying language changes. Alan Mitchell, County Attorney, suggested language clearly stating the intent of the ordinance was not to limit rights of citizens to petition the Board concerning matters unrelated to a county election. After further discussion, the ordinance with the suggested changes was adopted; seven yeas - zero nays.

At 10:30 A.M., a public hearing was convened, pursuant to County Board Resolution No. 640, adopted October 14, 2003, to consider granting an off-sale intoxicating liquor license to BOB'S better BAIT and BOBBERS, d/b/a BOB'S better BAIT and BOBBERS, Unorganized Township 60-18. County Attorney Alan Mitchell advised the Board that: all required County Departments had reviewed the application and recommended approval; the Liquor Licensing Committee met with the applicant and, after discussing the location and propriety of the business, recommended approval; all required notices had been given; the establishment was located in an unorganized area so the County Board served as the town board; and, the necessary insurance certificate has been submitted. Attorney Mitchell also advised the Board to revise the proposed resolution by replacing

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

366

the name of the establishment with the name of the owner, John Phillips, because the business was not incorporated.

No one else chose to address the issue.

At 10:37 A.M., Commissioner Sweeney, supported by Commissioner Nelson, moved to close the public hearing; seven yeas - zero nays. Commissioner Sweeney, supported by Commissioner Forsman, moved to approve granting the off-sale license with the change suggested by the County Attorney; seven yeas, zero nays. Resolution No. 653.

At 10:37 A.M., a public hearing was convened pursuant to County Board Resolution No. 641, adopted October 14, 2003, to consider granting an off-sale intoxicating liquor license to Pike River, Inc., d/b/a Silverado Saloon, Unorganized Township 59-16. County Attorney Mitchell advised the Board that: all required County Departments had reviewed the application and recommended approval; the Liquor Licensing Committee met with the applicants and, after discussing the location and propriety of the business, recommended approval; all required notices had been given; the establishment was located in an unorganized area so the County Board served as the town board; and, the necessary insurance certificate has been submitted. James and Linda Sandstrom, owners of the Silverado Saloon, were present and said they understood and would abide by the provisions of County Ordinance No. 28 (Liquor Ordinance). No one else chose to address the issue.

At 10:44 A.M., Commissioner Sweeney, supported by Commissioner Raukar, moved to close the hearing; seven yeas - zero nays. Commissioner Forsman, supported by Commissioner Nelson, moved to approve granting the off-sale liquor license; seven yeas - zero nays. Resolution No. 654.

The Chair opened the meeting to persons who wanted to address the Board concerning issues not on the agenda and the following chose to do so:

Neil Anderson, Zim, asked why the Board continues to acquire property. Mr. Anderson was concerned about purchases of the Government Services Center in Duluth and the old Mesabi Clinic in Hibbing.

Tony Mancuso, Property Manager, said properties have been purchased to accommodate County space needs, consolidate services in one area and eliminate leases.

Commissioner Nelson, supported by Commissioner Raukar, moved to suspend the rules to consider purchase of AutoCAD 2004 software and support for Public Works; seven yeas - zero nays. Marcus Hall, Public Works Director, said purchasing the software now will save \$6,000. Commissioner Nelson, supported by Commissioner Forsman, moved to approve the purchase; seven yeas - zero nays. Resolution No. 655.

Commissioner Nelson distributed a cost breakdown for the County's share of the Wellstone marker project indicating work was completed at 17-18 percent below original estimates.

At the request of County Attorney Mitchell, Commissioner Fay, supported by Commissioner Sweeney, moved to table for one week consideration of payment of Extension Service rental arrears to Independent School District 709; seven yeas - zero nays.

Commissioner Kron, supported by Commissioner Raukar, moved to approve an early retirement incentive for current employees and elected officials that would pay a portion of their health insurance for up to four years. The incentive would be offered from November 1, 2003, through April 1, 2004. Tony Bruno, Civil Service Director, explained the plan and estimated that up to 20

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

367

percent of the 117 eligible employees may take advantage of the incentive. Revising the recommended qualifications to "or" rather than "and" would significantly expand the eligibility pool and may not be cost effective, according to Director Bruno. After some discussion, Commissioner Forsman offered a friendly amendment - accepted by the makers - to replace the "and" with "or" in the qualifications. Ann Busche, Deputy County Administrator, said the change would increase the county liability/exposure to \$7.8 million. After further discussion, the makers of the motion decided to decline the friendly amendment and Commissioner Forsman withdrew the amendment. Commissioner Nelson then offered a friendly amendment - not accepted by the makers - to prohibit consideration of other early retirement incentives for twelve months. After brief discussion, Commissioner Nelson offered a revised friendly amendment - accepted by the makers - to add a clause indicating that the County would not consider any additional retirement incentives prior to July 1, 2004. The early retirement incentive resolution, as amended, was then approved; seven years - zero days. Resolution No. 656.

Commissioner Sweeney presented a brief report on her trip to Washington, D.C., as a member of a local delegation that is working to prevent closure of the Duluth Air National Guard base. The group met with Representative Oberstar, Senators Dayton and Coleman, and military personnel from the Pentagon. Commissioner Sweeney said she was encouraged by the reception but cautioned that we must remain vigilant.

**ORDINANCE NUMBER 58  
PETITIONS**

**1 Applicability.**

This ordinance only applies to a petition that is required to be filed with the county and could result in an election in the county or a petition that requires the certification of a minimum number of eligible or registered voters. This ordinance does not apply to township related elections or the right of constituents to generally petition the county board for action.

**2 Definitions.**

- 2.01 Eligible Voter is an individual who qualifies to be a duly registered voter in any of the districts within the county for which the petition is applicable or more specifically as defined under Minnesota Statutes 201.014 and other laws: Be at least 18 years old, a citizen of the United States, been a resident in Minnesota and the County for at least the last 20 days, not under guardianship, not found by a court of law to be legally incompetent, and not been convicted of treason or a felony without restoration of civil rights.
- 2.02 Filing Officer is the St. Louis County Auditor
- 2.03 Registered Voter is an individual duly recorded on the Statewide Voter Registration System operated by the Secretary of State.
- 2.04 A Qualified Voter is an Eligible Voter as defined above.
- 2.05 Legal Voter is an Eligible Voter as defined above.
- 2.06 Voter(s) in last ... election is/are voter(s) who actually voted in the last specified election.

**3 General form requirements.**

- Petitions must be prepared in accordance with items 3.01 through 3.10
- 3.01 A petition must be on paper no larger than 8-1/2 inches wide and 11 inches long. The signer's oath and the signature lines must be on the same side of the paper.
  - 3.02 The language on the petition must be printed in a font no smaller than 8-point type.
  - 3.03 Each petition page must have a short title describing the purpose of the petition.
  - 3.04 Each petition page must have a statement summarizing the purpose of the petition.
  - 3.05 If the purpose of the petition is to put a question on the ballot, each petition page must have a statement of 75 words or less summarizing the ballot question.

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

368

- 3.06 Each petition page must have a signer's oath in 12-point bold type near the top of the page and prior to the signature lines. If the form of the signer's oath is not specified by statute, the following oath must be used: "I swear (or affirm) that I know the contents and purpose of this petition and that I signed this petition only once and of my own free will."
  - 3.07 Each petition page must include the following statement immediately above the signature lines: "All information must be filled in by person(s) signing the petition unless disability prevents the person(s) from doing so."
  - 3.08 Each petition page must have no more than 20 signature lines. The signature lines must be consecutively numbered. Each signature line must have space for the date of signature; a signature; and each signatory's month and year of birth; printed full name and address.
  - 3.09 Each petition page must include the following statement: "All information on this petition is subject to public inspection."
  - 3.10 Each petition page at its bottom must include the following oath signed by the person circulating the petition: "I swear that I personally witnessed the above named individuals complete and sign this petition and have reason to believe that each such person was qualified to sign this petition."
  - 3.11 Petition originators should also have a separate page of instructions available for signers to read that outline the specific eligibility requirements under law for signing the particular petition or may include the same information on the petition itself. Such separate page may contain other information without restriction.
- 4 **CIRCULATING PETITIONS.**
- 4.01 Petitioners may circulate photocopies of the sample petition page.
  - 4.02 Each petition entry must be signed and completed in the presence of a person circulating the petition.
  - 4.03 On each page of the petition the oath described in section 3.10 must be signed by the person circulating the petition.
- 5 **SIGNING PETITIONS.**
- 5.01 **Required information.** The person signing the petition shall complete the signature, date, printed name, month and year of birth, and residence address lines on the petition.
  - 5.02 **Signing by disabled person.** A person physically unable to complete the petition may receive assistance from another person other than the person circulating the petition.
  - 5.03 **Signing only once.** A person may sign a petition only once.
- 6 **FILING PETITIONS.**
- 6.01 **Filing procedures.** The person filing the petition shall submit the entire petition at one time to the filing officer. The petitioners may submit the petition by mail, messenger, or similar delivery service. Filing of a petition is effective upon receipt by the filing officer. Petition pages must not be altered by anyone except the filing officer for verification purposes after the petition has been filed.
  - 6.02 **Receipt.** The filing officer shall provide the person filing the petition with a receipt for the petition. The receipt must include the type of petition filed; the name, address, and telephone number of the person submitting the petition; the date on which the petition was filed; and the total number of pages in the petition submitted.
- 7 **VERIFYING PETITIONS.**
- 7.01 For petitions where a type of eligible voters' signatures are required the filing officer shall use the procedures described in 7.04 to verify the petition. For petitions requiring a type of registered voters' signatures the filing officer shall use the procedures

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

369

- described in 7.05 to verify the petition. In either case on any petition requiring more than 500 signatures the filing officer may utilize a sampling method described in 7.06 to determine the number of valid signatures.
- 7.02 The filing officer shall initially determine if the petition has been filed timely. If not the petition shall be rejected. The filing officer shall then determine if the petition is in compliance with the format described under 3.01 to 3.10 and that the appropriate oaths and affirmations have been executed. If not the petition or those pages not in compliance shall be rejected.
- 7.03 Initially, the filing officer shall then count the number of signatures on each page and write the total at the bottom left corner of each page. After all individual pages are totaled the filing officer shall then tabulate a total for the petition as a whole. If the number of signatures is less than required, the petition shall be deemed insufficient and that information conveyed to the petitioner and county board. If the initial count indicates that there may be sufficient signatures the filing officer shall then proceed in further verification as described below.
- 7.04 To verify eligible voters the filing officer shall determine for each signature line inspected that the required information is complete and from the information provided thereon whether the person is of age 18 or more and a resident in the districts of the county for which the petition is applicable. The filing officer shall indicate upon the petition line ineligible signatures and at the bottom of the page enter a corrected count of valid signatures.
- 7.05 To verify registered voters the filing officer shall determine for each signature line inspected that the required information is complete and from the information provided thereon whether the person was a registered voter upon the Statewide Voter Registration system operated by the Secretary of State at the time of the signing of the petition and a resident in the districts of the county for which the petition is applicable. The filing officer shall indicate upon the petition line ineligible signatures and at the bottom of the page enter a corrected count of valid signatures.
- 7.06 For any petition requiring 500 or more valid signatures the Filing officer may use the random sampling technique described below to verify that the persons signing the petition are eligible voters or registered voters as the case may be. The sample size shall be 15% of the required number of valid signatures, but not less than 500 nor more than 2000. The process shall be completed as follows:
- 7.06.01 The Filing officer shall consecutively number each valid petition page. If the petition does not contain a line number for each signature line (and the Filing officer waives that requirement), the Filing officer shall consecutively number each line on each page starting with 1 on each page and progressing through the last signature on the page.
- 7.06.02 The Filing officer then shall through a computerized algorithm generate a set of random number pairs where the first shall indicated the page number and the second the line number.
- 7.06.03 Using number pairs generated in 7.06.02 to pick the signatures for validation the Filing officer shall verify the signatures as under 7.04 or 7.05 whichever is applicable. If a given number pair points to a blank line the next name in sequence shall be used for the sample.
- 7.06.04 The Filing officer shall determine what percentage of the signatories in the sample are eligible signatures then multiply the total number of petition signatories by the percentage of signatories determined to be eligible voters in the sample to determine how many of the signatories on the petition are deemed to be eligible or registered voters as the case may be.
- 7.07 If through any of the methods described in 7.04 to 7.06 the number of required valid

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

- signatures is less than 100 per cent of those required the and the time for filing a petition has expired, the Filing officer shall dismiss the petition and so notify the County Board and the petitioner.
- 7.08 If through any of the methods described in 7.04 to 7.06 the number of required valid signatures is less than 100 per cent of those required and the time for filing a petition has not expired, the Filing officer shall notify the petitioner by first class mail of the following: that the petition did not contain sufficient valid signatures, the number additional valid signatures required, that the time for filing additional signatures has not expired, and when the time for filing additional signatures expires. Upon receipt of additional signatures the Filing officer shall via procedures previously outlined in 7.04 to 7.06 verify them and ascertain if in total the required number of valid signatures were submitted.
  - 7.09 If the petitioners do not timely file with the Filing officer a sufficient number of additional valid signatures the Filing officer shall dismiss the petition and so notify the county board and the petitioner.
  - 7.10 The Filing officer shall attempt to complete the verification process as quickly as possible but shall complete the task within 10 working days of the end of the filing period.
  - 7.11 Upon the completion of the verification of signatures the filing officer shall file with the County Board a report on the petition and certify whether the petition contained a sufficient or insufficient number of valid signatures.
  - 8 Sample Petition - A sample petition appears on the next page.

**RIVER CREEK PARK DISTRICT PETITION**

We the undersigned qualified voters in the district described below hereby request the St. Louis County Board to hold a referendum to establish a County Park under Minnesota Statutes 398 within the entire territory of Congressional Townships 72-20, 73-20, and sections 1 through 6 of Township 71-20 contained within the City of Pineville.

"I swear (or affirm) that I know the contents and purpose of this petition and that I signed this petition only once and of my own free will."

**All information must be filled in by person(s) signing the petition unless disability prevents the person(s) from doing so.**

	Date	Printed full Name	Mo/Yr Birth	Full Residence Address	Signature
1					
2					
3					
4					
5					
6					
7					
8					

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

371

9					
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Oath of Person Circulating this petition: I swear that I personally witnessed the above named individuals complete and sign this petition and have reason to believe that each such person was qualified to sign this petition.

Signature

Date

**All information on this petition is subject to public inspection.**

EFFECTUATION

This ordinance shall take effect and be in full force on the 1<sup>st</sup> day of November, 2003, upon its adoption by the St. Louis County Board of Commissioners, and shall be published in the official newspaper(s) of St. Louis County as provided by Minnesota Statutes.

A Public Hearing regarding this issue was held on October 28, 2003 by the St. Louis County Board.

Commissioner Forsman moved the adoption of this Ordinance, and Commissioner Sweeney duly seconded the motion, and it was adopted on the following vote:

Yeas - Commissioners Fay, Kron, Forsman, Sweeney, Nelson, Raukar, and Chair Fink - 7

Nays - None

Absent - None

Dennis Fink  
Chair of the County Board

Certified as a complete and accurate copy of  
Ordinance No. 58  
Gordon D. McFaul  
County Auditor

Attest: Paul L. Tynjala  
Clerk of the County Board

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

372

The following Board and Contract Files were created as a result of documents received at this Board meeting:

Quit Claim Deed conveying right of way from the County of St. Louis to the State of Minnesota for use in the realignment and construction of an overpass along a segment of C-SAH 61 (S.A.P. 69-661-14) - the McQuade Road Project.-58147

Application by a Governmental Subdivision for Conveyance of Tax Forfeited Lands for an Authorized Public Use for property located in Section 23, Township 57 North, Range 17 West (Town of Fayal), for use as a memorial and historic marker to honor Senator Paul Wellstone. -58148

Documentation from public hearing held on October 28, 2003, to consider granting an Off-Sale Intoxicating Liquor License to John Robert Phillips, d/b/a BOB'S better BAIT and BOBBERS, Unorganized Township 60-18.-58149

Documentation from public hearing held on October 28, 2003, to consider granting an Off-Sale Intoxicating Liquor License to Pike River, Inc., d/b/a Silverado Saloon, Unorganized Township 59-16.-58150

Keith Nelson, Commissioner of the Sixth District, submitting a cost total of the Wellstone Project.-58151

Purchase of Service Agreement between the County of St. Louis, through its Chris Jensen Health and Rehabilitation Center, and Gary Peterson, M.D., for Medical Director services.-03-783

Addendum to Agreement for Psychiatric Consulting Services between the County of St. Louis and the Human Development Center for persons in the St. Louis County Jail.-03-784

Addendum II to Agreement for Health Services for St. Louis County Jail between the County of St. Louis and SMDC Health Systems.-03-785

Amendment No. 1 to Grant Contract No. 9300-784/2003-00004 between the State of Minnesota, through its Commissioner of Public Safety, Office of Justice Programs, and the St. Louis County Sheriff's Office for extension of the 2003 Boundary Waters Drug Task Force Grant Agreement.-03-786

Agreement for Professional Nursing Services between St. Louis County, through its Department of Public Health, and Care Givers Network for Community Alternative Care Client No. 028.-03-787

Group Residential Housing Rate Agreement between the St. Louis County Board of Commissioners and Cole Schneider Adult Foster Care.-03-788ss

Addendum to Purchase Agreement, Contract No. 13466A, between the St. Louis County Board of Commissioners and Arrowhead Center, Inc., for chemical dependency treatment services.-03-789ss

Bailment Agreement between the Duluth, Missabe & Iron Range Railway Company and St. Louis County for Line Survey Books.-03-790

Addendum to Agreement for Therapy Services between the County of St. Louis, through its Department of Public Health and Long Term Medical Care on behalf of Chris Jensen Health and Rehabilitation Center, and Bridge Rehabilitation Services, Inc.-03-791

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

373

Group Residential Housing Rate Agreement between the St. Louis County Board of Commissioners and Virginia Tuominen Adult Foster Home.-[03-792ss](#)

Agreement for Professional Services between the County of St. Louis and Cliff E. Crosby for performance of real estate appraisal services for the Land Department.-[03-793](#)

Contract between the County of St. Louis and Redstone Construction Company, Inc., for S.P. 69-598-28, MN Project No. BRSTPX 6903, C.P. 9581, for Bridge No. 69644 and Approaches over Swan River.-[03-794](#)

Contract between the County of St. Louis and Hawkinson Construction Company, Inc., for M.P. 4137-1493 (low) and M.P. 4135-1494 for Aggregate Base, Bituminous Surface and Aggregate Shoulders.-[03-795](#)

Contract between the County of St. Louis and Northland Constructors of Duluth, LLC, for S.P. 69-609-30 and S.P. 69-609-34, MN Project No. HPP-STP MN (100), C.P. 8231 and 8265, for Grading, Concrete Curb and Gutter, Bituminous Pavement, Storm Sewer, Sanitary Sewer, Street Lighting, Concrete Walk and Bridge.-[03-796](#)

Purchase of Service Agreement, Contract No. 13619, between the St. Louis County Board of Commissioners and Center for Independent Living of N.E. Minnesota - Consumer-Directed Community Supports (Employee of Record).-[03-797ss](#)

Addendum to Purchase Agreement, Contract No. 13179C, between the St. Louis County Board of Commissioners and Westview Services, Inc., for adult foster care services.-[03-798ss](#)

Addendum to Purchase Agreement, Contract No. 13388B, between the St. Louis County Board of Commissioners and Lakeview Residence for residential care services.-[03-799ss](#)

Purchase of Service Agreement, Contract No. 13616, between the St. Louis County Board of Commissioners and Covenant Enabling Residence II of Minnesota, Inc. - 1623 North Place for adult supported living services.-[03-800ss](#)

Purchase of Service Agreement, Contract No. 13614, between the St. Louis County Board of Commissioners and Employment Links (MA MR/RC Waiver Supported Employment).-[03-801ss](#)

Purchase of Service Agreement, Contract No. 13618, between the St. Louis County Board of Commissioners and Innovative Living, Inc. - Respite Care Services.-[03-802ss](#)

Purchase of Service Agreement, Contract No. 13617, between the St. Louis County Board of Commissioners and Covenant Enabling Residence II of Minnesota, Inc. - 1625 North Place for adult supported living services.-[03-803ss](#)

Addendum to Agreement for Services between St. Louis County and Praxis International, Incorporated, for the creation and implementation of a model rural law enforcement response to domestic assault cases.-[03-804](#)

Professional Service Agreement, Contract No. 90085, between St. Louis County and Quality Reimbursement Services for patient eligibility services.-[03-805ss](#)

Group Residential Housing Rate Agreement between the St. Louis County Board of Commissioners and Faces North I.-[03-806ss](#)

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

374

Group Residential Housing Rate Agreement between the St. Louis County Board of Commissioners and Duluth Regional Care Center, Inc. (Triggs).-03-807ss

Group Residential Housing Rate Agreement between the St. Louis County Board of Commissioners and Lila Clemens Adult Foster Care Home.-03-808ss

Group Residential Housing Rate Agreement between the St. Louis County Board of Commissioners and Covenant Enabling Residence II of Minnesota, Inc. (1625 Northplace).-03-809ss

Group Residential Housing Rate Agreement between the St. Louis County Board of Commissioners and Covenant Enabling Residence II of Minnesota, Inc. (1623 Northplace).-03-810ss

Group Residential Housing Rate Agreement between the St. Louis County Board of Commissioners and Lakeview Mansion.-03-811ss

Addendum to Contract No. 13403 between the St. Louis County Board of Commissioners and Arrowhead Economic Opportunity Agency for employment and training.-03-812ss

Addendum to Contract No. 20518 between the St. Louis County Board of Commissioners and Arrowhead Economic Opportunity Agency for supported work program.-03-813ss

Purchase of Service Agreement, Contract No. 13535, between the St. Louis County Board of Commissioners and Northern Diagnostic Services, Inc., d/b/a Healthstar Home Health Agency, for supplies and equipment.-03-814ss

Purchase of Service Agreement, Contract No. 13527, between the St. Louis County Board of Commissioners and SMDC Home Health for home care services.-03-815ss

Addendum to Purchase Agreement, Contract No. 13518A, between the St. Louis County Board of Commissioners and TBI Residential and Community Services, Inc., for in-home services.-03-816ss

Addendum to Purchase Agreement, Contract No. 13609A, between the St. Louis County Board of Commissioners and Occupational Development Center for supported employment services.-03-817ss

Addendum to Purchase Agreement, Contract No. 13165C, between the St. Louis County Board of Commissioners and Residential Services of Northeastern Minnesota, Inc., for in-home services.-03-818ss

Addendum to Purchase Agreement, Contract No. 13165B, between the St. Louis County Board of Commissioners and Residential Services of Northeastern Minnesota, Inc., for in-home services.-03-819ss

Addendum to Purchase Agreement, Contract No. 13524A, between the St. Louis County Board of Commissioners and Home Health Services of Hibbing, Inc., d/b/a HomeCare Specialists, for home care services.-03-820ss

First Amendment to 9-1-1 Agreement between the County of St. Louis, the State of Minnesota, and Integra Telecom of Minnesota, Inc.-03-821

Agreement for Implementation of 9-1-1 Telephone System between the County of St. Louis, the State of Minnesota, and AT & T Communications of the Midwest, Inc.-03-822

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

375

Agreement between the City of Tower and the County of St. Louis for construction of the Hoodo Point Trail along C.R. 697 from Depot Park to Hoodo Point Campground in Tower.-03-823

On-Line Software Subscriber Agreement between the County of St. Louis, through its Auditor's Office, and Northeast Title Company for county data base access.-03-824

Customized Training Income Contract between the County of St. Louis and Lake Superior College for *The Seven Step Plan to Healthy Living* session.-03-825

Engineering Services Agreement between the County of St. Louis and Northeast Technical Services, Inc., for ongoing operations of the Regional Landfill.-03-826

Upon motion of Commissioner Sweeney, supported by Commissioner Forsman, Resolutions No. 247 through 252, as submitted to this Board on the Consent Agenda were unanimously adopted as follows:

**BY COMMISSIONER SWEENEY:**

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of October 7, 2003, are hereby approved.

Adopted October 28, 2003. No. 647

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of October 14, 2003, are hereby approved.

Adopted October 28, 2003. No. 648

RESOLVED, that the recommendations of the Finance Committee for payment of claims and bills against the County of St. Louis, on file in the office of the County Auditor, identified as County Board File No. 57999, are hereby approved and the County Auditor shall issue checks in the following amounts:

<u>FUND</u>		<u>TOTAL</u>
T27	Refunds	\$ 8,929.03
T50	State of Minnesota	445,473.80
T66	Criminal Fines	119,668.84
T74	Employer/Employee Deductions	647,090.78
T77	Cancelled Checks	2,173.95
T80	Lake Superior - Forfeiture	8,208.15
T85	Sheriffs State Forfeitures	437.93
T86	Attorney Trust Accounts	60.00
T87	Assault Fees	1,177.16
01	General Fund	933,012.44
02	Public Works	597,041.24
02A	Road Maintenance - Unorganized Townships	9,714.91
03C	State Erosion Loan MPCA	16,500.00
04	Social Services	3,491,721.81
08	County Facilities - Capital Projects	40,730.32
08A	State Aid Road	887,141.83
10B	Emer. Shelter 99/00 Funds	6,364.64
11A	Home Grant - All Years	65,100.85
12B	CDBG Grant	141,331.66
127	Enhanced 9-1-1 Fund	1,794.76
13	St. Louis County HRA	1,900.96

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

376

131	Extension Service	43,422.82
15	Forfeited Tax	36,534.16
16	Forest Resources	11,321.80
26	Solid Waste Authorities	164,484.34
49	Postage/Office Supplies	28,411.88
50	Printing	5,244.52
51	County Garage	24,011.48
52A	Property, Casualty, Liability	36,315.40
52B	Workers Compensation	49,921.50
52D	Medical/Dental Self Insurance	457.64
53	Management Information Systems	88,417.54
54	Regional Railroad Authority	10,082.46
55	Telecommunications	45,109.23
57	Retired Employees Health Insurance	56,944.52
64A	Chris Jensen Health & Rehab.	177,220.01
65	Laundry	20,135.74
66	Community Food Services	26,587.87
67	Supervised Living Facilities	4,079.47
72	Northern Counties Land Use Coord. Board	3,406.35
73	Arrowhead Regional Corrections	137,838.27
74	Community Health Services	<u>135,458.58</u>
		<b>\$8,530,980.64</b>

Adopted October 28, 2003. No. 649

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, as set forth by the County Attorney, dated October 17, 2003, on file in the office of the County Auditor, identified as County Board File No. 57995, is hereby received and ratified as payable from Fund 52, Department 12.

Adopted October 28, 2003. No. 650

RESOLVED, that the appraisal report for sale of timber, numbered Tract 1, as submitted by the Land Commissioner, on file in the office of the County Auditor, identified as County Board File No. 58000, is approved and the County Auditor is authorized to carry out the recommendations as listed in said appraisal report.

Adopted October 28, 2003. No. 651

RESOLVED, that the appraisal reports for the sale of timber to be offered at Sealed Bid Timber Auction, Tracts 1 through 32 (totaling \$1,072,178.81), as submitted by the Land Commissioner, on file in the office of the County Auditor, identified as County Board File No. 58000, are approved and the County Auditor is authorized to carry out the recommendations as listed in said appraisal reports.

Adopted October 28, 2003. No. 652

**BY COMMISSIONER SWEENEY:**

WHEREAS, John Robert Phillips, d/b/a BOB'S better BAIT and BOBBERS, Unorganized Township 60-18, St. Louis County, Minnesota, has applied for an off-sale intoxicating liquor license; and

WHEREAS, Minnesota Statutes, Section 340A.405, Subdivision 2 (d), requires that a public hearing be held prior to the issuance of an off-sale intoxicating liquor license; and

WHEREAS, a public hearing was held on October 28, 2003, at or about 9:40 A.M. in the Virginia Courthouse, Virginia, Minnesota, for the purpose of considering the granting of the off-sale intoxicating liquor license; and

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

377

WHEREAS, with regard to the application for said license BOB'S better BAIT and BOBBERS has complied in all respects with the requirements of Minnesota Law and St. Louis County Ordinance No. 28; and

WHEREAS, the Liquor Licensing Committee of the St. Louis County Board of Commissioners has considered the nature of the business to be conducted and the propriety of the location and has recommended approval of the application;

NOW, THEREFORE, BE IT RESOLVED, that Off-Sale Intoxicating Liquor License (License Number OFSL0415) shall be issued to John Robert Phillips, d/b/a BOB'S better BAIT and BOBBERS, Unorganized Township 60-18;

FURTHER RESOLVED, that said liquor license shall be effective through June 30, 2004;

FURTHER RESOLVED, that said license is approved contingent upon payment of real estate taxes when due;

FURTHER RESOLVED, that if named licenseholder sells the licensed place of business, the County Board, as its discretion, may, after an investigation, transfer the license to a new owner, but without pro-rated refund of license fees to the licenseholder.

Unanimously adopted. October 28, 2003. No. 653

**BY COMMISSIONER FORSMAN:**

WHEREAS, Pike River, Inc., d/b/a Silverado Saloon, Unorganized Township 59-16, St. Louis County, Minnesota, has applied for an off-sale intoxicating liquor license; and

WHEREAS, Minnesota Statutes, Section 340A.405, Subdivision 2 (d), requires that a public hearing be held prior to the issuance of an off-sale intoxicating liquor license; and

WHEREAS, a public hearing was held on October 28, 2003, at or about 9:45 A.M. in the Virginia Courthouse, Virginia, Minnesota, for the purpose of considering the granting of the off-sale intoxicating liquor license; and

WHEREAS, with regard to the application for said license Silverado Saloon has complied in all respects with the requirements of Minnesota Law and St. Louis County Ordinance No. 28; and

WHEREAS, the Liquor Licensing Committee of the St. Louis County Board of Commissioners has considered the nature of the business to be conducted and the propriety of the location and has recommended approval of the application;

NOW, THEREFORE, BE IT RESOLVED, that Off-Sale Intoxicating Liquor License (License Number CMB0479) shall be issued to Pike River, Inc., d/b/a Silverado Saloon, Unorganized Township 59-16;

FURTHER RESOLVED, that said liquor license shall be effective through June 30, 2004;

FURTHER RESOLVED, that said license is approved contingent upon payment of real estate taxes when due;

FURTHER RESOLVED, that if named licenseholder sells the licensed place of business, the County Board, as its discretion, may, after an investigation, transfer the license to a new owner, but without pro-rated refund of license fee to the licenseholder.

Unanimously adopted. October 28, 2003. No. 654

Upon motion of Commissioner Nelson, supported by Commissioner Raukar, the rules were suspended to adopt Resolution No. 655 which was not on the agenda.

**BY COMMISSIONER NELSON:**

RESOLVED, that the Purchasing Department is hereby authorized to issue a purchase order to DLT Solutions, Inc., for the purchase of 24 seats of AutoCAD 2004, related software upgrades and software support. The total purchase price is \$32,252.80 plus the applicable sales tax, payable from Fund 560, Org. A11, Object 348.

Unanimously adopted. October 28, 2003. No. 655

**BY COMMISSIONER KRON:**

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

378

WHEREAS, St. Louis County has received significant reductions in funding which have resulted in the need for staffing reductions; and

WHEREAS, Minnesota Statutes, Section 471.61, authorizes a county to provide group insurance protection for officers, employees, and retirees; and

WHEREAS, St. Louis County has previously established a policy that provides specifically for health insurance for retirees; and

WHEREAS, the St. Louis County Board desires to take action to provide for a means of reducing staffing and thereby reducing or eliminating the necessity of layoffs.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board hereby approves an early retirement incentive plan for current employees and elected officials who meet the following criteria:

- The employee is at least age 55, has a minimum of 5 years of service with St. Louis County, and a combined age and years of covered PERA service equal to 85 or more.
- The employee retires effective November 1, 2003, through April 1, 2004.

BE IT FURTHER RESOLVED, that the plan will offer the eligible participating retiree continuing County-paid single Low Option Health Insurance, at the average level the employee has been receiving in the twelve months preceding retirement, for four (4) years or until the employee reaches age 65 or Medicare eligibility, whichever occurs first.

BE IT FURTHER RESOLVED, that a retiree exercising this option shall be obligated to follow and will enjoy all other County policies and provisions relating to retired employees, in addition to this extended provision.

BE IT FURTHER RESOLVED, employees electing to participate in the early retirement incentive, have the option to continue coverage at the same level they received at the time of retirement (High Option and/or dependent coverage), subject to payment of premium rates above the single Low Option Health Insurance rate; and, may use their Sick Leave Reserve Fund or Post Retirement Health Care Savings Plan (PRHCSP) for the additional cost of the High Option Health Insurance and/or dependent coverage.

RESOLVED FURTHER, that the St. Louis County Board will not consider offering any other retirement incentive plans for current employees prior to July 1, 2004.

Unanimously adopted. October 28, 2003. No. 656

At 11:54 A.M. on Tuesday, October 28, 2003, upon motion of Commissioner Fay, supported by Commissioner Raukar, the Board of County Commissioners adjourned.

Dennis Fink, Chair of the Board  
of County Commissioners

Attest:  
Gordon D. McFaul, County Auditor  
and Ex-Officio Clerk of the Board  
of County Commissioners

(Seal of the County Auditor)

**OFFICIAL PROCEEDINGS**  
**OF THE**  
**BOARD OF COUNTY COMMISSIONERS**  
**OF ST. LOUIS COUNTY, MINNESOTA**

**NOVEMBER, 2003**

**OFFICIAL PROCEEDINGS OF THE MEETING**  
**OF THE BOARD OF COUNTY COMMISSIONERS**  
**OF THE COUNTY OF ST. LOUIS, MINNESOTA,**  
**HELD ON NOVEMBER 4, 2003**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 4th day of November, 2003, at 9:31 A.M. in the County Board Room, Courthouse, Duluth, Minnesota. The meeting was called to order by the Chair with the following members present: Commissioners Joanne Fay, Bill Kron, Mike Forsman, Peg Sweeney, Keith Nelson, Steve Raukar, and Chair Dennis Fink - 7. Absent: None.

Chair Fink began the meeting by sharing historical facts about Minnesota.

At 9:35 A.M., a public hearing was convened, pursuant to County Board Resolution No. 631, adopted October 14, 2003, to receive public comments on the established priorities and funding recommendations included in Fiscal Year (FY) 2004 Action Plan for Community Development Block Grant (CDBG), HOME and ESG programs. Barbara Hayden, Planning Director, described the Action Plan process and recommended approval and submission of the plan to the Department of Housing and Urban Development (HUD). In response to a question from Commissioner Raukar, Director Hayden said these funds leverage \$4 for every \$1 spent. No one else chose to address the issue.

At 9:43 A.M., Commissioner Sweeney, supported by Commissioner Nelson, moved to close the hearing; seven yeas - zero nays.

Commissioner Raukar, supported by Commissioner Sweeney, moved to approve the FY 2004 Action Plan; seven yeas - zero nays. Resolution No. 681.

At 9:47 A.M., a public hearing was convened, pursuant to County Board Resolution No. 636, adopted October 14, 2003, to receive public comment concerning issuance of capital improvement bonds by the County. The following persons addressed the issue:

Ann Busche, Deputy County Administrator, described projects included in the bond proposal and the purpose of the hearing. Bond specifications will be adopted on November 18, 2003, and the actual sale will occur on December 16, 2003, if the Board approves.

Bob Toftey, Attorney and Bond Counsel for St. Louis County, detailed the process and time frames, including the possibility of a reverse referendum petition. Interest rates are still favorable for bonding, according to Attorney Toftey.

Alan Mitchell, County Attorney, explained options if the Governor includes any of the projects in the next state bonding bill.

Gordon D. McFaul, County Auditor, explained debt service levy.

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

380

No one else chose to address the issue.

At 9:57 A.M., Commissioner Raukar, supported by Commissioner Kron, moved to close the hearing; seven yeas - zero nays.

After lengthy discussion, Commissioner Fay, supported by Commissioner Nelson, moved to remove the Hibbing Annex from the list of projects included in the bonding package, but the motion failed; three yeas - four nays, Commissioners Kron, Forsman, Sweeney and Raukar.

Commissioner Nelson, supported by Commissioner Forsman, moved to remove the Duluth Courthouse from the list of bonding projects. After further discussion, Commissioner Forsman removed his support and motion died. Commissioner Fay, supported by Commissioner Nelson, moved to table consideration of bonding until April 1, 2004, or until the State of Minnesota takes action on their bonding bill, but the motion failed; two yeas - five nays, Commissioners Kron, Forsman, Sweeney, Raukar and Chair Fink. Commissioner Raukar, supported by Commissioner Kron, moved to call the question; seven yeas - zero nays. The resolution stating County intent to issue \$10,200,000 in general obligation capital improvement bonds was then approved; four yeas - three nays, Commissioners Fay, Nelson and Chair Fink.

Commissioner Raukar, supported by Commissioner Sweeney, then moved to reconsider the vote on the capital improvement bonds because a 4-3 vote was not the super-majority (five votes) needed to approve issuance of bonds; five yeas - two nays, Commissioners Fay and Nelson. Commissioner Raukar then amended his original motion - with agreement of the supporter, Commissioner Kron - to delete the Hibbing Annex from the list of projects included in the bonding package. Commissioner Fay moved to table the matter until April 1 or until the State of Minnesota finishes with their bonding bill, but the motion died without support. In response to a question from Commissioner Nelson, Auditor McFaul said it will cost more if the Hibbing Annex is funded by a separate HRA bond and not included in the capital improvement bond. Commissioner Nelson then offered a friendly amendment to include the Hibbing Annex in the list of capital improvement projects.

At 11:30 A.M. in the forenoon of Tuesday, November 4, 2003, at the request of Commissioner Raukar, Chair Fink moved to recess the Board until 11:35 A.M. on November 4, 2003, in the County Board Room, Courthouse, Duluth, Minnesota.

The Board reconvened at 11:38 A.M. on November 4, 2003, and the regular order of business resumed with all members present.

The makers of the motion then accepted the friendly amendment offered by Commissioner Nelson to include the Hibbing Annex in the list of bonding projects. After further discussion, the bonding resolution was approved; five yeas - two nays, Commissioner Fay and Chair Fink. Resolution No. 682.

At the request of County Attorney Alan Mitchell, Item No. 18 of the Consent Agenda (contract with the Historic Union Depot) was amended to add the phrase "to be effective upon state approval" to the end of the resolution. Commissioner Kron then asked that Item No. 25 (removal of a private gate lock on certain Forest Management Road) be removed from the Consent Agenda for separate consideration under Environment and Natural Resources Committee.

Commissioner Sweeney, supported by Commissioner Forsman, moved to approve the remainder of the amended Consent Agenda; seven yeas - zero nays.

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

381

At 12:10 P.M. in the afternoon of Tuesday, November 4, 2003, Chair Fink moved to recess the Board until 1:20 P.M. on November 4, 2003, in the County Board Room, Courthouse, Duluth, Minnesota.

The Board reconvened at 1:27 P.M. on November 4, 2003, and the regular order of business resumed with all members present.

Chair Fink opened the meeting to persons who wanted to address the Board concerning issues not on the agenda, but no one chose to do so. Commissioner Nelson said one resident, Tony Tack of Colvin, who was unable to stay, wanted to address the Board concerning ongoing problems encountered by residents living near the area of Highway 4 currently under reconstruction.

Commissioner Fay, supported by Commissioner Sweeney, moved to approve a resolution authorizing the Extension Service to pay \$8,698.86 to ISD 709 for rental space arrears. County Attorney Mitchell explained how arrears were determined. Tony Mancuso, Property Manager, in response to a request from Commissioner Nelson, said he would provide a listing of all County leases. After further discussion, the motion was approved; seven yeas - zero nays. Resolution No. 683.

Commissioner Fay, supported by Commissioner Nelson, moved to approve execution of two Memorandums of Agreement between the University of Minnesota and St. Louis County regarding the Extension Service. Lee Raeth, Minnesota Extension Service, explained the memorandums. After brief discussion, the motion was approved; seven yeas - zero nays. Resolution No. 684.

Commissioner Kron, supported by Commissioner Sweeney, moved to approve a contribution of up to \$2,000 toward the cost of lobbying services from E. Del Smith and Company related to federal funding for the Trunk Highway 53 corridor. John Ongaro, Intergovernmental Relations Officer, said the lobbying firm has done well securing past Highway 53 funding and he recommended approving the contribution; seven yeas - zero nays. Resolution No. 685.

Commissioner Kron, supported by Commissioner Raukar, moved to establish a closed session for labor negotiations for 2:05 P.M.; seven yeas - zero nays.

Consent Agenda Item No. 25 (private locked gates on forfeited leased lands) was then discussed. Commissioner Forsman, supported by Commissioner Sweeney, moved to approve the resolution, which would require removal of a private lock from a certain gate on a Forest Management Road. Commissioner Forsman said the lock needs to be removed now because hunting season is near and the public should be allowed access to the area. Commissioner Kron, supported by Commissioner Fay, moved to table the matter until after a County Board Workshop discussion of leased land policies; four yeas - three nays, Commissioners Forsman, Sweeney and Raukar.

At 2:15 P.M. in the afternoon of Tuesday, November 4, 2003, Chair Fink moved to recess the Board until 2:45 P.M. on November 4, 2003, in the County Board Room, Courthouse, Duluth, Minnesota.

The Board reconvened at 3:44 P.M. on November 4, 2003, and the regular order of business resumed with all members present.

Commissioner Fay, supported by Commissioner Sweeney, moved to approve a second consent agenda consisting of all items passed unanimously at the just-completed Committee of the Whole meeting; seven yeas - zero nays.

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

382

Commissioner Kron, supported by Commissioner Fay, moved to approve a resolution modifying County Administrator David Twa's resignation by extending the termination date to November 28, 2003, and delaying implementation of previous County Board resolutions pertaining to appointments of Interim County Administrator and Interim Deputy County Administrator to November 28, 2003; seven yeas - zero nays. Resolution No. 699.

Commissioner Forsman then expressed his displeasure concerning the earlier tabling of a resolution requiring removal of a private lock from a gate on a Forest Management Road. Commissioner Kron explained he wanted an opportunity to view the site for a constituent before voting to enforce removal of the private lock.

The following Board and Contract Files were created as a result of documents received at this Board meeting:

Federal PILT Sharing Policy.-58152

St. Louis County Extension Service Horticulture Program Plan for 2004 and Gardening Programs Interest Survey.-58153

Documentation from public hearing on November 4, 2003, regarding the issuance of Capital Improvement Bonds.-58154

Arrowhead Regional Corrections contract for legal services with the County Attorney.-03-827

Housing and Redevelopment Authority contract for legal services contract with the County Attorney.-03-828

Arrowhead Regional Corrections contract for personnel services with Civil Service.-03-829

Arrowhead Regional Corrections contract for fiscal services with the County Auditor.-03-830

Post Retirement Health Care Savings Plan for Elected Officials.-03-831

Health Dimensions Rehabilitation Contract for Chris Jensen Health and Rehabilitation Center.-03-832

Addendum and Extension to Agreement for Therapy Services between the County of St. Louis, through its Chris Jensen Health and Rehabilitation Center, and Bridge Rehabilitation Services, Inc.-03-833

Consulting Agreement between the County of St. Louis and Larson, Allen, Weishair & Company, LP, for cost effectiveness study of the St. Louis County Laundry.-03-834

Purchase of Service Agreement between the County of St. Louis, through its Department of Public Health, and the Regents of the University of Colorado, on behalf of the Health Sciences Center, for implementation of the Nurse-Family Partnership Program.-03-835

Agreement for Professional Services between St. Louis County and Lisa Marlow for Land Department inventory of existing gravel pits and potential aggregate resources.-03-836

Agreement for Professional Services between the County of St. Louis and MacNeil Environmental, Inc., for asbestos abatement at the old county jail in Duluth.-03-837

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

383

Agreement for Professional Services between the County of St. Louis and Northland Consulting Engineers, L.L.P., for a structural analysis of the Hibbing Annex building.-03-838

Memorandums of Agreement between the University of Minnesota and St. Louis County for providing extension programs locally and employing County extension staff.-03-839

Upon motion of Commissioner Sweeney, supported by Commissioner Forsman, Resolutions No. 657 through 680, as submitted to this Board on the Consent Agenda were unanimously adopted as follows:

**BY COMMISSIONER SWEENEY:**

RESOLVED, that the recommendations of the Finance Committee for payment of claims and bills against the County of St. Louis, on file in the office of the County Auditor, identified as County Board File No. 57999, are hereby approved and the County Auditor shall issue checks in the following amounts:

<u>FUND</u>		<u>TOTAL</u>
T10	Permits to Carry Firearms	\$ 300.00
T27	Refunds	25,090.70
T28	School Districts	2,527,509.00
T50	State of Minnesota	7,524.80
T77	Cancelled Checks	1,405.52
T85	Sheriffs State Forfeitures	133.13
01	General Fund	592,161.96
02	Public Works	1,328,832.11
02A	Road Maintenance - Unorganized Townships	7,164.07
04	Social Services	2,106,784.57
08	County Facilities - Capital Projects	7,390.45
08A	State Aid Road	14,702.19
08N	Hibbing Courthouse Improvements	14,275.36
12B	CDBG Grant	4,500.00
127	Enhanced 9-1-1 Fund	1,982.55
128	Law Library	3,504.93
129	City/County Common Antenna Site	203.46
13	St. Louis County HRA	96.00
131	Extension Service	2,823.57
15	Forfeited Tax	23,361.85
16	Forest Resources	1,725.00
26	Solid Waste Authorities	82,346.78
49	Postage/Office Supplies	1,850.99
50	Printing	2,615.01
51	County Garage	10,575.27
52B	Workers Compensation	69,441.99
52D	Medical/Dental Self Insurance	1,222.04
53	Management Information Systems	14,391.83
54	Regional Railroad Authority	25,381.77
55	Telecommunications	26,381.51
57	Retired Employees Health Insurance	431.93
64A	Chris Jensen Health & Rehab.	168,891.16
65	Laundry	7,040.80
66	Community Food Services	49,533.34
67	Supervised Living Facilities	4,366.94

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

384

73	Arrowhead Regional Corrections	129,059.38
74	Community Health Services	<u>3,400.97</u>
		\$7,268,402.93

Adopted November 4, 2003. No. 657

RESOLVED, that pursuant to the recommendations of the Tax Committee, the applications of the following named persons and firms for reduction and correction of assessed valuations and taxes in the following amounts plus on those abatements of penalty and interest, any additional accrual to the date of this resolution, on file in the office of the County Auditor, identified as County Board File No. 58013, are hereby approved:

Real Estate - Chuck Albert, \$24.00; Jennifer Anderson, \$198.40; Al Trostad, \$176.26.

Adopted November 4, 2003. No. 658

RESOLVED, that pursuant to St. Louis County Ordinance No. 51, the applications for licenses to sell tobacco products, at retail, on file in the office of the County Auditor, identified as County Board File No. 57994, are hereby approved and the County Auditor is authorized to issue the licenses as follows;

RESOLVED FURTHER, that if named licenseholders sell their licensed business, the County Board, at its discretion, may, after an investigation, transfer the licenses to a new owner, but without pro-rated refund to the licenseholders:

Black Bear Café, Inc., d/b/a Black Bear Café, Vermilion Lake Township, Tobacco Products License No. T0412;

C. C. Campground #717, Inc., d/b/a C. C. Campground #717, Inc., French Township, Tobacco Products License No. T0422;

C & O Wardas, Inc., d/b/a The Dam Supper Club, Leiding Township, Tobacco Products License No. T0438;

John Dohnansky, d/b/a Dohnansky's Bar, City of Meadowlands, Tobacco Products License No. T0441;

Van Gillen's Dry Dock Bar, Inc., d/b/a Dry Dock Bar & Restaurant, Midway Township, Tobacco Products License No. T0442;

Oveson KAB-CON, Inc., d/b/a Kettle Falls Hotel, Unorganized Township 70-18, Tobacco Products License No. T0476;

F & D, Inc., d/b/a Lakeview Castle, Duluth Township, Tobacco Products License No. T0480;

Curran Enterprises, Inc., d/b/a Makinen Market, Inc., Unorganized Township 56-16, Tobacco Products License No. T0488;

James Saugestad, d/b/a Melrude Pub, Ellsburg Township, Tobacco Products License No. T04147;

Proctor Pit Stop Bar & Lounge, Inc., d/b/a Pit Stop Bar, City of Proctor, Tobacco Products License No. T04175;

Ely-Winton Road & Gun Club, Inc., d/b/a Samz Place, Morse Township, Tobacco Products License No. T04116;

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

385

M. & T. Wedin, Inc., d/b/a Wooden Table Inn, Unorganized Township 60-19, Tobacco Products License No. T04185;

Zupancich Bros., Inc., d/b/a Zupancich Bros., Inc., City of Aurora, Tobacco Products License No. T04140.

Adopted November 4, 2003. No. 659

RESOLVED, that pursuant to St. Louis County Ordinance No. 51, the applications for licenses to sell tobacco products, at retail, on file in the office of the County Auditor, identified as County Board File No. 57994, are hereby approved and the County Auditor is authorized to issue the licenses as follows;

RESOLVED FURTHER, that if named licenseholders sell their licensed business, the County Board, at its discretion, may, after an investigation, transfer the licenses to a new owner, but without pro-rated refund to the licenseholders:

The following licenseholders were issued a tobacco violation citation on the dates as stated:

Patrick/Min Baker, d/b/a Baker's Side Lake Store, French Township, Tobacco Products License No. T046, May 30, 2000;

Sandberg, Inc., d/b/a Bear River Viking Bar, Morcom Township, Tobacco Products License No. T047, October 18, 2002;

City of Cook, d/b/a Cook Last Chance Liquors, City of Cook, Tobacco Products License No. T0430, September 1, 1998, and August 25, 2001;

Misty, Inc., d/b/a Fredenberg Minnoette, Fredenberg Township, Tobacco Products License No. T0453, December 31, 2002;

Susan/Patrick Carey, d/b/a Lakeland Store, Biwabik Township, Tobacco Products License No. T04169, December 15, 2002;

Marshall's One Stop, Inc., d/b/a Lakewood One Stop, Lakewood Township, Tobacco Products License No. T0481, December 31, 2002;

Ely-Winton Rod & Gun Club, Inc., d/b/a Longbranch Clubhouse, City of Winton, Tobacco Products License No. T0486, December 15, 2002;

Paulson's Super Valu, Inc., d/b/a Paulson's Super Valu, Inc., Canosia Township, Tobacco Products License No. T04103, December 28, 2002;

Pike Lake Liquors, Inc., d/b/a Pike Lake Liquors, Inc., Canosia Township, Tobacco Products License No. T04106, December 28, 2002;

Proctor Milk House, Inc., d/b/a Proctor Milk House, Inc., City of Proctor, Tobacco Products License No. T04111, September 30, 1998, and December 22, 2000;

Riverside Inn of Side Lake, Inc., d/b/a Riverside Inn of Side Lake, Inc., French Township, Tobacco Products License No. T04112, September 13, 1998, and May 25, 2000.

Adopted November 4, 2003. No. 660

RESOLVED, that the St. Louis County Board approves the appointment of Dorothea Haight and

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

386

Joanne Jackson to the Rainbow Center Advisory Board, effective September 1, 2003, through August 31, 2006.

Adopted November 4, 2003. No. 661

WHEREAS, under the provisions of Minnesota Statutes 282.241, State Tax Forfeited land may be repurchased by the previous owner subject to payment of taxes and/or assessments and penalties, interest and costs; and

WHEREAS, John Atkins has applied to repurchase the following parcel: Plat/Parcel Code: 141-40-5210. City of Hibbing, NW 1/4 of SE 1/4 except East 1/4 of West 1/2 and except West 1/2 of East 1/2, Section 29, Township 56 North, Range 21 West; and

WHEREAS, John Atkins is the owner of record prior to forfeiture and is eligible to repurchase this property; and

WHEREAS, approving the repurchase will correct undo hardship and promote the use of lands that will best serve the public interest.

NOW, THEREFORE, BE IT RESOLVED, that the repurchase application of John Atkins, on file in County Board File No. 58018, is approved for the property described above, and will be subject to payment including taxes and assessments of \$1,016.07, a repurchase filing fee of \$114.00, a deed tax of \$3.35, and a deed fee of \$25.00, and a recording fee of \$20.00; for a total of \$1,178.42.

Adopted November 4, 2003. No. 662

WHEREAS, St. Louis County has a canister site lease agreement with the Kabetogama Lake Association, Inc., for the purpose of operating a solid waste canister site; and

WHEREAS, the current agreement expires on December 31, 2003;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners authorizes the Solid Waste Department to renew the solid waste canister lease with the Kabetogama Lake Association, Inc., for a three (3) year term beginning January 1, 2004, to December 31, 2006, with the option of two one (1) year extensions, at a cost of \$278 a year, payable from Fund 26, J-35.

Adopted November 4, 2003. No. 663

WHEREAS, the St. Louis County Planning Commission on June 12, 2003, granted preliminary plat approval to Lonely Pines Estates Second Addition; and

WHEREAS, the final prints have been submitted and conform with the requirements set forth by the Planning Commission. The County Attorney and County Surveyor have approved the plat.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners grants final approval to Lonely Pines Estates Second Addition located in Section 1, Township 51 North, Range 14 West, Town of Rice Lake.

Adopted November 4, 2003. No. 664

WHEREAS, Arthur Nick Asuma, a property owner along a portion of the Iron Junction Road, has requested that the County of St. Louis revoke to the Town of Cherry a segment of the Iron Junction Road.

WHEREAS, this segment is used primarily to access said property owner's land and is not needed for access to other lands.

WHEREAS, this segment is not necessary for County roadway purposes.

WHEREAS, the Town of Cherry conducted a public meeting on January 2, 2003, at the Cherry Town Hall to discuss the revocation.

WHEREAS, the Town of Cherry has indicated that they have no objections with the partial revocation of the road and that they will proceed with vacation hearings upon the County's adoption of this resolution.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Minnesota Statutes 163.11, Subdivision 5, the County of St. Louis revokes its interest in the Iron Junction Road, County Road No. 452, to the Town of Cherry and described as follows: All of that part of the Iron Junction Road which lies

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

387

west of Gerzin Road, County Road 449, and easterly of the west line of Section Twenty-Two (22), Township Fifty-Seven (57), Range Nineteen (19). Said roadway located near the section line common to Sections Fifteen (15) and Twenty-Two (22) of Township Fifty-Seven (57) North, Range Nineteen (19) West of the Fourth Principal Meridian.

Adopted November 4, 2003. No. 665

WHEREAS, Thomas Daniel is the owner of Government Lot Six (6), Section Nine (9), Township Sixty-Three (63) North of Range Seventeen (17) West of the Fourth Principal Meridian; and WHEREAS, there is no access to this property except by water; and

WHEREAS, it would be possible to establish an access road across land owned by the State of Minnesota and tax forfeited land; and

WHEREAS, the State of Minnesota cannot grant easements across state trust lands to individuals, but only to a unit of government.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners hereby authorizes the Public Works Department to apply for an easement for ingress and egress across State of Minnesota land in the South Half of Section 4, Township 63 North, Range 17 West, on behalf of Thomas Daniel the width and centerline of which will be determined in consultation with representatives of the Minnesota Department of Natural Resources and the County Land Department.

RESOLVED FURTHER, that Thomas Daniel will pay the cost of applying for the easement and pay for any additional expenses.

Adopted November 4, 2003. No. 666

WHEREAS, St. Louis County has a number of County roads which would be classified as minimum maintenance roads because of only occasional or intermittent use; and

WHEREAS, St. Louis County Board Resolution No. 449, dated June 11, 1996, provides for designating County roads as minimum maintenance roads pursuant to Minnesota Statute 160.095; and

WHEREAS, the Public Works Department has determined that a portion of County Road No. 446 (Lampi Road), located in Section 25, Township 57 North, Range 19 West (Cherry Township), to be of only occasional or intermittent use.

NOW, THEREFORE, BE IT RESOLVED, that County Road No. 446, from a point 400 feet north of the south line of said Section 25 to the south line of Section 25, Township 57 North, Range 19 West (Cherry Township), is hereby designated as a minimum maintenance road pursuant to Minnesota Statute 160.095.

RESOLVED FURTHER, that the Public Works Department is directed to erect such signs as required by Minnesota Statute 160.095, Subdivision 2.

Adopted November 4, 2003. No. 667

RESOLVED, that pursuant to Minnesota Statutes 349.213, Subdivision 2, the St. Louis County Board of Commissioners hereby approves the following Premises Permit application, on file in the office of the County Auditor, identified as County Board File No. 58051, for the following organization:

Kinney Fire Relief Association to operate out of Wooden Table Inn, Unorganized Township 60-19, new.

Adopted November 4, 2003. No. 668

RESOLVED, the St. Louis County Board of Commissioners accepts the 2003-2004 Minnesota Department of Public Safety Alcohol and Gambling Enforcement Division Grant and authorizes the Sheriff to sign any associated contract documents.

RESOLVED FURTHER, the St. Louis County Board of Commissioners authorizes the Sheriff and appropriate county staff to expend these funds in compliance with the terms of the grant contract.

RESOLVED FURTHER, that the funds will be made payable to and authorizes expenditure of the

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

388

funds from Fund 01-091, ADMN.  
Adopted November 4, 2003. No. 669

RESOLVED, that the St. Louis County Sheriff's Office is hereby authorized to enter into a Maintenance and Support Agreement with Motorola, Inc., of Anaheim, California (Printrak-LiveScan/Seller), in the amount of \$47,315. This agreement will provide St. Louis County (Customer/Buyer) maintenance support services for the period of January 1, 2004, through December 31, 2004, payable from Fund 01, Agency 091, Object Code 299.

RESOLVED FURTHER, that the Chair of the Board, County Auditor, and Sheriff are hereby authorized to execute such documents as are necessary to implement this agreement.  
Adopted November 4, 2004. No. 670

WHEREAS, St. Louis County and the Fond du Lac Band of Lake Superior Chippewa wish to cooperatively share law enforcement resources and personnel in times of emergency; and  
WHEREAS, a law enforcement mutual aid agreement would greatly increase safety for deputies of the Sheriff's Office and Fond du Lac Officers; and

WHEREAS, St. Louis County and the Fond du Lac Band desire to enhance their respective law enforcement officer's ability to respond to criminal acts and emergencies.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners authorizes the Sheriff to enter into a mutual aid agreement with the Fond du Lac Band of Lake Superior Chippewa; and

RESOLVED FURTHER, that this mutual aid agreement be approved as to form and content by the County Attorney.

Adopted November 4, 2003. No. 671

WHEREAS, in 1997, Resolution No. 760, the St. Louis County Board authorized the creation of a county wetland bank; and

WHEREAS, by that same Resolution, the County Board authorized the purchase of the 3.71 acre wetland credits from Robert N. and Mara J. Roningen; and

WHEREAS, the purchase was completed in 2000; and

WHEREAS, the Duluth Seaway Port Authority (Port Authority) has offered to purchase the county wetland credits for \$15,000 for its wetland replacement plan for the expansion of the Duluth Airpark; and

WHEREAS, it is no longer prudent for St. Louis County to purchase or maintain a wetland credit bank.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners authorizes the Planning Director to negotiate an agreement with the Port Authority for a transfer of the Roningen wetland credits for the sum of \$15,000.

BE IT FURTHER RESOLVED, upon approval of the County Attorney's Office, the appropriate county authorities are authorized to execute said agreement.

BE IT FURTHER RESOLVED, funds from the transfer of the wetland credits will be returned to the Natural Resources Block Grant Account for other eligible county expenditures, Fund 01, 021, 239I.

Adopted November 4, 2003. No. 672

WHEREAS, bids have been received by the County Auditor for the following project:

S.A.P. 69-030-07, County Project No. 8259, Steel Plate Beam Guardrail - Various C-SAH Locations in Southern St. Louis County. Project to consist of Steel Plate Beam Guardrail;

WHEREAS, said bids or proposals were duly opened in the County Board Room at 10:00 A.M., October 27, 2003, and this Board has, with the County Highway Engineer, determined the lowest

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

389

bidder of said project for which proposals were invited and submitted; and  
WHEREAS, in the judgment of this Board it is for the best interest of St. Louis County that the award of said contract be made to the lowest bidder.  
NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of St. Louis County, Minnesota, in regular session duly convened, that they hereby approve the award of contract on the above project to the lowest bidder:

<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
H&R Construction Co.	P.O. Box 756 Dalton, MN 56324	\$159,862.00

RESOLVED FURTHER, that the Chairman of the County Board, the County Auditor, and the County Attorney, on behalf of the County of St. Louis, are hereby authorized to approve the Contractor's Performance Bonds and to execute the bonds and contracts with the Contractor for the above listed project; payable from State Aid (Fund 08A, Agency 525, Org. 8259, Object 527).  
Adopted November 4, 2003. No. 673

WHEREAS, the County owns the St. Louis County Heritage and Arts Center (SLCHAC) located in Duluth, Minnesota; and  
WHEREAS, the public benefits from the cultural and educational activities of the SLCHAC; and  
WHEREAS, it is in the public interest to contract with the Historic Union Depot Corporation for coordination of the use and management of the SLCHAC.  
NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners hereby authorizes the Chair of the Board, the County Auditor, and Attorney to execute the contract with the Historic Union Depot Corporation for coordination of the use and management of the St. Louis County Heritage and Arts Center, to be effective upon state approval.  
Adopted November 4, 2003. No. 674

WHEREAS, Minnesota Statutes Section 471.653 requires counties in certain circumstances to share federal payment in lieu of taxes revenue on certain entitlement lands with cities and townships containing more than 60 acres of such lands upon a finding that the local government provides one or more of the enumerated services; and  
WHEREAS, the St. Louis County Board has determined that several of the townships within the county do provide fire protection and/or provide road access to the entitlement lands;  
NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board hereby adopts "PILT Sharing Policy" as described in Board File No. 58152; and  
BE IT FURTHER RESOLVED, that notwithstanding the provisions in the policy, that for the year 2003 PILT payments that the Auditor be directed to notify each eligible city and township of the availability of such funds under the formula and provide a mechanism for each to apply for the funding by November 30, 2003, and for the Auditor to compute the payments due and issue checks to such qualifying entities as soon as possible thereafter.  
Adopted November 4, 2003. No. 675

WHEREAS, Blue Cross Blue Shield of Minnesota (BCBSM) has advised St. Louis County of a projected increase of 18.6 percent in health insurance claims for 2004 over their 2003 projection; and  
WHEREAS, the County Board has reviewed this projection from BCBSM and believes that this percentage increase for 2004 is reasonably accurate and that it would be in a double-digit percentage amount; and  
WHEREAS, there is a reserve fund currently in place that can be utilized for rate stabilization of the plan; and  
WHEREAS, the County Board has given due consideration to the current economic times and the

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

390

County's budget limitations;

NOW, THEREFORE, BE IT RESOLVED, that the 2004 monthly rates for the self-funded Fee-for-Service health coverage are increased 7.5 percent and approved as follows:

	<u>2004 Rate</u>
SINGLE COVERAGE	\$386.47
FAMILY COVERAGE	\$897.60

RESOLVED FURTHER, that the 2004 monthly rates for the self-funded Managed Care health coverage are approved as follows:

	<u>2004 Rate</u>
SINGLE COVERAGE	\$386.47
FAMILY COVERAGE	\$897.60

RESOLVED FURTHER, that the 2004 monthly rates for the retired employees' Fee-for-Service High Option health coverage are approved as presented on Exhibit A;

RESOLVED FURTHER, that the 2004 monthly rates for the retired employees' Fee-for-Service Low Option health coverage are approved as presented on Exhibit B;

RESOLVED FURTHER, that the specific stop loss rate payable to Blue Cross Blue Shield of Minnesota of \$2.64 per contract per month for the St. Louis County self-funded employee and retiree health plan in the year 2004 is accepted;

RESOLVED FURTHER, a monthly rate of \$26.72 for dental insurance in 2004 is hereby adopted;

RESOLVED FURTHER, an administrative service fee with Delta Dental Plan of Minnesota for the period of January 1, 2004, through December 31, 2004, for the administration of the St. Louis County self-funded employee dental plan is set at a rate of \$1.93 per employee per month.

ST. LOUIS COUNTY  
Self-insured Health Plan  
Retiree Group #AS154-07  
NEW RATES EFFECTIVE JANUARY 1, 2004

High Option

<u>Single Subscribers</u>	<u>Code</u>	<u>One Month</u>	<u>Three Months</u>
A. Subscriber/Retiree/Surviving Spouse ONLY, less than 65 years old (or over if not covered by Part A & B Medicare)	S	\$386.47	\$1,159.41
B. Subscriber/Retiree/Surviving Spouse ONLY, covered by Part A only, or Part B only	S	\$386.47	\$1,159.41
C. Subscriber/Retiree/Surviving Spouse ONLY (with both Part and Part B Medicare)	U	\$328.42	\$985.26
<u>Family Subscribers</u>	<u>Code</u>	<u>One Month</u>	<u>Three Months</u>
A. Subscriber/Retiree less than 65 years old			
1. Dependent spouse less than 65	F	\$897.60	\$2,692.80
2. Dependent spouse less than 65 plus dependent child(ren)	F	\$897.60	\$2,692.80
3. Dependent child(ren)	F	\$897.60	\$2,692.80
4. Dependent spouse 65 or older	G	\$714.89	\$2,144.67
5. Dependent spouse 65 or older	I	\$897.60	\$2,692.80

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

391

plus dependent child(ren)

B. Subscriber/Retiree 65 years old or over			
1. Dependent spouse less than 65	J	\$714.89	\$2,144.67
2. With dependent child	K	\$839.55	\$2,518.65
3. With dependent children	L	\$897.60	\$2,692.80
4. Dependent spouse less than 65	N	\$897.60	\$2,692.80
5. Dependent spouse 65 or older	O	\$656.84	\$1,970.52
6. Dependent spouse 65 or older with dependent child	P	\$897.60	\$2,692.80
7. Dependent spouse 65 or older with dependent children	Q	\$897.60	\$2,692.80

EXHIBIT A

ST. LOUIS COUNTY  
Self-insured Health Plan  
Retiree Group #AS154-08  
NEW RATES EFFECTIVE JANUARY 1, 2004

Low Option

<u>Single Subscribers</u>	<u>Code</u>	<u>One Month</u>	<u>Three Months</u>
A. Subscriber/Retiree/Surviving Spouse ONLY, less than 65 years old (or over if not covered by Part A & B Medicare)	S	\$324.91	\$974.73
B. Subscriber/Retiree/Surviving Spouse ONLY, covered by Part A only, or Part B only	S	\$260.87	\$782.61
C. Subscriber/Retiree/Surviving Spouse ONLY (with both Part A and Part B Medicare)	U	\$196.76	\$590.28

<u>Family Subscribers</u>	<u>Code</u>	<u>One Month</u>	<u>Three Months</u>
A. Subscriber/Retiree less than 65 years old			
1. Dependent spouse less than 65	F	\$649.84	\$1,949.52
2. Dependent spouse less than 65 plus dependent child(ren)	F	\$745.24	\$2,235.72
3. Dependent child(ren)	F	\$745.24	\$2,235.72
4. Dependent spouse 65 or older	G	\$521.67	\$1,565.01
5. Dependent spouse 65 or older plus dependent child(ren)	I	\$745.24	\$2,235.72
B. Subscriber/Retiree 65 years old or over			
1. Dependent spouse less than 65	J	\$521.67	\$1,565.01
2. With dependent child	K	\$521.67	\$1,565.01
3. With dependent children	L	\$745.24	\$2,235.72
4. Dependent spouse less than 65 or over, plus dependent children	N	\$745.24	\$2,235.72
5. Dependent spouse 65 or older	O	\$393.52	\$1,180.56
6. Dependent spouse 65 or older with dependent child	P	\$728.19	\$2,184.57

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

392

7. Dependent spouse 65 or older with dependent children	Q	\$745.24	\$2,235.72
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EXHIBIT B

Adopted November 4, 2003. No. 676

WHEREAS, the County has experienced increasing health insurance costs and is interested in pursuing options to decrease health care costs while increasing the well-being and health of its employees; and

WHEREAS, the BluePrint for Health, Care Support program provides phone-based nurse support to individuals and their doctors for certain health conditions and chronic diseases; and

WHEREAS, the BluePrint for Health, Care Support program has the following objectives: improved members' health, improved member and physician satisfaction, lower health care utilization, better adherence to standards of care, and lower health care costs.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners hereby authorizes the St. Louis County Attorney to execute agreements as necessary to implement the BluePrint for Health, Care Support program.

RESOLVED FURTHER, fees associated with the program shall be paid out of the Health Insurance Fund, Fund 52D, Dept P17.

Adopted November 4, 2003. No. 677

RESOLVED, that the St. Louis County Board of Commissioners will convene a public hearing at 9:40 A.M. on Tuesday, November 18, 2003, Courthouse, Duluth, Minnesota, to consider the adoption of the fee schedule for various County departments for the year 2004.

Adopted November 4, 2003. No. 678

WHEREAS, the City of Mt. Iron is requesting \$45,000 in CDBG funding to undertake an Inflow and Infiltration Program (I & I), which would benefit low and moderate-income homeowners with construction costs required to separate storm water and sanitary sewers in their homes; and

WHEREAS, funding is available through the CDBG Inflow and Infiltration Program set-aside approved February 7, 1995, by County Board Resolution 118.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners authorizes the County Planning Director and a representative of the County Attorney to execute a grant agreement with Mt. Iron for \$45,000, payable from CDBG Fund 12.

Adopted November 4, 2003. No. 679

WHEREAS, the St. Louis County Board of Commissioners appoints citizens to serve on the CDBG Citizen Advisory Committee, Board of Adjustment and Planning Commission; and

WHEREAS, several current citizen members have requested to serve another term on their respective boards; and

WHEREAS, there are vacancies on these boards which need to be filled through an advertised application process.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners reappoints the following citizens to their respective boards with terms expiring December 31, 2006:

CDBG Citizen Advisory Committee:

Stephen Anderson (At Large)

Board of Adjustment

Stanley Hendrickson (Chisholm)

Planning Commission:

Julia Maki (Embarrass)

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

393

Gunnar Johnson (Gnesen)  
Paula Bloczynski (Greenwood)

BE IT FURTHER RESOLVED, that the Auditor advertise and accept applications until December 1, 2003, for vacant positions on the CDBG Citizen Advisory Committee, Planning Commission and the Board of Adjustment.  
Adopted November 4, 2003. No. 680

**BY COMMISSIONER RAUKAR:**

WHEREAS, Title I of the Housing and Community Development Act of 1974, as amended, establishes a Community Development Program (CDBG) for the purpose of developing viable urban communities by providing decent housing and a suitable living environment and expanding economic opportunities and preventing and eliminating conditions of slums and blight, principally for persons of low and moderate income; and

WHEREAS, Title II of the Affordable Housing Act of 1990, as amended, establishes a Housing Program (HOME) for purposes of expanding the supply of affordable housing units for very-low and low-income families and to promote the involvement of private nonprofit organizations in sponsoring and developing affordable housing projects; and

WHEREAS, Subtitle B of Title IV of McKinney Homeless Assistance Act of 1987, as amended, establishes a Emergency Shelter Grant Program (ESG) for purposes of improving the quality of emergency shelters, to assist in the costs of operations of shelters and transitional housing and in the provision of essential social services to homeless individuals; and

WHEREAS, the Secretary of Housing and Urban Development (HUD) is authorized to make grants to cities and counties to finance local CDBG, HOME and ESG Programs, submitted and approved in accordance with the Consolidated Plan regulations; and

WHEREAS, the St. Louis County Board desires to continue to carry out the *Consolidated Plan 2000-2004* of HUD entitlement programs, including CDBG, HOME, and ESG.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Director is authorized to prepare and submit the *FY 2004 Action Plan* and amendments thereto, and all assurances and understandings contained therein, to the United States Department of Housing and Urban Development for those projects and corresponding levels as set forth in the plan on file with the clerk of the board, and to act in connection with its submission and to provide such additional information as may be required.

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

394

**ST. LOUIS COUNTY FY 2004 ACTION PLAN**

**FY 2004 CDBG PROGRAM - ST. LOUIS COUNTY**

	Priority Community Development Need	* Relative Priority Need Level	** Objective	Amount
<b>HOUSING</b>				
AEOA Homeownership Assistance Program	Housing	H	a	65,000
AEOA Single Family Housing Rehabilitation Program	Housing	H	a	550,000
<i>Subtotal</i>				<b>615,000</b>
<b>ECONOMIC DEVELOPMENT</b>				
Northeast Entrepreneur Fund - Microenterprise and Small Business Development	Economic Development	M	c	75,000
St. Louis County Economic Development Set-Aside	Economic Development	M	c	325,000
<i>Subtotal</i>				<b>400,000</b>
<b>PHYSICAL IMPROVEMENT</b>				
Aurora Water Treatment Plant Improvements	Other - Public Facility Needs	H	b	140,000
Biwabik Sewer/Water Improvements	Infrastructure	H	b	185,000
Buhl Sewer/Water Improvements	Infrastructure	H	b	130,000
Cook Storm Sewer Improvements	Infrastructure	H	b	325,000
Ely Recreation Improvements	Other – Public Facility Needs	M	b	56,000
Embarrass Township Historic Finnish Homes Restoration	Public Facility Non-Res Historic Preservation	M	b	48,000
Eveleth Sanitary Sewer Improvements	Infrastructure	H	b	150,000

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

395

Floodwood Services & Training Facility Improvements	Other - Public Facility Needs	H	b	16,000
Hibbing Sewer Improvements	Infrastructure	H	b	145,000
Meadowlands Water Tower Demolition	Infrastructure	M	b	10,000
Tower Recreation Improvements	Other - Public Facility Needs	M	b	20,000
Virginia Recreation Improvements	Other - Public Facility Needs	M	b	20,000
White Township Water Improvements	Infrastructure	H	b	90,000
<b>Subtotal</b>				<b>1,335,000</b>
<b>PUBLIC SERVICE</b>				
AEOA Homeless/Shelter Operations	Other Public Service Needs (Homeless)	H	b	38,000
AEOA Raising Our Children's Kids (ROCK)	Other Public Service Needs	H	b	10,000
Legal Aid Housing Counseling, Information & Litigation Project	Other Public Service Needs	H	b	45,000
Life House - Proctor House	Other Public Service Needs (Homeless)	H	b	20,000
Project SOAR Career Development & Self Employment Training	Public Service Needs Employment Training	M	b	15,000
Range Transitional Housing	Other Public Service Needs (Homeless)	H	b	35,000
Range Women's Advocates Children's Program	Other Public Service Needs	H	b	22,000
Salvation Army - Northern St. Louis County Money Management Program	Other Public Service Needs	H	b	15,000
Salvation Army - Hibbing Melting Pot Meals Program	Other Public Service Needs	H	b	12,000

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

396

Salvation Army - Virginia Supper Club	Other Public Service Needs	H	b	15,000
Sexual Assault Outreach Services	Other Public Service Needs	H	b	23,000
<b>Subtotal</b>				<b>250,000</b>

**FY 2004 CDBG PROGRAM - ST. LOUIS COUNTY**

	Priority Community Development Need	* Relative Priority Need Level	** Objective	Amount
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**ADMINISTRATION and PLANNING**

Administration and Planning	Plan/Admin.	H	NA	370,000
<b>Subtotal</b>				<b>370,000</b>

<b>TOTAL FY 2004 CDBG PROGRAM:</b>				
Housing				615,000
Economic Development				400,000
Physical Improvements				1,335,000
Public Service				250,000
Administration and Planning				370,000
<b>TOTAL</b>				<b>2,970,000</b>

**FY 2004 HOME PROGRAM - NORTHEAST MINNESOTA HOME CONSORTIUM**

HOME PROGRAM CATEGORIES	Priority Community Development Need	* Relative Priority Need Level	** Objective	Total
Home Ownership Assistance Program	Housing	H	a	325,000
Housing Development Fund	Housing	H	a	163,000
CHDO Set-Aside Projects	Housing	H	a	175,000
CHDO Operating Expense	Other	H	a	14,000
Administration	Plan/Admin.	H	NA	75,000
<b>TOTAL FY 2004 HOME PROGRAM</b>				<b>752,000</b>

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

397

<b><i>FY 2004 ESG PROGRAM - ST. LOUIS COUNTY</i></b>				
<b>E S G P R O G R A M C A T E G O R I E S</b>	<b>Priority Community Development Need</b>	<b>* Relative Priority Need Level</b>	<b>** Objective</b>	<b>Total</b>
Operations Homeless Shelters	Homeless	H	b	46,900
Essential Services	Homeless	H	b	28,350
Homeless Prevention	Homeless	H	b	30,775
Administration	Plan/Admin.	H	NA	3,975
<b><i>TOTAL FY 2004 ESG PROGRAM</i></b>				<b>110,000</b>
<p><b>* Relative Priority Need Level</b>                      H - High                      M - Medium                      L - Low</p> <p><b>** Specific Objectives</b>                      a. Preserve and expand the supply of affordable housing through rehabilitation and home ownership opportunities.                      b. Create viable communities through infrastructure and accessibility improvements, and provision of community services.                      c. Expand economic opportunities through increased employment opportunities and an increased tax base.</p>				
<b><i>PROGRAM SUMMARY</i></b>				
<i>TOTAL FY 2004 CDBG PROGRAM</i>				2,970,000
<i>TOTAL FY 2004 HOME PROGRAM</i>				752,000
<i>TOTAL FY 2004 ESG PROGRAM</i>				110,000
<i>CDBG &amp; HOME - FY 2004 Estimated Program Income</i>				<u>250,000</u>
<b>TOTAL FY 2004 ACTION PLAN FOR ST. LOUIS COUNTY AND CONSORTIUM</b>				<b>4,082,000</b>

***FY 2004 ACTION PLAN - HUD CPD FUNDING SOURCES***

The County anticipates receiving the following HUD CPD funds in FY 2004:

<b><u>HUD CPD FUNDING SOURCES</u></b>	<b><u>ESTIMATED AMOUNTS</u></b>
<i>TOTAL 2004 CDBG Allocation</i>	2,970,000
<i>CDBG and HOME - FY 2004 Estimated Program Income</i>	250,000
<i>Reprogrammed CDBG Funds</i>	250,000
<i>FY 2004 HOME Allocation</i>	752,000
<i>FY 2004 ESG Allocation</i>	<u>110,000</u>
<b>TOTAL FUNDS FOR FY 2004 ACTION PLAN ST. LOUIS COUNTY AND CONSORTIUM</b>	<b>4,332,000</b>

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

398

Unanimously adopted. November 4, 2003. No. 681

**RESOLUTION STATING THE INTENT TO  
ISSUE \$10,200,000 GENERAL OBLIGATION  
CAPITAL IMPROVEMENT BONDS, SERIES 2003**

BE IT RESOLVED, by the Board of Commissioners (the "Board") of St. Louis County, Minnesota (the "County"), as follows:

Section 1. Authority. Under and pursuant to the authority contained in Minnesota Statutes, Section 373.40, and Minnesota Statutes, Chapter 475 (collectively the "Act"), the County is authorized to issue capital improvement bonds to provide funds for capital improvements pursuant to a Capital Improvement Plan approved by the Board on June 24, 2003 (the "Plan").

Section 2. The Bonds. The Board hereby finds and determines that it is necessary, expedient, and in the best interests of the County's residents that the County issue, sell and deliver its General Obligation Capital Improvement Bonds, Series 2003 (the "Bonds"), in an amount not to exceed \$10,200,000, for the purpose of providing funds for the following capital improvements under the Plan:

- (a) Courthouse Improvements -- including the Duluth Courthouse HVAC upgrades, Phase II;
- (b) Administrative Building Improvements -- including:
  - (i) Duluth Government Services Center HVAC replacement and roof repair; and
  - (ii) the Hibbing Annex Building remodeling;
- (c) Health and Social Services Facilities Improvements -- including:
  - (i) Chris Jensen Home capital repairs and improvements; and
  - (ii) Nopeming Nursing Home abandoned building hazardous material abatement;
- (d) Road and Bridge Improvements -- including Duluth motor pool facility repairs and improvements; and
- (e) Jail Improvements -- including the deconstruction of the old jail in downtown Duluth.

Section 3. Notice to Voters: Referendum.

A. Notice. The County Auditor shall publish a notice of intent to issue capital improvement bonds in substantially the form attached hereto as Exhibit A as soon as practicable following the public hearing in the official newspaper of the County.

B. Referendum. If, within 30 days after November 4, 2003, a petition is filed with the County Auditor calling for a vote on the proposition of issuing the Bonds, signed by voters residing within the boundaries of the County equal to five (5) percent of the votes cast in the County in the last general election, the Bonds shall not be issued until the question of their issuance has been authorized by a majority of the voters voting on the question at the next general or special election called to decide the question.

**EXHIBIT A**

**NOTICE OF INTENT TO ISSUE CAPITAL IMPROVEMENT BONDS  
PURSUANT TO MINNESOTA STATUTES, SECTION 373.40,  
BY ST. LOUIS COUNTY, MINNESOTA**

NOTICE IS HEREBY GIVEN that under and pursuant to the authority contained in Minnesota Statutes, Section 373.40, and Minnesota Statutes, Chapter 475, the Board of Commissioners of St.

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

399

Louis County, Minnesota (the "Board"), is authorized to issue general obligation capital improvement bonds to provide funds for capital improvements pursuant to a Capital Improvement Plan approved by the Board on June 24, 2003 (the "Plan"). The Board by resolution adopted November 4, 2003 (the "Resolution"), determined that it is necessary, expedient, and in the best interests of the County's residents that the County issue, sell and deliver its general obligation capital improvement bonds (the "Bonds") in an amount not to exceed \$10,200,000 to provide funds for the following capital improvements under the Plan:

- (a) Courthouse Improvements -- including the Duluth Courthouse HVAC upgrades, Phase II;
- (b) Administrative Building Improvements -- including:
  - (i) Duluth Government Services Center HVAC replacement and roof repair; and
  - (ii) the Hibbing Annex Building remodeling;
- (c) Health and Social Services Facilities Improvements -- including:
  - (i) Chris Jensen Home capital repairs and improvements; and
  - (ii) Nopeming Nursing Home abandoned building hazardous material abatement;
- (d) Road and Bridge Improvements -- including Duluth motor pool facility repairs and improvements; and
- (e) Jail Improvements -- including the deconstruction of the old jail in downtown Duluth.

If, within 30 days after November 4, 2003, a petition is filed with the County Auditor calling for a vote on the proposition of issuing the Bonds, signed by voters residing within the boundaries of the County equal to five (5) percent of the votes cast in the County in the last general election, the Bonds shall not be issued until the question of their issuance has been authorized by a majority of the voters voting on the question at the next general or special election called to decide the question.

BY ORDER OF THE BOARD OF COUNTY COMMISSIONERS  
OF ST. LOUIS COUNTY, MINNESOTA

/s/ Gordon McFaul, County Auditor

Yeas - Commissioners Kron, Forsman, Sweeney, Nelson, and Raukar - 5

Nays - Commissioner Fay and Chair Fink - 2

Adopted November 4, 2003. No. 682

**BY COMMISSIONER FAY:**

WHEREAS, the St. Louis County Extension Service has been leasing 3,548 square feet of office space in the old Central High School from Independent School District (I.S.D.) 709 since January 1, 2002; and

WHEREAS, the Extension Service requested use of two additional storage areas and a classroom in addition to their leased space; and

WHEREAS, the Extension Service had not received County Board approval for leasing the additional spaces, but occupied the additional space from October, 2002; and

WHEREAS, after review, the St. Louis County Attorney has recommended payment of certain fees demanded by I.S.D. 709 for this additional space.

BE IT RESOLVED, the St. Louis County Board of Commissioners authorizes the County Auditor to pay I.S.D. 709 the amount of \$8,698.86 for rental space, payable from Extension Services Fund 131, Agency 131, Organization 342.

Unanimously adopted. November 4, 2003. No. 683

WHEREAS, the University of Minnesota has reorganized the delivery of Minnesota Extension

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

400

Services within the State and has regional centers in Cloquet and Grand Rapids; and  
WHEREAS, Extension Services will be delivered regionally through the regional centers, with counties having the option to purchase services from the University of Minnesota tailored to the needs of their county; and  
WHEREAS, the St. Louis County Extension Committee has been meeting to discuss and recommend the services to be delivered specific to St. Louis County; and  
WHEREAS, the County Administrator's Office supervises the County clerical staff at the County Extension offices in Virginia and Duluth; and  
WHEREAS, the University of Minnesota shall provide programmatic staff as outlined in memorandum of agreements.  
NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners hereby authorizes the appropriate County officials to execute the memorandums of agreement with the University of Minnesota for extension services.  
RESOLVED FURTHER, payment for horticultural and 4-H services shall be paid from Fund 131 Extension Service, Department 131 Extension Service, Object 299 Professional Services, and payment for youth task force services shall be paid from Fund 131 Extension Service, Department 133 Youth Task Force, Object 299 Professional Services.  
Unanimously adopted. November 4, 2003. No. 684

**BY COMMISSIONER KRON:**

WHEREAS, the Trunk Highway 53 Task Force, which was formed to provide support for improvements to Trunk Highway 53 between Virginia and International Falls, has chosen to hire Sante Esposito, of E. Del Smith and Company, Inc., to lobby for Federal Highway funding in Washington, D.C.; and  
WHEREAS, the St. Louis County Board of Commissioners has been requested by the Trunk Highway 53 Task Force to contribute \$2,000 toward the lobbying effort to secure funding for project priorities as named by the Task Force, with a similar amount from Virginia, International Falls, and Koochiching County for a total pool of \$8,000.  
NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners agrees to contribute up to \$2,000 toward the purchase of services for lobbying from E. Del Smith and Company, Inc., and any necessary expenses that incur in this effort to obtain Federal Highway Funds to accomplish the needed improvements to Trunk Highway 53.  
RESOLVED FURTHER, that this money will be provided in a proportionate share with the other participating entities from Fund 01, Agency 016, Object 299, upon appropriate billing and documentation of actual expenditures.  
Unanimously adopted. November 4, 2003. No. 685

Upon motion of Commissioner Fay, supported by Commissioner Sweeney, Resolutions No. 686 through 698, which were approved at the Committee of the Whole meeting this date, were brought forth to this meeting as a second Consent Agenda and were unanimously adopted as follows:

**BY COMMISSIONER FAY:**

RESOLVED, that the St. Louis County Board of Commissioners authorizes the Chris Jensen Health and Rehabilitation Center to accept a grant of PMAP/PGAMC Funds from the Minnesota Department of Health in the amount of \$75,430.40 and use it to pay its operating expenses.  
RESOLVED FURTHER, to increase 2003 revenue by \$75,430.40.  
Budget Reference:  
Fund 64A, Agency N71  
Revenue Source 8301  
Adopted November 4, 2003. No. 686

WHEREAS, the St. Louis County Planning Commission approved the preliminary plat of Harris Bay

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

401

as a three phase project on April 12, 2001; and

WHEREAS, the final prints for the plat of Second Addition to Harris Bay have been submitted, and all necessary County Departments have approved the plat.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners grants final plat approval to Second Addition to Harris Bay located within the S 1/2 of the SW 1/4, Section 28, the SE 1/4 of the SE 1/4, Section 29, the W 1/2 of the NE 1/4, the N 1/2 of the NW 1/4, the NE 1/4 of the SW 1/4, the NE 1/4 of the NE 1/4, Section 32, and the NW 1/4 of the NW 1/4, Section 33, all in Town 56 North, Range 14 West (unorganized).

Adopted November 4, 2003. No. 687

WHEREAS, the St. Louis County Planning Commission approved the preliminary plat of Harris Bay as a three phase project on April 12, 2001; and

WHEREAS, the final prints for the plat of First Addition to Harris Bay have been submitted, and all necessary County Departments have approved the plat.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners grants final plat approval to First Addition to Harris Bay located within Government Lots 1 and 2, Section 5, Town 55 North, Range 14 West, and the W 1/2 of the SE 1/4, Section 32, Town 56 North, Range 14 West.

Adopted November 4, 2003. No. 688

WHEREAS, under the provisions of Minnesota Statutes 282.241, State Tax Forfeited land may be repurchased by the previous owner subject to payment of taxes and/or assessments and penalties, interest and costs; and

WHEREAS, John Ciurleo, has applied to repurchase the following parcel located at 5088 Maple Grove Road: Plat/Parcel Code: 395-10-6190; City of Hermantown, West 1/2 of NW 1/4 of NW 1/4, except Northerly 320 feet of Westerly 330 feet, Section 23, Township 50 North, Range 15 West;

WHEREAS, John Ciurleo is the owner of record prior to forfeiture and is eligible to repurchase this property; and

WHEREAS, approving the repurchase will correct undo hardship and promote the use of lands that will best serve the public interest;

NOW, THEREFORE, BE IT RESOLVED, that the repurchase application of John Ciurleo, on file in County Board File No. 58018, is approved for the property described above, and will be subject to payment including taxes and assessments of \$9243.85, a Repurchase Filing Fee of \$114.00, a Deed Tax of \$29.93, a Deed Fee of \$25.00, and a Recording Fee of \$20.00; for a total of \$9432.78.

Adopted November 4, 2003. No. 689

WHEREAS, tax forfeited land cannot be sold at a non-public sale without enabling legislation from the State of Minnesota Legislature; and

WHEREAS, St. Louis County's best interest would be served from a land management and economic viewpoint if certain lands were in private ownership.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board supports the necessary legislation enabling the sale of the following lands to Minnesota Power for their appraised value and in a manner otherwise provided for by Minnesota Statute 282.01:

1. Part of SE 1/4 of SE 1/4 lying within 33 ft on each side of a line comm at E 1/4 cor of sec thence W'yly on E-W 1/4 line with an assumed azimuth of 269 degrees 06 minutes 51 seconds 384.05 ft thence at an azimuth of 204 degrees 41 minutes 21 seconds 1179.68 ft thence at an azimuth of 205 degrees 41 minutes 50 seconds 288 ft to N line of forty & the point of beg thence continue on previous azimuth 660 ft to W line of forty, Section 11, T51N, R15W;

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

402

2. NW1/4 of NE 1/4 ex part lying E of a line 33 ft E'ly of a line beg on N line at an azimuth of 269 degrees 6 minutes 49 seconds 361.54 ft from NE cor thence at an azimuth of 205 degrees 41 minutes 0 seconds 1217.71 ft thence at an azimuth of 128 degrees 43 minutes 18 seconds 362 ft to S line & ex part lying W of a line which is 33 ft W of above described line, Section 14, T51N, R15W;
3. That part of NE 1/4 of SE 1/4 lying within 33 ft E'ly and 33 ft W'ly of following desc line comm at E quarter cor of Sect 11 thence W'ly on E-W quarter line which has an assumed azimuth(0 degrees N) of 269 degrees 6 minutes 51 seconds for 384.05 ft to pt of beg of desc line thence at an azimuth of 204 degrees 41 minutes 21 seconds for 1179.68 ft thence at an azimuth of 205 degrees 41 minutes 50 seconds for 288 ft to S line of forty, Section 11, T51N, R15W.

BE IT FURTHER RESOLVED, that the St. Louis County Board supports the necessary legislation enabling the sale of the following lands to US Steel for their appraised value and in a manner otherwise provided for by Minnesota Statute 282.01:

4. NW 1/4, SE 1/4, Section 34, T59N, R18W (17/32 undivided interest).
5. NE 1/4, SE 1/4, Section 34, T59N, R18W
6. NE 1/4, SW 1/4, Section 34, T59N, R18W
7. SE 1/4, NW 1/4, Section 34, T59N, R18W

BE IT FURTHER RESOLVED, that the St. Louis County Board supports the necessary legislation enabling the sale of the following lands to the Wilderness Wind Church for their appraised value and in a manner otherwise provided for by Minnesota Statute 282.01:

8. The Easterly 240.00 feet of the Southerly 380.00 feet of the Northwest one-quarter of the Northeast one-quarter of Section 4, Township 62 North, Range 13 West of the fourth principal meridian, St. Louis County, Minnesota. This parcel contains 2.08 acres more or less.
9. The Westerly 360.00 feet of the Southerly 380.00 feet of the Northeast one-quarter of the Northeast one-quarter of Section 4, Township 62 North, Range 13 West of the fourth principal meridian, St. Louis County, Minnesota. This parcel contains 3.14 acres more or less.

Adopted November 4, 2003. No. 690

WHEREAS, tax forfeited land on public waters containing greater than 150 feet of water frontage cannot be sold without enabling legislation from the State of Minnesota Legislature; and  
WHEREAS, St. Louis County's best interest would be served from a land management and economic viewpoint if the following lands were private:

1. NE 1/4 of SW 1/4, Section 19, T52N, R20W;
2. NE 1/4 of NE 1/4 and NW 1/4 of NE 1/4 ex part W'ly of centerline of County Rd #44, Section 22, T56N, R12W;
3. That part of NE 1/4 of SE 1/4 lying S of Floodwood River, Section 19, T52N, R20W;
4. NW 1/4 of SE 1/4 ex W 1/2 and E 165 ft of W 1/2 of NW 1/4 of SE 1/4, Section 5, T51N, R13W;
5. NE 1/4 of SW 1/4 inc E 1/2 of NW 1/4 of SW 1/4, Section 32, T52N, R14W;
6. That part of SW 1/4 of SE 1/4 lying W of County Rd ex S'ly 2 ac, Section 21, T56N, R18W;
7. Lot 7 ex part lying S and E of centerline of Co Rd #609, Section 1, T56N, R16W;

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

403

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board supports the necessary legislation enabling the sale of these tax forfeited lands at public auction for their appraised value and in a manner otherwise provided for by Minnesota Statute 282.01.

Adopted November 4, 2003. No. 691

WHEREAS, the County of St. Louis has in the past sponsored Federal Enhancement for various cities, townships and organized groups; and  
WHEREAS, cities under 5000 in population need a sponsor; and  
WHEREAS, the listed projects merit sponsorship by St. Louis County; and  
WHEREAS, the listed projects do not require funding or maintenance by St. Louis County;  
NOW, THEREFORE, BE IT RESOLVED, that the County of St. Louis shall agree to sponsor the listed projects for the purpose of securing TEA - 21 funding; and  
BE IT FURTHER RESOLVED, that the County of St. Louis shall provide assistance on a limited basis to assure the success of the following projects:

1. Mesabi Trail: TH 135 to Embarrass, by St. Louis and Lake Counties Regional Railroad Authority;
2. Mesabi Trail: Bearhead State Park to Highway 1/169, by St. Louis and Lake Counties Regional Railroad Authority;
3. Original Townsite Streetscape and Locomotive Park Enhancement: Main Street and Mountain Ave., by the City of Mountain Iron.

Adopted November 4, 2003. No. 692

RESOLVED, that the necessary County officials are hereby authorized to execute the following agreements:

St. Louis County Attorney with Arrowhead Regional Corrections for legal services in the amount of \$45,000, the agreement contained in Contract File No. 03-827 and that said funds will be reimbursed to the St. Louis County Attorney's Office, Fund 01, Agency 031.

St. Louis County Attorney with the St. Louis County Housing and Redevelopment Authority for legal services in the amount of \$40,000, the agreement contained in Contract File No. 03-828 to be reimbursed to the St. Louis County Attorney's Office, Fund 01, Agency 031.

St. Louis County Civil Service Commission with Arrowhead Regional Corrections for personnel services in the amount of \$55,700, the agreement contained in Contract File No. 03-829 and that said funds will be reimbursed to the St. Louis County Civil Service Department, Fund 01, Agency 063.

St. Louis County Auditor with Arrowhead Regional Corrections for fiscal services in the amount of \$140,000, the agreement contained in Contract File No. 03-830 and that said funds will be reimbursed to the St. Louis County Auditor's Office, Fund 01, Agency 051.

Adopted November 4, 2003. No. 693

WHEREAS, on January 24, 2003, St. Louis County assumed the operation of the St. Louis County Heritage & Arts Center (The Depot); and

WHEREAS, *Oneida Realty Company of Duluth* was retained by the County to provide a variety of services relating to Depot day to day operations; and

WHEREAS, the services provided by *Oneida Realty* for the Depot operations have been performed month to month without a formal contract, awaiting the execution of the Historic Union Depot (H.U.D.) Agreement with the County.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board authorizes the appropriate County officials to enter into an agreement with *Oneida Realty Company of Duluth* for professional services at The Depot from June 1, 2003, through December 31, 2005, at a cost of \$10,835 monthly

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

404

(\$130,020 annually). Funds are available from Fund 01, Agency 081, Organization DEPO.  
Adopted November 4, 2003. No. 694

WHEREAS, the elected officials of St. Louis County wish to participate in a Post-Retirement Health Care Savings Plan ("Plan") as authorized by the Internal Revenue Code and Minnesota Statutes Section 352.98; and

WHEREAS, Minnesota Statutes Section 352.98 provides that participation in a Plan may be determined through a personnel policy of the County.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board hereby approves the St. Louis County Policy adopting a Post-Retirement Health Care Savings Plan for the elected officials, a copy of which is on file in Contract File No. 03-831, effective December 1, 2003.

Adopted November 4, 2003. No. 695

RESOLVED, that the St. Louis County Board of Commissioners authorizes the St. Louis County Sheriff's Office to accept the Bureau of Justice Assistance, State Criminal Alien Assistance Program Grant in the amount of \$2,027.00.

RESOLVED FURTHER, that the St. Louis County Board of Commissioners authorizes the Sheriff and appropriate County staff to execute any necessary agreements.

RESOLVED FURTHER, that revenues from this grant shall be allocated to Fund 01, Agency 101.

Adopted November 4, 2003. No. 696

RESOLVED, that the St. Louis County Board hereby authorizes the execution of a contract by the Chair of the County Board and the County Auditor for the provision of fiscal services to the Carlton-Cook-Lake-St. Louis County Community Health Board for a total revenue of \$5,500 for the year 2004.

RESOLVED FURTHER, that said payment shall be credited to Fund 01 (General Fund), Agency 051 (Auditor), Revenue Source 2000.

Adopted November 4, 2003. No. 697

WHEREAS, the St. Louis County Purchasing Department solicited proposals for Rehabilitation Services at Chris Jensen Health and Rehabilitation Center; and

WHEREAS, Health Dimensions Rehabilitation (HDR), 1994 East Rum River Drive South, Cambridge, MN 55008, submitted the proposal receiving the highest overall score.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners authorizes the execution of a contract with Health Dimensions Rehabilitation for Chris Jensen Health & Rehabilitation Center, based on the fixed prices submitted from their Request for Proposal, for a one-year period, with the option of extending the contract for up to two additional one-year periods contingent on approval of the contract by the County Attorney's Office at the approved contract rates contained in Contract File No. 03-832, payable from Fund 64A, Agency N71.

Adopted November 4, 2003. No. 698

**BY COMMISSIONER KRON:**

WHEREAS, David Twa was appointed as County Administrator in 1999 and has performed his duties with professionalism, dedication, and excellence; and

WHEREAS, the County Board received a board memo from Mr. Twa indicating his intent to resign effective November 14, 2003; and

WHEREAS, circumstances beyond the control of Mr. Twa have occurred which have caused him to question his resignation.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners hereby accepts a modification of Mr. Twa's resignation date and delays implementation of previous Board resolutions pertaining to an Interim County Administrator and to a Deputy County Administrator to November 28, 2003.

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

405

Unanimously adopted. November 4, 2003. No. 699

At 4:02 P.M. on Tuesday, November 4, 2003, upon motion of Commissioner Fay, supported by Commissioner Forsman, the Board of County Commissioners adjourned.

Dennis Fink, Chair of the Board  
of County Commissioners

Attest:  
Gordon D. McFaul, County Auditor  
and Ex-Officio Clerk of the Board  
of County Commissioners

(Seal of the County Auditor)

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

406

**OFFICIAL PROCEEDINGS OF THE MEETING  
OF THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF ST. LOUIS, MINNESOTA,  
HELD ON NOVEMBER 18, 2003**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 18th day of November, 2003, at 9:32 A.M. in the County Board Room, Courthouse, Duluth, Minnesota. The meeting was called to order by the Chair with the following members present: Commissioners Joanne Fay, Bill Kron, Mike Forsman, Keith Nelson, Steve Raukar, and Chair Dennis Fink - 6. Absent: Commissioner Peg Sweeney - 1.

Chair Fink began the meeting by sharing a few historical facts about Minnesota.

At 9:36 A.M., written proposals were considered for purchase of the Morris Thomas Road Public Works Facility in Duluth. Three proposals were received: (1) James Bechthold, Duluth, \$111,800; (2) Rock Hill Fire Corp., Duluth, \$102,500; and, (3) Stauber Properties, \$111,000. The following persons addressed the sale issue:

Tony Mancuso, Property Manager, described the bids and any contingencies included.

James Bechthold, Duluth, said his bid was contingent on forty days to secure financing for the purchase. Mr. Bechthold plans to use the facility for an automobile repair shop.

Brad Peterson, Rock Hill Fire Corp., said his private firefighting company would use the building for equipment storage.

John Cartier, Realtor representing Rock Hill Fire Corp., said the property could be developed into four or five home sites in addition to the fire equipment storage facility.

Marcus Hall, Public Works Director, in response to questions from Commissioners, said the empty fuel storage tank will be removed and he was unaware of any hazardous materials on the property.

The third bidder, Stauber Properties, did not have a representative present.

After some discussion, Rock Hill Fire Corp., withdrew their contingencies concerning special use permits from the City of Duluth and removal of any hazardous materials by the County. Alan Mitchell, County Attorney, in response to a question from Commissioner Fay, said the process does allow for adjustments that are not a material change to a proposal. Commissioner Nelson, supported by Commissioner Forsman, moved the following:

1. Acceptance of the James Bechthold proposal contingent on his securing financing within forty business days from November 18;
2. If Mr. Bechthold is unable to close the sale within forty business days, the proposal of Rock Hill Fire Corp. would be accepted contingent on a thirty business day closing;
3. If Rock Hill Fire Corp. is no longer interested in the property or unable to complete the purchase within thirty business days, Property Management is directed to begin the process of obtaining a real estate broker to dispose of the property.

At the request of Gordon D. McFaul, County Auditor, the makers amended the motion to direct the proceeds of the sale to Public Works Fund 02. After brief discussion, the makers amended the motion again to require Public Works to remove the empty fuel tank prior to a new owner taking possession of the property. Commissioner Fay asked for a division of the question with acceptance of the Bechthold proposal considered separately. After further discussion the Bechthold proposal was accepted; six yeas - zero nays. The remainder of the motion was then approved; six yeas - zero

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

407

nays. Resolution No. 705.

At 10:31 A.M., a public hearing was convened pursuant to County Board Resolution No. 678, adopted November 4, 2003, to consider adoption of a fee schedule for various County departments for the year 2004. The following persons addressed the issue:

Gary Eckenberg, Interim Deputy County Administrator, explained what fees are included in the schedule and he outlined changes from 2003.

Ted Troolin, Solid Waste Director, detailed increases in various solid waste fees.

Charles Bergquist, Sheriff's Office, described Sheriff fees for next year. In response to a question from Commissioner Fay, Deputy Bergquist said the \$45 fee for processing orders for protection was in error and should be deleted from the fee list. Commissioner Nelson asked the Sheriff's Office to disseminate information about the new \$25 Water Event Permit fee.

No one else chose to address the issue.

At 10:59 A.M., Commissioner Fay, supported by Commissioner Raukar, moved to close the hearing; six yeas - zero nays. Commissioner Fay, supported by Commissioner Nelson, moved to approve the proposed fee schedule with the Sheriff's order for protection fee removed; six yeas - zero nays. Resolution No. 706.

Chair Fink opened the meeting to persons who wanted to address the Board concerning issues not on the agenda, but no one chose to do so.

Commissioner Raukar moved to approve a resolution setting the official terms of offering for issuance of \$10 million in capital improvement bonds, but the motion died without a support.

Commissioner Raukar, supported by Commissioner Kron, moved to approve a resolution providing for a levy reduction to the debt service fund of the Jail Refundment Bonds. After brief discussion, the maker withdrew his motion.

Commissioner Raukar, supported by Commissioner Nelson, moved a resolution approving official terms of offering for issuance of a Refunding Bond, Arrowhead Juvenile Center. After brief discussion, the maker withdrew his motion.

Commissioner Raukar, supported by Commissioner Kron, then moved the original resolution approving the official terms of offering for the \$10 million capital improvement bonds. The following persons addressed the issue:

Kathy Kardell, County financial consultant, said interest rates are still favorable.

Gordon D. McFaul, County Auditor, said the County Internal Investment Committee met and recommended cutting \$200,000 from the original bond proposal and going with a fifteen-year term because of lower annual debt payments. Savings from the two refunding bond resolutions would help pay the new bond costs.

Bob Toftey, Attorney and bond counsel for the County, explained that a supermajority (five yeas) is needed at the time of bond sale and he warned that the County's reputation in the bond market would be damaged if the sale is canceled after bids are received.

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

408

After lengthy discussion about inclusion of certain projects and whether to wait until the State of Minnesota completes a bonding package which may contain some of the proposed projects, the motion failed on a tie vote; three yeas - three nays, Commissioners Fay, Forsman and Chair Fink.

Commissioner Nelson, supported by Commissioner Kron, moved to suspend the rules to accept the resignation of County Auditor Gordon D. McFaul effective December 31, 2003; six yeas - zero nays. Auditor McFaul said he was resigning for personal reasons after thirty-five years of service with St. Louis County. He thanked citizens for the support he received over the years as County Auditor. Commissioners took turns thanking the Auditor for his work and achievements on behalf of St. Louis County. Commissioner Kron, supported by Commissioner Nelson, then moved to accept the resignation; six yeas - zero nays. Resolution No. 707.

Commissioner Kron, supported by Commissioner Nelson, moved to suspend the rules to rescind County Board Resolution No. 699, adopted November 4, 2003, which modified David Twa's resignation as County Administrator. The motion to suspend the rules also applied to the appointment of Ann Busche as Interim Director of the St. Louis County Housing and Redevelopment Authority; six yeas - zero nays.

Commissioner Kron, supported by Commissioner Fay, moved to rescind Resolution No. 699; six yeas - zero nays. Resolution No. 708.

Commissioner Kron, supported by Commissioner Raukar, moved to appoint Ann Busche as Interim Director of the St. Louis County Housing and Redevelopment Authority; six yeas - zero nays. Resolution No. 709.

The following Board and Contract Files were created as a result of documents received at this Board meeting:

Tom Roy, Executive Director, Arrowhead Regional Corrections, submitting their 2002 Year End Report for Carlton, Cook, Koochiching, Lake & St. Louis Counties.--58155

St. Louis County Fair of Hibbing submitting the Annual Report of the Secretary.--58156

Christine M. Scotillo, Executive Director, Municipal Boundary Adjustments, Minnesota Department of Administration, regarding approval of Ordinance No. 051303-245 which annexes certain property in the city limits of Floodwood.--58157

Christine M. Scotillo, Executive Director, Municipal Boundary Adjustments, Minnesota Department of Administration, regarding approval of Ordinance No. 040803-244 which annexes certain property to the city limits of Floodwood.--58158

Christine M. Scotillo, Executive Director, Municipal Boundary Adjustments, Minnesota Department of Administration, regarding approval of Ordinance No. 84 which annexes land located in the Townships of Kugler and Breitung to the City of Tower.--58159

Fee schedules for various County departments to be effective Fiscal Year 2004.--58160

Jeanne Olson, Executive Director, Minnesota Campaign Finance and Public Disclosure Board, regarding a change in the definition of lobbyist that changes St. Louis County's status as a principal which was effective July 1, 2003.--58161

Summary of written bid proposals received for the sale of the Morris Thomas Public Works Facility

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

409

on Basswood Avenue in the City of Duluth.--58162

Lease for Parking Spaces between the City of Virginia and St. Louis County.--03-840

Project Contract No. 4405 between the County of St. Louis and Atlas Foundation Company for Central Range Public Works Maintenance Facility Foundation Stabilization.--03-841

Loan Agreement between the County of St. Louis and Stanley E. Saylor, Jr., and Angela J. Saylor, for a septic loan.--03-842

Amendment No. 1 to Lease Agreement No. 11262 between the County of St. Louis and the State of Minnesota, Department of Administration, for 885 feet of space in Suite 707 in the Duluth Government Services Center.--03-843

Amendment No. 22 to Lease No. I-6133 between the County of St. Louis and the State of Minnesota, Department of Administration, for 53,320 feet of space in the Duluth Government Services Center.--03-844

Employee Safety & Development Training Contract between the County of St. Louis and SLICES for a *Diversity is a Way of Life; Diversity is a Way of Business* session.--03-845

Permanent Easement with the City of Duluth for water supply lines to Chris Jensen, County Laundry, and Juvenile Corrections facilities over the NW 1/4 of Section 16, Township 50 North, Range 14 West.--03-846

Agreement between the County of St. Louis and the Historic Union Depot, Inc.--03-847

Law Enforcement Mutual Aid Agreement between the Fond du Lac Band of Lake Superior Chippewa and the St. Louis County Sheriff's Department.--03-848

Amendment No. 1 to License No. L-57 between St. Louis County, c/o Oneida Realty, and the State of Minnesota, Department of Administration, acting on behalf of the Department of Labor and Industry, for the use of two parking stalls in the Government Services Center parking ramp in Duluth.--03-849

Purchase Agreement between the County of St. Louis and the Duluth, Missabe and Iron Range Railway Company for the acquisition of D.M. & I.R. Bridge Z7A over C-SAH 132 and 0.15 acres in Fayal Township.--03-850

Contract between the County of St. Louis and Mesabi Bituminous, Inc., for S.P. 69-090-12, MN Project TEAX 6904(069), C.P. 3595, for Multi-Use Trail Construction Grade, Aggregate Base, and Bituminous Surface.--03-851

Purchase Agreement between the County of St. Louis and Julie K. Gutz for forfeited lands described as Lot 7, Block 1 of Kabetogama Homesites.--03-852

Loan and Grant Agreement between St. Louis County Housing and Redevelopment Authority and Tower Economic Development Authority.--03-853

Upon motion of Commissioner Kron, supported by Commissioner Raukar, Resolutions No. 700 through 704, as submitted to this Board on the Consent Agenda were unanimously adopted as follows:

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

410

**BY COMMISSIONER KRON:**

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of October 28, 2003, are hereby approved.

Adopted November 18, 2003. No. 700

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of November 4, 2003, are hereby approved.

Adopted November 18, 2003. No. 701

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, as set forth by the County Attorney, dated October 31, 2003, on file in the office of the County Auditor, identified as County Board File No. 57995, is hereby received and ratified as payable from Fund 52, Department 12.

Adopted November 18, 2003. No. 702

RESOLVED, that pursuant to St. Louis County Ordinance No. 51, the applications for license to sell tobacco products, at retail, on file in the office of the County Auditor, identified as County Board File No. 57994, are hereby approved and the County Auditor is authorized to issue the licenses as follows;

RESOLVED FURTHER, that if named licenseholders sell their licensed business, the County Board, at its discretion, may, after an investigation, transfer the licenses to a new owner, but without pro-rated refund to the licenseholders:

Paul/Mary Lautigar, d/b/a Corner Express, Biwabik Township, Tobacco Products License No. T0431;

Brady Miller, d/b/a Dawghouse Bar & Grill, Northland Township, Tobacco Products License No. T04154;

Dino's Bottle Shop, Inc., d/b/a Dino's Bottle Shop, Inc., City of Aurora, Tobacco Products License No. T0440;

Curtis Convenience Stores, Inc., d/b/a Food-n-Fuel, Cotton Township, Tobacco Products License No. T0450;

Gateway Store, LLC, d/b/a Gateway Store, LLC, Unorganized Township 68-21, Tobacco Products License No. T0455;

Violet Hall, d/b/a Greaney Store, Unorganized Township 63-21, Tobacco Products License No. T0458;

Hwy 5 Bar & Grill, Inc., d/b/a Hwy 5 Bar & Grill, Inc., Unorganized Township 59-21, Tobacco Products License No. T04181;

Inter City Oil Co., Inc., d/b/a Inter City Oil Co., Inc., Cotton Township, Tobacco Products License No. T0470;

Liupakka, Inc., d/b/a Munger Tavern & Grill, Solway Township, Tobacco Products License No. T04163;

MarMar, Inc., d/b/a Novy's Haven, City of Hoyt Lakes, Tobacco Products License No. T04172;

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

411

Korby's, Inc., d/b/a Pequaywan Inn, Unorganized Township 54-13, Tobacco Products License No. T04173;

City of Winton, d/b/a Winton Municipal Liquor Store, City of Winton, Tobacco Products License No. T04135.

Adopted November 18, 2003. No. 703

RESOLVED, that pursuant to St. Louis County Ordinance No. 51, the applications for licenses to sell tobacco products, at retail, on file in the office of the County Auditor, identified as County Board File No. 57994, are hereby approved and the County Auditor is authorized to issue the licenses as follows;

RESOLVED FURTHER, that if named licenseholders sell their licensed business, the County Board, at its discretion, may, after an investigation, transfer the licenses to a new owner, but without pro-rated refund to the licenseholders:

The following licenseholders were issued a tobacco violation citation on the dates as stated:

ILI, Inc., d/b/a Island Lake Inn, Gnesen Township, Tobacco Products License No. T0473, November 30, 1999;

Ronald Martin/Susan Martin, d/b/a Moosebirds, Beatty Township, Tobacco Products License No. T0494, September 7, 1998;

Leon Polley, d/b/a Polley's Resort, Unorganized Township 63-17, Tobacco Products License No. T04108, September 13, 1998;

Elizabeth Kirsh, d/b/a Sportsmens Inn, Gnesen Township, Tobacco Products License No. T04120, December 31, 2002;

Bernard Zupancich/Edward Zupancich, d/b/a Zup's Cook, City of Cook, Tobacco Products License No. T04139, May 7, 2000, and October 18, 2002.

Adopted November 18, 2003. No. 704

**BY COMMISSIONER NELSON:**

WHEREAS, on November 18, 2003, the St. Louis County Board considered written proposals for purchase of the Morris Thomas Public Works Facility.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board, in the best interest of the County, hereby accepts the proposal submitted by James Bechthold, 2803 Parkwood Lane, Duluth, MN, for purchase of the property at the price of \$111,800.00 contingent upon closing the sale within forty business days from November 18, 2003; and

RESOLVED FURTHER, if the purchase by James Bechthold is not complete at the end of said forty business days, the proposal of Rock Hill Fire Corp., 6520 Fredenberg Lake Road, Duluth, MN, to purchase the property at the price of \$102,500.00, if still interested, will be accepted contingent upon closing the sale within thirty business days; and

RESOLVED FURTHER, if Rock Hill Fire Corp. is either no longer interested in acquiring the Morris Thomas facility or is otherwise unable to purchase the property within said thirty business days, Property Management is directed to begin the process of securing a real estate broker to dispose of the property.

RESOLVED FURTHER, the County shall remove the above-ground fuel storage tank located on the property prior to any purchaser taking possession; and

RESOLVED FURTHER, that proceeds from sale of the property will be credited to Public Works Fund 02.

Unanimously adopted. November 18, 2003. No. 705

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

412

**BY COMMISSIONER FAY:**

RESOLVED, that the St. Louis County Board of Commissioners hereby adopts the fee schedule for various County Departments for the year 2004, as on file in County Board File No. 58160, except for the deletion of the Sheriff's fee for Orders for Protection.

Unanimously adopted. November 18, 2003. No. 706

Upon motion of Commissioner Nelson, supported by Commissioner Kron, the rules were suspended to adopt Resolution No. 707 which was not on the agenda.

**BY COMMISSIONER KRON:**

RESOLVED, the St. Louis County Board of Commissioners hereby accepts the Auditor's (Gordon D. McFaul) resignation, effective the end of the day on December 31, 2003.

Unanimously adopted. November 18, 2003. No. 707

Upon motion of Commissioner Kron, supported by Commissioner Nelson, the rules were suspended to adopt Resolution No. 708 which was not on the agenda.

**BY COMMISSIONER KRON:**

RESOLVED, the St. Louis County Board of Commissioners hereby rescinds Resolution No. 699, adopted November 4, 2003.

Unanimously adopted. November 18, 2003. No. 708

Upon motion of Commissioner Kron, supported by Commissioner Nelson, the rules were suspended to adopt Resolution No. 709 which was not on the agenda.

**BY COMMISSIONER KRON:**

RESOLVED, the Board hereby appoints Ann Busche, Interim County Administrator, as Interim Director of the St. Louis County Housing and Redevelopment Authority, effective November 17, 2003, pending the appointment of a permanent County Administrator.

Unanimously adopted. November 18, 2003. No. 709

At 12:20 P.M. on Tuesday, November 18, 2003, upon motion of Commissioner Raukar, supported by Commissioner Nelson, the Board of County Commissioners adjourned.

Dennis Fink, Chair of the Board  
of County Commissioners

Attest:  
Gordon D. McFaul, County Auditor  
and Ex-Officio Clerk of the Board  
of County Commissioners

(Seal of the County Auditor)

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

413

**OFFICIAL PROCEEDINGS OF THE MEETING  
OF THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF ST. LOUIS, MINNESOTA,  
HELD ON NOVEMBER 25, 2003**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 25th day of November, 2003, at 9:37 A.M. in the Hibbing City Council Chambers, City Hall, Hibbing, Minnesota. The meeting was called to order by the Chair with the following members present: Commissioners Joanne Fay, Bill Kron, Mike Forsman, Keith Nelson, Steve Raukar, and Chair Dennis Fink - 6. Absent: Commissioner Peg Sweeney - 1.

Chair Fink began the meeting by sharing some historical facts about Minnesota.

Chair Fink then opened the meeting to persons who wanted to address the Board concerning issues not on the agenda, but no one chose to do so.

At the request of Commissioner Nelson, Item No. 5 of the Consent Agenda (tobacco license approvals) was removed for separate consideration because of a conflict of interest. Commissioner Raukar, supported by Commissioner Kron, moved to approve the remainder of the Consent Agenda; six yeas - zero nays.

Commissioner Raukar, supported by Commissioner Kron, moved to approve Item No. 5 from the Consent Agenda; five yeas - zero nays, with Commissioner Nelson abstaining. Resolution No. 722.

Commissioner Kron, supported by Commissioner Raukar, moved to approve purchase of Spirit Mountain ski passes for youth involved in the Incredible Exchange Program. Commissioner Kron said he contacted the Director of Spirit Mountain who is willing to meet with County officials to discuss rates. Commissioner Fay suggested free equipment rental as a means to make ski passes more useful for some of the participants. Carol Dinius, Extension Service, said there have never been price negotiations with any of the businesses involved in the Incredible Exchange Program. After further discussion, the motion was approved; six yeas - zero nays. Resolution No. 723.

Commissioner Fay, supported by Commissioner Raukar, moved to approve premises permit applications for Climb, Inc., to operate out of various establishments; five yeas - one nay, Chair Fink. Resolution No. 724.

Commissioner Nelson, supported by Commissioner Fay, moved to approve a process for recruiting and appointing a new County Auditor. After some discussion, the process was approved; six yeas - zero nays. Resolution No. 725.

Commissioner Forsman, supported by Commissioner Raukar, moved to approve a resolution directing the Clerk of the County Board to advertise for the County Auditor vacancy and accept applications/resumes until January 12, 2004. After discussion about the time frames for the appointment, Commissioner Fay, supported by Commissioner Forsman, moved to table the matter for one week; five yeas - one nay, Commissioner Nelson.

Commissioner Nelson asked whether a resume received for the Auditor vacancy came from Administration. Ann Busche, Interim County Administrator, said she was not aware of any applications. Gordon D. McFaul, County Auditor, advised Commissioners to forward applications received to the Clerk of the Board to avoid problems.

Chair Fink advised the Board that pursuant to a request from NACo he sent a letter to Congress

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

414

asking that a provision of the energy bill dealing with liability for a gasoline additive (MTEB) not be approved.

The following Board and Contract Files were created as a result of documents received at this Board meeting:

Becky Musburger, Cotton, submitting photos of junk on property along the Comstock Lake Road.--  
58163

Upon motion of Commissioner Raukar, supported by Commissioner Kron, Resolutions No. 710 through 721, as submitted to this Board on the Consent Agenda were unanimously adopted as follows:

**BY COMMISSIONER RAUKAR:**

RESOLVED, that the recommendations of the Finance Committee for payment of claims and bills against the County of St. Louis, on file in the office of the County Auditor, identified as County Board File No. 57999, are hereby approved and the County Auditor shall issue checks in the following amounts:

<u>FUND</u>		<u>TOTAL</u>
T11	Minnesota Trail Assistance	\$ 94,910.18
T27	Refunds	70,530.53
T28	School Districts	2,527,509.00
T31	Caribou Lake Wastewater Con.	2,618.48
T50	State of Minnesota	43,369.00
T74	Employer/Employee Deductions	757,706.98
T75	Savings Bonds	40.00
T77	Cancelled Checks	11,796.13
T80	Lake Superior - Forfeiture	4,546.42
T84	Attorneys Forfeitures	2,000.00
T85	Sheriffs State Forfeitures	69.23
01	General Fund	805,916.46
02	Public Works	1,532,797.08
02A	Road Maintenance - Unorganized Townships	114,605.25
03C	State Erosion Loan MPCA	14,000.00
04	Social Services	3,322,998.80
08	County Facilities - Capital Projects	63,603.07
08A	State Aid Road	1,949,733.20
08Q	Duluth Courts Remodeling	20,723.93
10B	Emergency Shelter 99/00 Funds	1,882.17
11A	Home Grant - All Years	3,453.06
12B	CDBG Grant	113,014.27
128	Law Library	12,217.84
129	City/County Common Antenna Site	222.31
13	St. Louis County HRA	52,296.02
131	Extension Service	40,568.91
15	Forfeited Tax	33,441.21
16	Forest Resources	6,650.00
26	Solid Waste Authorities	186,389.88
49	Postage/Office Supplies	41,359.86
50	Printing	71,016.72
51	County Garage	36,047.96

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

415

52A	Property, Casualty, Liability	2,948.73
52B	Workers Compensation	94,810.22
52D	Medical/Dental Self Insurance	1,750.80
53	Management Information Systems	55,196.91
54	Regional Railroad Authority	31,483.71
55	Telecommunications	83,272.99
57	Retired Employees Health Insurance	3,539.45
64A	Chris Jensen Health & Rehab.	337,539.74
65	Laundry	19,630.93
66	Community Food Services	9,287.82
67	Supervised Living Facilities	4,312.95
73	Arrowhead Regional Corrections	216,396.33
74	Community Health Services	<u>80,855.16</u>
		\$12,879,059.69

Adopted November 25, 2003. No. 710

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, as set forth by the County Attorney, dated November 14, 2003, on file in the office of the County Auditor, identified as County Board File No. 57995, is hereby received and ratified as payable from Fund 52, Department 12.

Adopted November 25, 2003. No. 711

RESOLVED, that pursuant to the provisions of Minnesota Statutes, Section 340A, as amended, and Rules and Regulations adopted by this Board under St. Louis County Ordinance No. 28, dated May 22, 1978, as amended, the following application for an intoxicating liquor license is hereby approved, on file in the office of the County Auditor, identified as County Board File No. 58004; FURTHER RESOLVED, that said license is approved contingent upon license holder paying real estate or personal property taxes when due; FURTHER RESOLVED, that said license is approved contingent upon Health Department approval; FURTHER RESOLVED, that if named license holder sells their licensed place of business, the County Board, at its discretion, may, after an investigation, transfer the license to a new owner, but without pro-rated refund of the license fees to the license holder; FURTHER RESOLVED, that said license shall be effective through June 30, 2004:

George Roger Aune, d/b/a Aune's Supper Club, Fayal Township, On-Sale Intoxicating Liquor License No. ON0422 and Sunday On-Sale Intoxicating Liquor License No. ONS0422.

Adopted November 25, 2003. No. 712

RESOLVED, that pursuant to St. Louis County Ordinance No. 51, the applications for license to sell tobacco products, at retail, on file in the office of the County Auditor, identified as County Board File No. 57994, are hereby approved and the County Auditor is authorized to issue the licenses as follows;

RESOLVED FURTHER, that if named licenseholders sell their licensed business, the County Board, at its discretion, may, after an investigation, transfer the licenses to a new owner, but without pro-rated refund to the licenseholders:

George Roger Aune, d/b/a Aune's Supper Club, Fayal Township, Tobacco Products License No. T04192;

Bimbo's, Inc., d/b/a Bimbo's Octagon, French Township, Tobacco Products License No. T04166;

Charles Halmet, d/b/a Halmet's General Store, White Township, Tobacco Products License No.

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

416

T0460;

Hellman's Store, Inc., d/b/a Hellman's Store, Inc., Ault Township, Tobacco Products License No. T0461;

Kendallberry's, Inc., d/b/a Kountry Krossroads, Pike Township, Tobacco Products License No. T04165;

Sullivan's Mercantile, Inc., d/b/a Twig General, Grand Lake Township, Tobacco Products License No. T04129.

Adopted November 25, 2003. No. 713

WHEREAS, a segment of County-State Aid Highway 4 from County-State Aid Highway 111 - Palo Road - to the Embarrass River has been reconstructed on a new alignment as shown on St. Louis County Highway Right of Way Plats No. 15 and 16 (County Project 9198, State Aid Project 69-604-53); and

WHEREAS, portions of the old highway right of way are no longer necessary for the County highway system.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Minnesota Statutes 163.11, Subdivision 4, the St. Louis County Board of Commissioners hereby vacates those portions of the old highway right of way lying outside of the plat boundaries of St. Louis County Highway Right of Way Plats No. 15 and 16 on file and of record in the office of the County Recorder and Examiner of Titles for St. Louis County, Minnesota.

RESOLVED FURTHER, that pursuant to Minnesota Statutes 160.29, Subdivision 2, easements to maintain, repair, replace, remove or otherwise attend thereto shall be retained for any public utilities currently located in the old right of way.

Adopted November 25, 2003. No. 714

RESOLVED, that the St. Louis County Public Works Department is hereby authorized to establish a "No Parking" zone as follows:

County Road 285 (Fish Lake Dam Road) in an area where guardrail is along the south side of the road from mile 1.27 to mile 1.63, and along the north side of the road from mile 1.48 to mile 1.63.

Adopted November 25, 2003. No. 715

RESOLVED, that the Purchasing Agent is hereby authorized to increase the fee for service with LHB Engineers & Architects in the amount of \$3,400 related to the design of State Bridge 69648 on C-SAH 61, payable from Fund 02 (Public Works), Agency A11 (Administration & Engineering), Organization 0008, Function H056, Object 266 (Engineering Services).

RESOLVED FURTHER, that the County shall be reimbursed in the amount of \$3,400 by the Department of Natural Resources.

Adopted November 25, 2003. No. 716

WHEREAS, the St. Louis County Public Works Department budgeted for replacement of eight tandem trucks for snow and ice control and hauling sand and gravel; and

WHEREAS, the Purchasing Department solicited bids for plow, wing and hitch installations; and

WHEREAS, Bert's Truck Equipment, Moorhead, Minnesota, submitted the low specification bid; and

WHEREAS, the materials and labor costs for installation of eight snowplow, wing and hitch assemblies will be \$108,936, plus an additional \$7,080.84 State of Minnesota sales tax, for a total of \$116,016.84.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners authorizes the Director of Purchasing to issue a purchase order to Bert's Truck Equipment of Moorhead,

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

417

Minnesota, for the installation of eight snowplow wing and hitch assemblies as specified in Bid No. 4415. Funding for this purchase is payable from Fund 02, Agency A14, Object 651.  
Adopted November 25, 2003. No. 717

RESOLVED, that those sections of Unorganized Townships 64-21, 65-21 and 66-21 included in the Nett Lake/Bois Forte Reservation (Unorganized Election Precinct No. 19) are hereby designated as a mail ballot precinct for all state and county elections pursuant to Minnesota Statutes, Section 204B.45.  
Adopted November 25, 2003. No. 718

RESOLVED, that a public hearing will be held at 9:35 A.M. on Tuesday, December 16, 2003, in the St. Louis County Courthouse, Duluth, Minnesota, for the purpose of considering the suspension/revocation of liquor licenses for failure to pay real estate or personal property taxes when due, pursuant to St. Louis County Ordinance No. 28.  
Adopted November 25, 2003. No. 719

WHEREAS, bids have been received by the County Auditor for the following project:  
S.A.P. 69-752-01, County Project No. 9281, C-SAH 152 (East Camp Street), from Central Avenue to 17th Avenue in Ely, MN. Length: 1.273 miles. Project to consist of Storm Sewer, Grading, Aggregate Base, Curb and Gutter, Sidewalk, Lighting and Bituminous Surfacing;  
WHEREAS, said bids or proposals were duly opened in the County Board Room at 10:00 A.M., November 17, 2003, and this Board has, with the County Highway Engineer, determined the lowest bidder of said project for which proposals were invited and submitted; and  
WHEREAS, in the judgment of this Board it is for the best interest of St. Louis County that the award of said contract be made to the lowest bidder.  
NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of St. Louis County, Minnesota, in regular session duly convened, that they hereby approve the award of contract on the above project to the lowest bidder:

<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
Louis Leustek & Sons, Inc.	1715 E. Sheridan Street Ely, MN 55731	\$2,379,100.00

RESOLVED FURTHER, that the Chairman of the County Board, the County Auditor, and the County Attorney, on behalf of the County of St. Louis, are hereby authorized to approve the Contractor's Performance Bonds and to execute the bonds and contracts with the Contractor for the above listed project, subject to approval by the City of Ely; payable from State Aid Funds (Fund 08A, Agency 525, Org. 9281, Object 527) and reimbursed by the City of Ely for the local share.  
Adopted November 25, 2003. No. 720

WHEREAS, the St. Louis County Purchasing Rules and Regulations were last updated on June 2, 1998, Resolution No. 461; and  
WHEREAS, there have been changes in state statutes and additional County Board resolutions affecting the purchasing procedures; and  
WHEREAS, there is a need to incorporate all purchasing related resolutions, state statutes, and purchasing procedures into a single document; and  
WHEREAS, the Purchasing Department has worked with the Administration, Attorney, and Auditor's Offices to revise the Purchasing Rules and Regulations; and  
WHEREAS, the Purchasing Department has provided copies to all department heads;  
NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners hereby adopts the revised Purchasing Rules and Regulations, dated November 18, 2003, and by this resolution rescinds all prior resolutions regarding same.

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

418

Adopted November 25, 2003. No. 721

**BY COMMISSIONER RAUKAR:**

RESOLVED, that pursuant to St. Louis County Ordinance No. 51, the applications for license to sell tobacco products, at retail, on file in the office of the County Auditor, identified as County Board File No. 57994, are hereby approved and the County Auditor is authorized to issue the licenses as follows;

RESOLVED FURTHER, that if named licenseholders sell their licensed business, the County Board, at its discretion, may, after an investigation, transfer the licenses to a new owner, but without prorated refund to the licenseholders;

The following licenseholders were issued a tobacco violation citation on the dates as stated:

Keith/Lois Nelson, d/b/a At Your Convenience, Fayal Township, Tobacco Products License No. T044, December 8, 2002;

Belo Enterprises, Inc., d/b/a Crossroads Convenience and Liquor Store, Clinton Township, Tobacco Products License No. T0436, December 10, 2002;

Meadowlands Co-op, d/b/a Meadowlands Co-op, City of Meadowlands, Tobacco Products License No. T0489, October 6, 1998, and December 30, 2002;

Moccasin Point, Inc., d/b/a Moccasin Point Resort, Greenwood Township, Tobacco Products License No. T0493, December 10, 2002;

Nancy G. Green, d/b/a Pike-Sandy Co-op, Pike Township, Tobacco Products License No. T04107, October 20, 1998.

Yeas - Commissioners Fay, Kron, Forsman, Raukar and Chair Fink - 5

Nays - None

Absent - Commissioner Sweeney - 1

Abstained - Commissioner Nelson - 1

Adopted November 25, 2003. No. 722

**BY COMMISSIONER KRON:**

WHEREAS, 114 youth have volunteered their time to the community and have earned a ski pass through the Incredible Exchange Program of the Minnesota Extension Service.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners authorizes the purchase of Spirit Mountain ski passes in the amount of \$25,080.00, payable from Fund 131, Agency 133, Org. Sou.

Unanimously adopted. November 25, 2003. No. 723

**BY COMMISSIONER FAY:**

RESOLVED, that pursuant to Minnesota Statutes 349.213, Subdivision 2, the St. Louis County Board of Commissioners hereby approves the following Premises Permit applications, on file in the office of the County Auditor, identified as County Board file No. 58051, for the following organization:

Climb, Inc., to operate out of the following:

Kountry Krossroads, Pike Township, renewal;

Moose Line Café, Unorganized Township 56-14, renewal;

Timber's Edge, Unorganized Township 56-17, renewal.

Yeas - Commissioners Fay, Kron, Forsman, Nelson, and Raukar - 5

Nays - Chair Fink - 1

Absent - Commissioner Sweeney - 1

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

419

Adopted November 25, 2003. No. 724

**BY COMMISSIONER NELSON:**

WHEREAS, County Auditor Gordon McFaul has submitted his resignation effective the end of the day on December 31, 2003.

BE IT RESOLVED, that the St. Louis County Board establishes the following process for recruiting and appointing a new County Auditor:

1. The position will be advertised in newspapers County-wide, with application/resume submission deadlines approved by the County Board.
2. The Clerk of the Board will submit copies of all applicant resumes to each member of the County Board. Each Commissioner will rank the candidates and submit the rankings to the Clerk of the Board. The Clerk will present all relevant data, including cumulative rankings, to the County Board for the selection of applications/finalists for interview.
3. Each applicant to be interviewed will be sent a copy of the County's latest Annual Financial Report and the St. Louis County 2004-2005 proposed Operating and Capital Budget and will have the opportunity to meet individually with all Commissioners and elected officials, as well as a public interview with the entire County Board and elected officials.
4. The County Board will, using a modified nominal group theory process, select an Auditor. The County Board will negotiate salary terms with the finalist and present the appointment to the County Board for final approval and swearing in.

Unanimously adopted. November 25, 2003. No. 725

At 10:47 A.M. on Tuesday, November 25, 2003, upon motion of Commissioner Fay, supported by Commissioner Kron, the Board of County Commissioners adjourned.

Dennis Fink, Chair of the Board  
of County Commissioners

Attest:  
Gordon D. McFaul, County Auditor  
and Ex-Officio Clerk of the Board  
of County Commissioners

(Seal of the County Auditor)

**OFFICIAL PROCEEDINGS**  
**OF THE**  
**BOARD OF COUNTY COMMISSIONERS**  
**OF ST. LOUIS COUNTY, MINNESOTA**

**DECEMBER, 2003**

**OFFICIAL PROCEEDINGS OF THE MEETING**  
**OF THE BOARD OF COUNTY COMMISSIONERS**  
**OF THE COUNTY OF ST. LOUIS, MINNESOTA,**  
**HELD ON DECEMBER 2, 2003**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 2nd day of December, 2003, at 9:35 A.M. in the County Board Room, Courthouse, Duluth, Minnesota. The meeting was called to order by the Chair with the following members present: Commissioners Joanne Fay, Bill Kron, Mike Forsman, Peg Sweeney, Keith Nelson, Steve Raukar, and Chair Dennis Fink - 7. Absent: None.

Chair Fink began the meeting by sharing historical facts about Minnesota.

At 9:37 A.M., the Board considered verbal bids for sale of county fee land located on Basswood Avenue in Duluth. Ann Busche, Interim County Administrator, said the City of Duluth requested the Board not sell the property at this time because of right of way issues. Commissioner Sweeney, supported by Commissioner Fay, made a motion to remove the sale from the agenda and direct Administration to bring the matter back to the Board on or before February 1, 2004. The only bidder present agreed with the decision to delay the sale; seven yeas - zero nays.

Chair Fink then opened the meeting to persons who wanted to address the Board concerning issues not on the agenda and the following chose to do so:

Tony Tack, Makinen, and owner of a store located on C-SAH 4, asked if there was anything the Board could do about the deplorable condition of the portion of Highway 4 that is being recon-structed. The failure of the contractor to fulfill obligations to keep the road open and complete the project on time may cause Mr. Tack to close his business.

Marcus Hall, Public Works Director, agreed with the assessment of Mr. Tack and said Public Works crews have been attempting to keep the road safe and passable during the winter months when construction is halted.

Alan Mitchell, County Attorney, in response to Commissioner questions, said there appeared to be few, if any, remedies for the County or Mr. Tack in this case.

Commissioners apologized to Mr. Tack and assured him that they would continue to explore all avenues to solve the problem and/or minimize impacts.

A resolution directing the Clerk of the County Board to advertise to fill the vacancy in the Office of County Auditor and accept applications/resumes until January 12, 2004, was then considered. The motion of Commissioner Forsman, supported by Commissioner Raukar, had been tabled at the November 25, 2003, County Board meeting. Commissioner Raukar offered a friendly amendment - accepted by the maker - to change the application deadline to January 16, 2004. Commissioner Nelson expressed concern about the slow pace of government. After brief discussion, the amended resolution was approved; six yeas - one nay, Commissioner Nelson. Resolution No. 738.

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

421

At 10:17 A.M. in the forenoon of Tuesday, December 2, 2003, Commissioner Fay, supported by Commissioner Kron, moved to recess the Board until 11:15 A.M. on December 2, 2003, in the Commissioners' Conference Room, Courthouse, Duluth, Minnesota.

The Board reconvened at 1:50 P.M. on December 2, 2003, and the regular order of business resumed with all members present.

Commissioner Sweeney, supported by Commissioner Forsman, moved to approve a second consent agenda consisting of all items passed at the just completed Committee of the Whole meeting; seven yeas - zero nays.

The following Board and Contract Files were created as a result of documents received at this Board meeting:

Lobbying Services Agreement with Arrowhead Counties Association to utilize the services of St. Louis County's Lobbyist, John Ongaro, for lobbying activities at the State Legislature during the 2004 legislative session.-03-854

Maintenance and Support Agreement between Motorola, Inc., or Printrak International, Inc., and St. Louis County, through its Sheriff's Office, for Automated Fingerprint Identification System and LiveScan System.-03-855

Annual Plan Grant Contract between the State of Minnesota, through its Commissioner of Public Safety, Alcohol & Gambling Enforcement Division, and the County of St. Louis, through its Sheriff's Department for participation in the federal grant program to combat underage drinking.-03-856

Loan Agreement between County of St. Louis and Dale G. Saari and Jeannine Saari for septic loan.-03-857

Contract between the County of St. Louis and H & R Construction Company for S.A.P. 69-030-07, C.P. 8259, for steel plate beam guardrails on various county-state aid highways within Southern St. Louis County.-03-858

Agreement for Massage Therapy Services between the County of St. Louis, through its Chris Jensen Health and Rehabilitation Center, and Bob Gabres for professional therapeutic massage to residents.-03-859

St. Louis County Community Development Block Grant Program FY 2003 Agreement between St. Louis County and City of Mountain Iron for Inflow and Infiltration Program.-03-860

Upon motion of Commissioner Kron, supported by Commissioner Raukar, Resolutions No. 726 through 737, as submitted to this Board on the Consent Agenda were unanimously adopted as follows:

**BY COMMISSIONER FAY:**

RESOLVED, that the recommendations of the Finance Committee for payment of claims and bills against the County of St. Louis, on file in the office of the County Auditor, identified as County Board File No. 57999, are hereby approved and the County Auditor shall issue checks in the following amounts:

<u>FUND</u>		<u>TOTAL</u>
T21	Beer License	\$ 10.00

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

422

T27	Refunds	19,443.28
T50	State of Minnesota	411,952.20
T52	Taxes and Penalties	67,044.96
T66	Criminal Fines	120,759.51
T74	Employer/Employee Deductions	103.68
T77	Cancelled Checks	1,115.77
T80	Lake Superior - Forfeiture	4,032.95
T83	Sheriff Fine Contingency	4,005.00
T85	Sheriffs State Forfeitures	310.00
T87	Assault Fees	467.92
01	General Fund	565,773.41
02	Public Works	494,649.91
04	Social Services	3,291,670.10
08A	State Aid Road	228,629.91
08N	Hibbing Courthouse Improvements	37,176.39
10B	Emergency Shelter 99/00 Funds	3,485.96
12B	CDBG Grant	15,300.07
131	Extension Service	1,613.19
15	Forfeited Tax	24,954.89
16	Forest Resources	58,779.55
26	Solid Waste Authorities	98,364.52
49	Postage/Office Supplies	1,434.59
50	Printing	1,614.89
51	County Garage	12,890.13
52B	Workers Compensation	53,328.52
52D	Medical/Dental Self Insurance	172.87
53	Management Information Systems	58,179.15
54	Regional Railroad Authority	9,596.24
55	Telecommunications	10,254.97
57	Retired Employees Health Insurance	103.72
64A	Chris Jensen Health & Rehab.	174,188.10
65	Laundry	11,124.30
66	Community Food Services	17,441.02
67	Supervised Living Facilities	4,367.09
72	Northern Counties Land Use Coordinating Board	6,233.65
73	Arrowhead Regional Corrections	181,139.96
74	Community Health Services	<u>3,261.24</u>
		\$5,994,973.61

Adopted December 2, 2003. No. 726

RESOLVED, that pursuant to St. Louis County Ordinance No. 51, the applications for license to sell tobacco products, at retail, on file in the office of the County Auditor, identified as County Board File No. 57994, are hereby approved and the County Auditor is authorized to issue the licenses as follows; RESOLVED FURTHER, that if named licenseholders sell their licensed business, the County Board, at its discretion, may, after an investigation, transfer the license to a new owner, but without pro-rated refund to the licenseholders:

Hideaway Bar & Lounge, Inc., d/b/a Hideaway Bar & Lounge, Inc., Unorganized Township 61-13, Tobacco Products License No. T04149;

Edwards Oil, Inc., d/b/a Hoyt Lakes Lucky Seven, City of Hoyt Lakes, Tobacco Products License No. T0469;

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

423

Edwards Oil Co., Inc., d/b/a Lucky Seven General Store, City of Aurora, Tobacco Products License No. T0487;

Tim & Jesse, Inc., d/b/a Rudy's Bar, City of Aurora, Tobacco Products License No. T04183;

Timbuktu Marina, LLC, d/b/a Timbuktu Marina, Greenwood Township, Tobacco Products License No. T04161.

Adopted December 2, 2003. No. 727

RESOLVED, that pursuant to St. Louis County Ordinance No. 51, the applications for license to sell tobacco products, at retail, on file in the office of the County Auditor, identified as County Board File No. 57994, are hereby approved and the County Auditor is authorized to issue the licenses as follows; RESOLVED FURTHER, that if named licenseholders sell their licensed business, the County Board, at its discretion, may, after an investigation, transfer the license to a new owner, but without pro-rated refund to the licenseholders;

The following licenseholders were issued a tobacco violation citation on the dates as stated:

Bil-Mar's Supper Club, Inc., d/b/a Bil-Mar's Supper Club, Inc., Unorganized Township 55-21, Tobacco Products License No. T049, May 25, 2000;

Edwards Oil, Inc., d/b/a Edwards Lucky 7, Ashawa, City of Cook, Tobacco Products License No. T0444, September 7, 1998, August 25, 2001, and October 18, 2002;

Theodore Melgeorge, d/b/a Melgeorge's Resort, Camp 5 Township, Tobacco Products License No. T0490, August 25, 2001, and August 16, 2003;

Lakehead Oil Company, Inc., d/b/a Pike Lake Holiday, Canosia Township, Tobacco Products License No. T04105, December 28, 2002.

Adopted December 2, 2003. No. 728

RESOLVED, that the appraisal reports for sale of timber, numbered Tracts 1 and 2, as submitted by the Land Commissioner, on file in the office of the County Auditor, identified as County Board File No. 58000, are approved and the County Auditor is authorized to carry out the recommendations as listed in said appraisal reports.

Adopted December 2, 2003. No. 729

RESOLVED, that the St. Louis County Board of Commissioners authorizes the Chairperson of the Board, County Auditor, and County Administrator to sign an agreement with Denise Letourneau for clinical dietician services at Chris Jensen for the period January 1, 2004, through December 31, 2004, payable from Fund 64A (Chris Jensen), Agency N71, Org. 6100, Obj. 299.

Adopted December 2, 2003. No. 730

WHEREAS, under the provisions of Minnesota Statutes 282.241, State Tax Forfeited land may be repurchased by the previous owner subject to payment of taxes and/or assessments and penalties, interest and costs; and

WHEREAS, the Inter-Tribal Business Network, c/o F. Eugene Zentz, President, 1202 Weeks, Superior, WI 54880, has applied to repurchase the parcels described in County Board File No. 58018;

WHEREAS, approving the repurchases will correct undo hardship and promote the use of lands that will best serve the public interest;

NOW, THEREFORE, BE IT RESOLVED, that the repurchase applications of the Inter-Tribal Business Network for the properties described in County Board File No. 58018, are approved and will be subject to payment including taxes and assessments, repurchase application fees, deed taxes, deed fees, and recording fees, for a grand total of \$144,208.67.

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

424

Adopted December 2, 2003. No. 731

WHEREAS, the Land Department has reviewed a request of Ben Nelson for a permanent non-exclusive road access easement across State Tax Forfeited land and recommends approval.

WHEREAS, there are no reasonable alternatives to obtain access to the Grantee's property; and  
WHEREAS, exercising the easement will not cause significant adverse environmental or natural resource management impacts.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Auditor, by the authority vested in him by Minnesota Statutes 282.04, Subdivision 4a, is hereby authorized to grant a permanent non-exclusive road access easement to Ben Nelson described as follows: A permanent, non-exclusive access easement for ingress and egress being 33 feet in width, located within the Southeast Quarter of the Southwest Quarter and the Southwest Quarter of the Southeast Quarter, Section 6, Township 54 North, Range 16 West, St. Louis County, Minnesota, lying 16.5 feet on both sides of the following described centerline: Commencing at the Southwest corner of said Section 6: thence North 75 degrees 37 minutes 38 seconds East, assuming the West line of the Northwest Quarter of Section 7 bears North 00 degrees 15 minutes 09 seconds East, a distance of 3213.73 feet to a 1/2-inch yellow capped rebar at the centerline/centerline intersection of County Road No. 59 and Point of Beginning of the herein described centerline; thence North 53 degrees 34 minutes 43 seconds West 169.87 feet; thence South 73 degrees 38 minutes 34 seconds West 130.96 feet; thence South 68 degrees 36 minutes 04 seconds West 100.21 feet; thence South 87 degrees 56 minutes 38 seconds West 278.53 feet; thence North 79 degrees 39 minutes 45 seconds West 180.34 feet; thence South 84 degrees 24 minutes 33 seconds West 179.54 feet; thence North 87 degrees 48 minutes 12 seconds West 207.82 feet; thence North 60 degrees 47 minutes 17 seconds West 200.19 feet; thence South 78 degrees 46 minutes 19 seconds West 286.10 feet; thence South 64 degrees 48 minutes 37 seconds West 151 feet more or less to the West line of the Southeast Quarter of the Southwest Quarter.

The granting of this easement is conditioned on payment of \$825.00 appraised value, \$250.00 timber damages, \$150.00 administration fee, \$6.00 publication fee, \$20.00 recording fee, for a total cost of \$1,251.00.

Adopted December 2, 2003. No. 732

RESOLVED, that pursuant to Minnesota Statutes 349.213, Subdivision 2, the St. Louis County Board of Commissioners hereby approves the following Premises Permit applications, on file in the office of the County Auditor, identified as County Board File No. 58051, for the following organization:

Alborn Sno-Deviils to operate out of the following:

Clip Joint Tavern, Alborn Township, renewal;

Saginaw Grand Lake Station, Solway Township, renewal.

Adopted December 2, 2003. No. 733

RESOLVED, that pursuant to Minnesota Statutes 349.213, Subdivision 2, the St. Louis County Board of Commissioners hereby approves the following Premises Permit application, on file in the office of the County Auditor, identified as County Board File No. 58051, for the following organization:

Alborn Sno-Deviils, Inc., to conduct annual off-site gambling on January 17, 2004, and January 18, 2004, raffles, Alborn Township.

Adopted December 2, 2003. No. 734

RESOLVED, the St. Louis County Board of Commissioners hereby authorizes the Sheriff to apply for and accept a grant from the Minnesota Department of Natural Resources for snowmobile safety enforcement in an amount not to exceed \$8,164.72. This authorization will cover the grant period of July 1, 2003, to June 30, 2004; payable to Fund 01, Agency 091, SNO7.

RESOLVED FURTHER, the Sheriff is authorized to sign and execute such agreements as are necessary to implement this project, and that such agreements be approved as to form and content by the County Attorney.

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

425

Adopted December 2, 2003. No. 735

WHEREAS, the St. Louis County Sheriff's Office would benefit greatly in deterring crime and apprehending criminals with the addition of trained Law Enforcement Canines; and  
WHEREAS, addition of Canines to the ranks of the Sheriff's Patrol Division would greatly enhance Deputy safety and the safety of the citizens of St. Louis County.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board authorizes the Sheriff to seek private contributions to fund a Canine program; and

RESOLVED FURTHER, the Sheriff is authorized to select, equip, and certify Deputies for the position of Canine handler and that dogs shall be selected and trained with the greatest care and awareness of their safety and humane treatment as law enforcement partners; and

RESOLVED FURTHER, funds raised by the Sheriff shall be deposited into a Reserve Fund designated for use by the Sheriff for the K-9 program.

Adopted December 2, 2003. No. 736

WHEREAS, the St. Louis County Board recognizes the contributions of the Deputies who represent the County in volunteering for Honor Guard; and

WHEREAS, the Sheriff's Honor Guard is utilized in many official functions by the Sheriff to reflect pride in area Law Enforcement and honor the memory of those Officers and Deputies that have fallen.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners authorizes the Sheriff to raise private contributions to replace uniforms for the Sheriff's Honor Guard; and

RESOLVED FURTHER, the funds raised for this project shall be placed in a reserve funds dedicated to the Honor Guard uniform fund.

Adopted December 2, 2003. No. 737

**BY COMMISSIONER FORSMAN:**

WHEREAS, the St. Louis County Auditor is one of three administrative department heads elected by a County-wide vote of the people; and

WHEREAS, due to the retirement of County Auditor Gordon McFaul on December 31, 2003, the St. Louis County Board is authorized under state statute to appoint an individual to complete the unexpired term of office (through 2006); and

WHEREAS, by law, the County Auditor is the:

- Chief fiscal officer of the County
- Custodian of County Funds
- Chief tax collector for the County and its political subdivisions
- Clerk of the County Board of Commissioners
- Registrar of voters
- Supervisor of elections

RESOLVED, the Board hereby authorizes the Clerk of the Board to place advertisements of the County Auditor vacancy.

RESOLVED FURTHER, the Board authorizes Clerk to accept resumes/applications up to the closing date of January 16, 2004.

Yeas - Commissioners Fay, Kron, Forsman, Sweeney, Raukar and Chair Fink - 6

Nays - Commissioner Nelson - 1

Adopted December 2, 2003. No. 738

Upon motion of Commissioner Fay, supported by Commissioner Raukar, Resolutions No. 739 through 746, which were approved at the Committee of the Whole meeting this date, were brought forth to this meeting as a second Consent Agenda and were unanimously adopted as follows:

**BY COMMISSIONER FAY:**

RESOLVED, that the County Board of Commissioners hereby authorizes the appropriate County

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

426

officials to enter into a contract with Interim Health Care of Lake Superior, Inc., to purchase noon and evening pre-portioned meals from Community Food Service seven days a week at the rate of \$5.75 per meal. This contract will run from December 1, 2003, through December 31, 2004.

**FUNDING:**

Budget Reference:

Fund 66 Community Food Services  
Agency A66 Community Food Services  
Org. 4200 Community Food Services  
Obj. 343 Food Service Agreements, 411 Food and Beverages, 418 Food Service Supplies

Revenue Source:

Fund 66 Community Food Services  
Agency A66 Community Food Services  
Org. 4200 Community Food Services  
Rev. 1942 Food Service  
Adopted December 2, 2003. No. 739

RESOLVED, that the County Board of Commissioners hereby authorizes the appropriate County officials to enter into contracts with the following providers for the purchase of chemical dependency services for the period January 1, 2004, through December 31, 2004, as follows:

**Non-Residential:**

	<u>Service Rate</u>
<u>Arrowhead Center, Inc.</u>	
Adult and Youth Outpatient Treatment	\$35.33 per hour
<u>Center for Alcohol and Drug Treatment</u>	
First Step	\$22.43 per hour
Intensive Outpatient	\$28.35 per hour
<u>Duluth Bethel Society</u>	
Bethel Outpatient Center-Outpatient Treatment	\$26.25 per hour
<u>Miller-Dwan Medical Center</u>	
Adolescent Outpatient Treatment	\$75.67 per hour
<u>University Medical Center-Mesabi</u>	
Adult and Youth	
Evening	\$35.69 per hour
Day	\$35.69 per hour

**Residential:**

	<u>Service Rate</u>
<u>Center for Alcohol and Drug Treatment</u>	
Residential	
Adult	\$278.33 per day
<u>Miller-Dwan Medical Center</u>	
Residential	
Youth	\$308.97 per day
<u>University Medical Center-Mesabi/Range Mental Health Center</u>	
Residential	
Adult	\$273.07 per day
Youth	\$273.07 per day

**Half-Way House:**

	<u>Service Rate</u>
<u>Arrowhead Center, Inc.</u>	

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

427

Arrowhead Recovery House	\$67.37 per day
<u>Center for Alcohol and Drug Treatment</u>	
Howard Friese	\$70.36 per day
Marty Mann	\$70.36 per day
<u>Duluth Bethel Society</u>	
Port	\$64.74 per day
<u>Minnesota Indian Primary Residential Treatment Center, Inc.</u>	
Thunderbird House	\$29.17 per day
Wren House	\$29.17 per day

**Extended Care:**

	<u>Service Rate</u>
<u>Duluth Bethel Society</u>	
Extended Care Treatment	\$113.32 per day
Adopted December 2, 2003. <u>No. 740</u>	

WHEREAS, St. Louis County (County) and the Lake Superior Railroad Museum (Museum) support the construction project for the rehabilitation of the railroad track west of the Museum; and

WHEREAS, the County is required to act as the fiscal agent and contract administrator for the State of Minnesota in administering federal enhancement funds through the Delegated Contract Process and this cooperative agreement defines the cost participation and project responsibilities of this project.

RESOLVED, that the Public Works Department is hereby authorized to enter into an agreement with the Lake Superior Railroad Museum authorizing the appropriate County officials to sign the agreement for S.P. 69-595-03, County Project No. 3594, whereby the Lake Superior Railroad Museum will pay the Museum's local dollar match of twenty percent (20%) of the actual project costs, and other costs including but not limited to advertising, mailing of plans and proposals, and construction materials testing. The Lake Superior Railroad Museum shall pay ninety-five percent (95%) of its agreed upon obligation after opening the bids for the project, but before actual award of the contract. Payable to Fund 08A, Agency 525, Org. 3594, Object 527. The Museum's share will be paid from Fund 08A, Agency 525, Org. 3594, Object 527, and reimbursed with Lake Superior Railroad Museum funds. Adopted December 2, 2003. No. 741

RESOLVED, that the Purchasing Agent is hereby authorized to increase the fee for service with RLK Kuusisto, Ltd., in the amount of \$4,216.50 related to the construction management for C-SAH 29 (Central Avenue) in Meadowlands, payable from Fund 02 (Public Works), Agency A11 (Administration & Engineering), Organization 0008, Function H056, Object 266 (Engineering Services). Adopted December 2, 2003. No. 742

WHEREAS, the St. Louis County Public Works Department's Fifth and Sixth Highway Districts budgeted for replacement of motor graders for snow and ice control and gravel road maintenance; and WHEREAS, the Purchasing Department solicited State of Minnesota Contract Pricing from the only two area vendors selling six-wheel drive motor grader models that have proven acceptable in our operations; and

WHEREAS, Ziegler, Inc., of Duluth, Minnesota, provided the lowest with-trade prices for near new motor graders meeting the Public Works Department specifications; and

WHEREAS, the motor grader for the Fifth Highway District includes two trade-in units for a purchase price of \$114,470. The motor grader for the Sixth Highway District with one trade-in will cost \$132,970. The sale will be subject to a State of Minnesota sales tax of \$16,803.60 for a total cost to St. Louis County of \$263,523.60; and

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners authorizes the Director of Purchasing to issue a purchase order to Ziegler, Inc., of Duluth for the with trade-in purchase of two Caterpillar 143H motor graders for a purchase price of \$247,440, plus the applicable

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

428

State of Minnesota sales tax of \$16,083.60, for total of \$263,523.60. Funding for this purchase is payable from Fund 02, Agency A14, Object 664.  
Adopted December 2, 2003. No. 743

RESOLVED, that pursuant to the recommendations of the Tax Committee, the applications of the following named persons and firms for reduction and correction of assessed valuations and taxes in the following amounts plus on those abatements of penalty and interest, any additional accrual to the date of this resolution, on file in the office of the County Auditor, identified as County Board File No. 58013, are hereby approved:

Real Estate - Kevin Berg, \$655.18; Thomas Bergh, \$84.81; C & W Development, \$607.14; Brenda Hendrickson, \$115.38; Paul Heskin, \$299.32; Ind. Apost. Luth. Church, \$352.30; Michael Isaacs, \$268.00; Pauline Labate, \$420.10; Ann Murray, \$589.88; Russell Nelson, \$407.40; Elvin Nordlinder, \$592.98; Ellen Pence, \$259.16; Jessie Ploof, \$545.40; Carl Sandness, \$293.30; State of MN, \$419.74; Michael Tremblay, \$524.36; USA, \$46.24; Antony Utegaard, \$290.40; Lindsey Vandyke, \$0.00.

Personal Property - Scott Metzger, \$162.42; Rhude & Fryberger, \$162.68; Francis Rosman, \$5.62.  
Adopted December 2, 2003. No. 744

WHEREAS, St. Louis County has a Geographic Information System (GIS) Strategic Plan which has as a foundational goal the development of parcel layers; and

WHEREAS, the Minnesota Lake Superior Coastal Assistance Grant Program has funds available for GIS data collection and implementation; and

WHEREAS, Canosia and Rice Lake townships are located in the costal zone and are in the process of updating plans and public infrastructure.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners authorizes the submission of a grant application to the Minnesota Lake Superior Coastal Assistance Grant Program for \$50,000 for the purpose of developing parcel layers in Canosia and Rice Lake Townships to assist with future development issues; and

RESOLVED FURTHER, that the Planning Department Director execute the grant agreements and related documents; and

RESOLVED FURTHER, the Board authorizes use of staff time to fulfill the grant requirement of in-kind match in the amount of \$50,000; and

RESOLVED FURTHER, that said grant funds will be appropriated and disbursed from Fund 01, Agency 021.

Adopted December 2, 2003. No. 745

RESOLVED, that the Chair of the Board and the County Auditor are hereby authorized to execute the lobbying services agreement with Arrowhead Counties Association, a copy of which is on file in Contract File No. 03-854, which would utilize the services of St. Louis County's lobbyist, John Ongaro, to further Arrowhead Counties lobbying activities at the State Legislature during the 2004 legislative session.

Adopted December 2, 2003. No. 746

At 1:15 P.M. on Tuesday, December 2, 2003, upon motion of Commissioner Fay, supported by Commissioner Raukar, the Board of County Commissioners adjourned.

Dennis Fink, Chair of the Board  
of County Commissioners

Attest:  
Gordon D. McFaul, County Auditor  
and Ex-Officio Clerk of the Board  
of County Commissioners

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

429

(Seal of the County Auditor)

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

430

**ST. LOUIS COUNTY BOARD OF COMMISSIONERS  
INFORMATIONAL MEETING AND PUBLIC HEARING  
TRUTH IN TAXATION FOR THE 2004 ST. LOUIS COUNTY BUDGET AND LEVY**

Thursday, December 4, 2003, Courthouse, Virginia, MN

Thursday, December 11, 2003, Courthouse, Duluth, MN

The informational meeting and hearing was called to order at 5:05 p.m. in Courtroom One, St. Louis County Courthouse, Virginia, MN, on Thursday, December 4, 2003, by Commissioner Dennis E. Fink, Chair of the County Board. Present at the hearing were: Commissioners Joanne Fay, Mike Forsman, Peg Sweeney, Keith Nelson, Steve Raukar and Chair Dennis Fink. Absent was Commissioner Bill Kron.

Ann Busche, Interim County Administrator, made the initial budget presentation. Administrator Busche explained that Truth In Taxation (TINT) hearings were established to receive public comment on the proposed 2004 County budget of \$248,694,409. Questions about individual assessments and property valuations were not within the purview of these hearings, although representatives from the Assessor's Office were available to address individual valuation concerns. Even with more than \$11 million in state budget cuts, the Board was able to limit the 2004 levy increase to 3.95% (1.52% without the \$2 million Auditor's correction). Administrator Busche thanked staff and Commissioners for their hard work crafting the budget.

Chair Fink then opened the hearing to the public and the following person addressed the Board concerning the proposed 2004 budget:

Cyril Purkat, Biwabik Township, said increases in Biwabik Township were unjustified and explanations from the Assessor and Auditor did not adequately address his concerns. Mr. Purkat suggested lowering salaries and going to a flat tax rate.

After discussion of Mr. Purkat's comments, Commissioner Raukar suggested directing Administration to write an "op-ed" article for area newspapers explaining how market values relate to overall taxation.

At 5:48 p.m., Chair Fink recessed the hearing until Thursday, December 11, 2003 at 5:00 p.m. in the County Boardroom, 2<sup>nd</sup> Floor, Courthouse, Duluth, MN.

At 5:02 p.m., the Truth In Taxation public hearing reconvened in the County Boardroom, 2<sup>nd</sup> Floor, Courthouse, Duluth, MN, with all Commissioners present.

Administrator Busche made a budget presentation similar to the one she made in Virginia on December 4, emphasizing the impact of state budget cuts and overall decreasing size of the County budget.

Chair Fink then opened the meeting to the public and the following person addressed the proposed 2004 County budget:

Harvey Johnson, Duluth, had questions about the \$2 million Auditor levy correction and he asked why taxes are still rising if the County budget is actually decreasing. Mr. Johnson said government employee fringe benefits are out of line with the private sector.

After brief discussion about Mr. Johnson's comments, Commissioner Sweeney, supported by Commissioner Raukar, moved to adjourn the Truth In Taxation hearing; seven yeas, zero nays.

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

431

Dennis E. Fink, Chair of the County Board

Paul L. Tynjala, Deputy Auditor/Clerk of the County Board

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

432

**OFFICIAL PROCEEDINGS OF THE MEETING  
OF THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF ST. LOUIS, MINNESOTA,  
HELD ON DECEMBER 16, 2003**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 16th day of December, 2003, at 9:33 A.M. in the County Board Room, Courthouse, Duluth, Minnesota. The meeting was called to order by the Chair with the following members present: Commissioners Joanne Fay, Bill Kron, Mike Forsman, Peg Sweeney, Keith Nelson, Steve Raukar, and Chair Dennis Fink - 7. Absent: None.

Chair Fink began the meeting by sharing some historical facts about Minnesota.

At 9:38 A.M., a public hearing was convened, pursuant to County Board Resolution No. 719, adopted November 25, 2003, to consider suspension/revocation of liquor licenses for failure to pay real estate or personal property taxes when due. Alan Mitchell, County Attorney, cited applicable sections from County Ordinance No. 28 and presented information concerning the following four establishments:

1. Jack and Vivian Curtis, d/b/a J & V's That Place, Floodwood, have an unpaid second half balance of \$758.40 including penalty and interest if paid by December 16, 2003. Attorney Mitchell said all required notices were given and he recommended the license be suspended for sixty days and, if payment is not received, subsequently revoked. Commissioner Fay, supported by Commissioner Nelson, moved a sixty-day suspension of the license and revocation if taxes remain unpaid; seven yeas - zero nays.
2. Katherine Grosklags, d/b/a Glenwood Lodge, Tower, has an unpaid second half balance of \$2392.64, including penalty and interest if paid by December 16, 2003. Attorney Mitchell said all required notices were given and he recommended the license be suspended for sixty days and, if payment is not received, subsequently revoked. Commissioner Sweeney, supported by Commissioner Nelson, moved a sixty-day suspension of the license and revocation if taxes remain unpaid; seven yeas - zero nays.
3. Cary and Sherry Pokorny, d/b/a Pokorny's Resort, Kabetogama, have an unpaid second half balance of \$1587.89, including penalty and interest if paid by December 16, 2003. Attorney Mitchell said all required notices were given and he recommended the license be suspended for sixty days and, if payment is not received, subsequently revoked. Commissioner Fay, supported by Commissioner Nelson, moved a sixty-day suspension of the license and revocation if taxes remain unpaid; seven yeas - zero nays.
4. F & D, Inc, d/b/a Lakeview Castle, Duluth, have an unpaid second half tax balance of \$7508.70, including penalty and interest if paid by December 16, 2003. Attorney Mitchell said all required notices were given and he recommended the license by suspended for sixty days and, if payment is not received, subsequently revoked. Commissioner Raukar, supported by Commissioner Nelson, moved a sixty-day suspension of the license and revocation if taxes remain unpaid; seven yeas - zero nays.

Attorney Mitchell said his office would prepare a Findings of Fact to be served on the establishments. In response to a question from Commissioner Fay, Attorney Mitchell said full payment of the tax balances will result in automatic reinstatement of the license(s) during the sixty-day suspension period.

At 10:08 A.M., Commissioner Fay, supported by Commissioner Kron, moved to close the public hearing; seven yeas - zero nays.

Chair Fink opened the meeting to persons who wanted to address the Board concerning issues not on the agenda, and the following chose to do so:

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

433

Karla and Kerry Abramson, Angora, owners of KGM Contractors, asked for a meeting with Commissioners Forsman and Nelson to discuss allegations made against their company concerning the reconstruction of a portion of C-SAH 4.

County Attorney Mitchell advised the Board that problems associated with reconstruction of C-SAH 4 were contractual issues that should be resolved by Public Works and the Attorney's Office.

Commissioner Fay, supported by Commissioner Sweeney, moved to approve the St. Louis County Operating and Capital Budget for 2004 and 2003 Property Tax Levy. Ann Busche, Interim County Administrator, made a brief presentation, emphasizing the impact of state budget cuts and the hard work that went into limiting the levy increase to 3.68 percent. Commissioner Forsman said he would not support the budget because some portions, such as the Assessor budget, should be significantly reduced. After further discussion, Commissioner Raukar, supported by Commissioner Sweeney, moved to increase the levy by approximately \$500,000 to provide a "safety net" for unforeseen problems. After some discussion, the makers reduced the increase to approximately \$250,000, but the amendment failed; three yeas - four nays, Commissioners Fay, Kron, Nelson and Chair Fink. The budget resolution as submitted was then approved; six yeas - one nay, Commissioner Forsman. Resolution No. 754.

Commissioner Fay, supported by Commissioner Nelson, made a motion to remove from the agenda consideration of a joint powers agreement with Houston County for purchase of office supplies. County Attorney Mitchell said the Houston County contract had certain limitations and Corporate Express, provider of office supplies, did not want to participate in the agreement. The motion to remove the item was then approved; seven yeas - zero nays.

Commissioner Forsman congratulated Chair Fink on his recent election as President of the Association of Minnesota Counties (AMC).

Commissioner Nelson noted the recent election of Commissioner Forsman to the Transportation Alliance Board.

The following Board and Contract Files were created as a result of documents received at this Board meeting:

Peter Clevestine, Chisholm, submitting a petition signed by 31 registered voters residing on the North Long Lake Road in Balkan Township wishing to break away from Balkan Township and join Unorganized Township 59, Range 21, which is immediately to the west.--58164

Gene Merriam, Commissioner, Minnesota Department of Natural Resources, submitting an approved copy of Ordinance No. 57 - allowing a 65 m.p.h. daytime speed limit on marked trails on certain lakes greater than 10,000 acres. --58165

Mello Puglisi, Coordinator, Raleigh Street Breakfast Club, urging that the Duluth Air National Guard Unit be maintained and remain at its present location in Duluth.--58166

Documentation from public hearing held on December 16, 2003, to consider the suspension/revocation of liquor licenses for failure to pay real estate or personal property taxes.--58167

Addendum to Purchase of Service Agreement between the County of St. Louis, through its Chris Jensen Health and Rehabilitation Center, and Denise Letourneau for Registered Dietician/Licensed Dietician services.--03-861

Contract between the County of St. Louis and Louis Leustek & Sons, Inc., for storm sewer, aggregate

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

434

base, curb and gutter, sidewalk, lighting and bituminous surface on S.A.P. 69-752-01, C-SAH 152, C.P. 9281.-03-862

Quit claim deed between St. Louis County and Richard DeLoria and Tina DeLoria, grantees as joint tenants, for right-of-way described as Part of the SE 1/4 of SE 1/4 of Section 20, Township 57 North, Range 17 West.-03-863

Amendment to Service Agreement for Collection of Residential and Commercial Recyclable Materials between St. Louis County, through its Solid Waste Department, and the City of Chisholm.-03-864

Amendment to Service Agreement for Cook, Hudson, and Northwoods Transfer Trailer Haulage between St. Louis County and Kangas Excavating.-03-865

Addendum to Purchase Agreement, Contract No. 13059B, between the St. Louis County Board of Commissioners and Access to Employment, Too, Inc. (CSSA), for adult day training and habilitation services.-03-866ss

Addendum to Purchase Agreement, Contract No. 13060B, between the St. Louis County Board of Commissioners and Access to Employment, Too, Inc. (MA MR/RC Waiver), for adult day training and habilitation services.-03-867ss

Addendum to Purchase Agreement, Contract No. 13062B, between the St. Louis County Board of Commissioners and Choice, Unlimited - Choice (MA MR/RC Waiver), for adult day training and habilitation services.-03-868ss

Addendum to Purchase Agreement, Contract No. 13061B, between the St. Louis County Board of Commissioners and Choice, Unlimited - Choice (CCSA), for adult day training and habilitation services.-03-869ss

Addendum to Purchase Agreement, Contract No. 13063B, between the St. Louis County Board of Commissioners and Choice, Unlimited - Options (CCSA), for adult day training and habilitation services.-03-870ss

Addendum to Purchase Agreement, Contract No. 13064B, between the St. Louis County Board of Commissioners and Choice, Unlimited - Options (MA/RC Waiver), for adult day training and habilitation services.-03-871ss

Addendum to Purchase Agreement, Contract No. 13066B, between the St. Louis County Board of Commissioners and East Range Developmental Achievement Center, Inc. (MA MR/RC Waiver), for adult day training and habilitation services.-03-872ss

Addendum to Purchase Agreement, Contract No. 13065B, between the St. Louis County Board of Commissioners and East Range Developmental Achievement Center, Inc. (CCSA), for adult day training and habilitation services.-03-873ss

Addendum to Purchase Agreement, Contract No. 13067B, between the St. Louis County Board of Commissioners and Floodwood Services and Training, Inc. (CCSA), for adult day training and habilitation.-03-874ss

Addendum to Purchase Agreement, Contract No. 13068B, between the St. Louis County Board of Commissioners and Floodwood Services and Training, Inc. (MA MR/RC Waiver), for adult day training and habilitation.-03-875ss

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

435

Addendum to Purchase Agreement, Contract No. 13078B, between the St. Louis County Board of Commissioners and Pinewood-Duluth, Inc. (CCSA), for adult day training and habilitation.–03-876ss

Addendum to Purchase Agreement, Contract No. 13079B, between the St. Louis County Board of Commissioners and Pinewood-Duluth, Inc. (MA MR/RC Waiver), for adult day training and habilitation.–03-877ss

Addendum to Purchase Agreement, Contract No. 13075B, between the St. Louis County Board of Commissioners and Range Center, Inc. (MA MR/RC Waiver), for adult day training and habilitation.–03-878ss

Addendum to Purchase Agreement, Contract No. 13074B, between the St. Louis County Board of Commissioners and Range Center, Inc. (CCSA), for adult day training and habilitation.–03-879ss

Addendum to Purchase Agreement, Contract No. 13076B, between the St. Louis County Board of Commissioners and UDAC, Inc. (CCSA), for adult day training and habilitation.–03-880ss

Addendum to Purchase Agreement, Contract No. 13077B, between the St. Louis County Board of Commissioners and UDAC, Inc. (MA MR/RC Waiver), for adult day training and habilitation.–03-881ss

Agreement for Therapy Services between the County of St. Louis, through its Chris Jensen Health and Rehabilitation Center, and Health Dimensions Rehabilitation.–03-882

Addendum to Purchase Agreement, Contract No. 13298B, between the St. Louis County Board of Commissioners and Choice, Unlimited - Work by Design - SES (MA MR/RC Waiver Supported Employment).–03-883ss

Addendum to Purchase Agreement, Contract No. 13341B, between the St. Louis County Board of Commissioners and Choice, Unlimited - CORE (Community Outreach for Retirement Enrichment) - Personal Support.–03-884ss

Addendum to Purchase Agreement, Contract No. 13611A, between the St. Louis County Board of Commissioners and NHS - Northstar Specialized Services, Inc. - Horizons II for SLS for adults.–03-885ss

Addendum to Purchase Agreement, Contract No. 13248B, between the St. Louis County Board of Commissioners and NHS - Northstar Specialized Services, Inc. - Kingston Home for SLS for adults.–03-886ss

Addendum to Purchase Agreement, Contract No. 13599A, between the St. Louis County Board of Commissioners and NHS - Northstar Specialized Services, Inc. - Linden for SLS for adults.–03-887ss

Addendum to Purchase Agreement, Contract No. 13250B, between the St. Louis County Board of Commissioners and NHS - Northstar Specialized Services, Inc. - Nova Home for SLS for adults.–03-888ss

Addendum to Purchase Agreement, Contract No. 13251B, between the St. Louis County Board of Commissioners and NHS - Northstar Specialized Services, Inc. - Orion Home for SLS for adults.–03-889ss

Addendum to Purchase Agreement, Contract No. 13252B, between the St. Louis County Board of Commissioners and NHS - Northstar Specialized Services, Inc. - Phoenix for SLS for children.–03-890ss

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

436

Addendum to Purchase Agreement, Contract No. 13253B, between the St. Louis County Board of Commissioners and NHS - Northstar Specialized Services, Inc. - Quest Home for SLS for adults.-03-891ss

Addendum to Purchase Agreement, Contract No. 13254B, between the St. Louis County Board of Commissioners and NHS - Northstar Specialized Services, Inc. - Rosewood for SLS for adults.-03-892ss

Addendum to Purchase Agreement, Contract No. 13255B, between the St. Louis County Board of Commissioners and NHS - Northstar Specialized Services, Inc. - Taurus for SLS for adults.-03-893ss

Addendum to Purchase Agreement, Contract No. 13249B, between the St. Louis County Board of Commissioners and NHS - Northstar Specialized Services, Inc., for respite care.-03-894ss

Addendum to Purchase Agreement, Contract No. 13247B, between the St. Louis County Board of Commissioners and NHS - Northstar Specialized Services, Inc., - In-Home Family Support.-03-895ss

Addendum to Purchase Agreement, Contract No. 13256B, between the St. Louis County Board of Commissioners and Northern Habilitative Services, Inc. - Aldrich for SLS for adults.-03-896ss

Addendum to Purchase Agreement, Contract No. 13257B, between the St. Louis County Board of Commissioners and Northern Habilitative Services, Inc. - Cedar for SLS for adults.-03-897ss

Addendum to Purchase Agreement, Contract No. 13258B, between the St. Louis County Board of Commissioners and Northern Habilitative Services, Inc. - Central for SLS for adults.-03-898ss

Addendum to Purchase Agreement, Contract No. 13259B, between the St. Louis County Board of Commissioners and Northern Habilitative Services, Inc. - Douglas II for SLS for adults.-03-899ss

Addendum to Purchase Agreement, Contract No. 13260B, between the St. Louis County Board of Commissioners and Northern Habilitative Services, Inc. - Evans for SLS for adults.-03-900ss

Addendum to Purchase Agreement, Contract No. 13261B, between the St. Louis County Board of Commissioners and Northern Habilitative Services, Inc. - Forest for SLS for adults.-03-901ss

Addendum to Purchase Agreement, Contract No. 13264B, between the St. Louis County Board of Commissioners and Northern Habilitative Services, Inc. - Ivy for SLS for adults.-03-902ss

Addendum to Purchase Agreement, Contract No. 13265B, between the St. Louis County Board of Commissioners and Northern Habilitative Services, Inc. - Jones for SLS for adults.-03-903ss

Addendum to Purchase Agreement, Contract No. 13266B, between the St. Louis County Board of Commissioners and Northern Habilitative Services, Inc. - Supported Living Services - Adult.-03-904ss

Addendum to Purchase Agreement, Contract No. 13267B, between the St. Louis County Board of Commissioners and Northern Habilitative Services, Inc. - Supported Living Services - Child.-03-905ss

Addendum to Purchase Agreement, Contract No. 13268B, between the St. Louis County Board of Commissioners and Northern Habilitative Services, Inc. - Southside for SLS for adults.-03-906ss

Purchase of Service Agreement, Contract No. 13620, between the St. Louis County Board of Commissioners and Rural Living Environments, Inc. - Balsam Home for SLS for adults.-03-907ss

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

437

Addendum to Purchase Agreement, Contract No. 13194B, between the St. Louis County Board of Commissioners and Residential Services of Northeastern MN, Inc. (RSI) - Chester Creek for SLS for adults.-03-908ss

Addendum to Purchase Agreement, Contract No. 13193B, between the St. Louis County Board of Commissioners and Residential Services of Northeastern MN, Inc. (RSI) - Hunter's Park for SLS for adults.-03-909ss

Addendum to Purchase Agreement, Contract No. 13315B, between the St. Louis County Board of Commissioners and Residential Services of Northeastern MN, Inc. (RSI) - Morley Park for SLS for adults.-03-910ss

Addendum to Purchase Agreement, Contract No. 13195B, between the St. Louis County Board of Commissioners and Residential Services of Northeastern MN, Inc. - Piedmont for SLS for adults.-03-911ss

Addendum to Purchase Agreement, Contract No. 13192B, between the St. Louis County Board of Commissioners and Residential Services of Northeastern MN, Inc. (RSI) - Westbrook for SLS for adults.-03-912ss

Addendum to Purchase Agreement, Contract No. 13196B, between the St. Louis County Board of Commissioners and Residential Services of Northeastern MN, Inc. (RSI) - MA MR/RC Waiver In-Home Family Support Services.-03-913ss

Addendum to Purchase Agreement, Contract No. 13197B, between the St. Louis County Board of Commissioners and Residential Services of Northeastern MN, Inc. - Respite Care Services (MA MR/RC Waiver).-03-914ss

Addendum to Purchase Agreement, Contract No. 13282B, between the St. Louis County Board of Commissioners and Family Support, Inc., of Moose Lake for specialist services.-03-915ss

Addendum to Purchase Agreement, Contract No. 13349B, between the St. Louis County Board of Commissioners and Velkommen Village for SLS for children and adults.-03-916ss

Addendum to Purchase Agreement, Contract No. 13355B, between the St. Louis County Board of Commissioners and Seeland Adult Foster Home for SLS for adults.-03-917ss

Addendum to Purchase Agreement, Contract No. 13325B, between the St. Louis County Board of Commissioners and Jo-Anne Robich - Respite Care Services.-03-918ss

Addendum to Purchase Agreement, Contract No. 13325B, between the St. Louis County Board of Commissioners and Peterson Adult Foster Home for SLS for adults.-03-919ss

Addendum to Purchase Agreement, Contract No. 13441A, between the St. Louis County Board of Commissioners and L & M Opportunities, Inc., for SLS for children and adults.-03-920ss

Addendum to Purchase Agreement, Contract No. 13231B, between the St. Louis County Board of Commissioners and Lakewind, Inc., for SLS for adults.-03-921ss

Addendum to Purchase Agreement, Contract No. 13281B, between the St. Louis County Board of Commissioners and DeRungs/Bonk Adult Foster Care, Inc., for SLS for adults.-03-922ss

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

438

Addendum to Purchase Agreement, Contract No. 13377B, between the St. Louis County Board of Commissioners and Sherry Anderson (Respite Care).-[03-923ss](#)

Addendum to Purchase Agreement, Contract No. 13300B, between the St. Louis County Board of Commissioners and Julie and Michael Balmer - Amity House for SLS for adults.-[03-924ss](#)

Employee Safety & Development Training Contract between St. Louis County and Mary McHardy for *Pre-Retirement Planning: "Psychological Considerations of Retirement"* session.-[03-925](#)

Easement Grant Steam Service Agreement and Membership Application of Duluth Steam Cooperative Association and Rules and Conditions Governing Steam Service for the St. Louis County Heritage and Arts Center.-[03-926](#)

Amendment to Service Agreement for Brookston Waste Transfer Trailer Haulage between St. Louis County and Dougherty Trucking and Aggregate.-[03-927](#)

Group Residential Housing Rate Agreement between the St. Louis County Board of Commissioners and Rural Living Environments, Inc. (Balsam Home).-[03-928ss](#)

Addendum to Purchase Agreement, Contract No. 13352B, between the St. Louis County Board of Commissioners and E.B.I., Inc., for SLS for adults.-[03-929ss](#)

Addendum to Purchase Agreement, Contract No. 13351B, between the St. Louis County Board of Commissioners and E.B.I., Inc. - Denfeld for SLS for adults.-[03-930ss](#)

Addendum to Purchase Agreement, Contract No. 13350B, between the St. Louis County Board of Commissioners and E.B.I., Inc. - Piedmont for SLS for adults.-[03-931ss](#)

Addendum to Purchase Agreement, Contract No. 13318B, between the St. Louis County Board of Commissioners and Barbara Gross Adult Foster Home for SLS for adults.-[03-932ss](#)

Addendum to Purchase Agreement, Contract No. 13234B, between the St. Louis County Board of Commissioners and Carole Wick for respite care.-[03-933ss](#)

Addendum to Purchase Agreement, Contract No. 13326B, between the St. Louis County Board of Commissioners and Worry-Free Respite.-[03-934ss](#)

Addendum to Purchase Agreement, Contract No. 13312B, between the St. Louis County Board of Commissioners and Carol Reigstad Adult Foster Home - House I for SLS for adults.-[03-935ss](#)

Addendum to Purchase Agreement, Contract No. 13313B, between the St. Louis County Board of Commissioners and Carol Reigstad Adult Foster Home - House II for SLS for adults.-[03-936ss](#)

Addendum to Purchase Agreement, Contract No. 13314B, between the St. Louis County Board of Commissioners and Carol Reigstad Adult Foster Home - House III for SLS for adults.-[03-937ss](#)

Addendum to Purchase Agreement, Contract No. 13319B, between the St. Louis County Board of Commissioners and Kiminki Homes, Inc., No. 1 for SLS for adults.-[03-938ss](#)

Addendum to Purchase Agreement, Contract No. 13320B, between the St. Louis County Board of Commissioners and Kiminki Homes, Inc., No. 2 for SLS for adults.-[03-939ss](#)

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

439

Addendum to Purchase Agreement, Contract No. 13321B, between the St. Louis County Board of Commissioners and Kiminki Homes, Inc., No. 3 for SLS for adults.-[03-940ss](#)

Addendum to Purchase Agreement, Contract No. 13322B, between the St. Louis County Board of Commissioners and Kiminki Homes, Inc., No. 4 for SLS for adults.-[03-941ss](#)

Addendum to Purchase Agreement, Contract No. 13323B, between the St. Louis County Board of Commissioners and Kiminki Homes, Inc., No. 5 for SLS for adults.-[03-942ss](#)

Addendum to Purchase Agreement, Contract No. 13270B, between the St. Louis County Board of Commissioners and Vallie Adult Foster Care Home for SLS for adults.-[03-943ss](#)

Addendum to Purchase Agreement, Contract No. 13405A, between the St. Louis County Board of Commissioners and Taylor SLS, Inc. - Basswood (Child SLS).-[03-944ss](#)

Addendum to Purchase Agreement, Contract No. 13236B, between the St. Louis County Board of Commissioners and Taylor SLS, Inc. - I for SLS for adults.-[03-945ss](#)

Addendum to Purchase Agreement, Contract No. 13237B, between the St. Louis County Board of Commissioners and Taylor SLS, Inc. - II for SLS for adults.-[03-946ss](#)

Addendum to Purchase Agreement, Contract No. 13338B, between the St. Louis County Board of Commissioners and Lee Foster Care Home I for SLS for adults.-[03-947ss](#)

Addendum to Purchase Agreement, Contract No. 13337B, between the St. Louis County Board of Commissioners and Lee Foster Care Home II for SLS for adults.-[03-948ss](#)

Addendum to Purchase Agreement, Contract No. 13435A, between the St. Louis County Board of Commissioners and Lee Foster Care Home III for SLS for adults.-[03-949ss](#)

Addendum to Purchase Agreement, Contract No. 13339B, between the St. Louis County Board of Commissioners and Lee Adult Foster Home Respite Care.-[03-950ss](#)

Addendum to Purchase Agreement, Contract No. 13614A, between the St. Louis County Board of Commissioners and Employment Links (MA MR/RC Waiver Supported Employment).-[03-951ss](#)

Addendum to Purchase Agreement, Contract No. 13309B, between the St. Louis County Board of Commissioners and William and Terry Johnson Foster Home for SLS for adults.-[03-952ss](#)

Addendum to Purchase Agreement, Contract No. 13353B, between the St. Louis County Board of Commissioners and Macor Adult Foster Home I for SLS for adults.-[03-953ss](#)

Addendum to Purchase Agreement, Contract No. 13354B, between the St. Louis County Board of Commissioners and Macor Adult Foster Home II for SLS for adults.-[03-954ss](#)

Addendum to Purchase Agreement, Contract No. 13316B, between the St. Louis County Board of Commissioners and Iron Range Empowerment Services, Inc., for family support services and respite care.-[03-955ss](#)

Addendum to Purchase Agreement, Contract No. 13233B, between the St. Louis County Board of Commissioners and Occupational Development Center, Inc. (ODC) - MA MR/RC Waiver Supported Employment.-[03-956ss](#)

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

440

Addendum to Purchase Agreement, Contract No. 13232B, between the St. Louis County Board of Commissioners and Hermantown Residential Care for SLS for adults.-[03-957ss](#)

Addendum to Purchase Agreement, Contract No. 13483A, between the St. Louis County Board of Commissioners and Innovative Living, Inc. (SILS).-[03-958ss](#)

Addendum to Purchase Agreement, Contract No. 13600A, between the St. Louis County Board of Commissioners and Trillium Services, Inc. - Baylis II for SLS for adults.-[03-959ss](#)

Addendum to Purchase Agreement, Contract No. 13364B, between the St. Louis County Board of Commissioners and Trillium Services, Inc. - Deerfield IV for SLS for adults.-[03-960ss](#)

Addendum to Purchase Agreement, Contract No. 13374B, between the St. Louis County Board of Commissioners and Trillium Services, Inc. - Faribault for SLS for adults.-[03-961ss](#)

Addendum to Purchase Agreement, Contract No. 13363B, between the St. Louis County Board of Commissioners and Trillium Services, Inc. - Highland I for SLS for adults.-[03-962ss](#)

Addendum to Purchase Agreement, Contract No. 13362B, between the St. Louis County Board of Commissioners and Trillium Services, Inc., - Highland II for SLS for adults.-[03-963ss](#)

Addendum to Purchase Agreement, Contract No. 13372B, between the St. Louis County Board of Commissioners and Trillium Services, Inc. - Lincoln Park for SLS for adults.-[03-964ss](#)

Addendum to Purchase Agreement, Contract No. 13610A, between the St. Louis County Board of Commissioners and Trillium Services, Inc. - London Road for SLS for adults.-[03-965ss](#)

Addendum to Purchase Agreement, Contract No. 13370B, between the St. Louis County Board of Commissioners and Trillium Services, Inc. - Mitchell I for SLS for adults.-[03-966ss](#)

Addendum to Purchase Agreement, Contract No. 13373B, between the St. Louis County Board of Commissioners and Trillium Services, Inc. - Oakley for SLS for adults.-[03-967ss](#)

Addendum to Purchase Agreement, Contract No. 13371B, between the St. Louis County Board of Commissioners and Trillium Services, Inc. - Parkwood I for SLS for adults.-[03-968ss](#)

Addendum to Purchase Agreement, Contract No. 13509A, between the St. Louis County Board of Commissioners and Trillium Services, Inc. - Parkwood II for SLS for adults.-[03-969ss](#)

Addendum to Purchase Agreement, Contract No. 13369B, between the St. Louis County Board of Commissioners and Trillium Services, Inc. - Ramsey I for SLS for adults.-[03-970ss](#)

Addendum to Purchase Agreement, Contract No. 13368B, between the St. Louis County Board of Commissioners and Trillium Services, Inc. - Ramsey II for SLS for adults.-[03-971ss](#)

Addendum to Purchase Agreement, Contract No. 13367B, between the St. Louis County Board of Commissioners and Trillium Services, Inc., - Ramsey III for SLS for adults.-[03-972ss](#)

Addendum to Purchase Agreement, Contract No. 13438A, between the St. Louis County Board of Commissioners and Trillium Services, Inc. - Ramsey IV for SLS for adults.-[03-973ss](#)

Addendum to Purchase Agreement, Contract No. 13361B, between the St. Louis County Board of

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

441

Commissioners and Trillium Services, Inc. - Selfridge for SLS for adults.-[03-974ss](#)

Addendum to Purchase Agreement, Contract No. 13360B, between the St. Louis County Board of Commissioners and Trillium Services, Inc. (SLS adults and SLS children).-[03-975ss](#)

Addendum to Purchase Agreement, Contract No. 13468A, between the St. Louis County Board of Commissioners and Trillium Services, Inc. - Trillium Plus for SLS for adults.-[03-976ss](#)

Addendum to Purchase Agreement, Contract No. 13330B, between the St. Louis County Board of Commissioners and Innovative Living, Inc. - Piedmont for SLS for adults.-[03-977ss](#)

Addendum to Purchase Agreement, Contract No. 13334B, between the St. Louis County Board of Commissioners and Innovative Living, Inc. - West I for SLS for adults.-[03-978ss](#)

Addendum to Purchase Agreement, Contract No. 13357B, between the St. Louis County Board of Commissioners and Trillium Works! for supported employment.-[03-979ss](#)

Addendum to Purchase Agreement, Contract No. 13358B, between the St. Louis County Board of Commissioners and Trillium Services, Inc. - In-Home Family Support Services.-[03-980ss](#)

Addendum to Purchase Agreement, Contract No. 12552C, between the St. Louis County Board of Commissioners and Trillium Services, Inc., for SLS for adults.-[03-981ss](#)

Addendum to Purchase Agreement, Contract No. 13359B, between the St. Louis County Board of Commissioners and Trillium Services, Inc. - Respite Care.-[03-982ss](#)

Addendum to Purchase Agreement, Contract No. 13376B, between the St. Louis County Board of Commissioners and Trillium Services, Inc. - Baylis I for SLS for adults.-[03-983ss](#)

Addendum to Purchase Agreement, Contract No. 13333B, between the St. Louis County Board of Commissioners and Innovative Living, Inc. - Hutchinson for SLS for adults.-[03-984ss](#)

Addendum to Purchase Agreement, Contract No. 13331B, between the St. Louis County Board of Commissioners and Innovative Living, Inc. - Hibbing (SLS).-[03-985ss](#)

Addendum to Purchase Agreement, Contract No. 13332B, between the St. Louis County Board of Commissioners and Innovative Living, Inc. - Highland for SLS for adults.-[03-986ss](#)

Addendum to Purchase Agreement, Contract No. 13328B, between the St. Louis County Board of Commissioners and Innovative Living, Inc. - Crest House I for SLS for adults.-[03-987ss](#)

Addendum to Purchase Agreement, Contract No. 13329B, between the St. Louis County Board of Commissioners and Innovative Living, Inc. - Gearhart I for SLS for adults.-[03-988ss](#)

Addendum to Purchase Agreement, Contract No. 13225B, between the St. Louis County Board of Commissioners and Innovative Living, Inc. - MA MR/RC Waiver Supported Employment.-[03-989ss](#)

Purchase of Service Agreement, Contract No. 13544, between the St. Louis County Board of Commissioners and the City of Duluth for Minnesota Family Investment Program Employment and Training Services.-[03-990](#)

Purchase of Service Agreement, Contract No. 13548, between the St. Louis County Board of Com-

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

442

missioners and the City of Duluth for Food Support Employment and Training Services.–03-991

Purchase of Service Agreement, Contract No. 13626, between the St. Louis County Board of Commissioners and Caromin House, Inc. - Tioga (MA MR/RC Waivered Services).–03-992ss

Purchase of Service Agreement, Contract No. 13627, between the St. Louis County Board of Commissioners and Caromin House, Inc.-60th Avenue East (MA MR/RC Waivered Services).–03-993ss

Addendum to Purchase Agreement, Contract No. 13302B, between the St. Louis County Board of Commissioners and Carey Special Needs Foster Home for respite care.–03-994ss

Addendum to Purchase Agreement, Contract No. 13301B, between the St. Louis County Board of Commissioners and Carey Special Needs Foster Home for SLS for adults and children.–03-995ss

Addendum to Purchase Agreement, Contract No. 13427B, between the St. Louis County Board of Commissioners and Cooperating Community Programs, Inc. (Capstone Services) - Artavia for SLS for adults.–03-996ss

Agreement between the County of St. Louis; Gordon D. McFaul, the St. Louis County Auditor; and the Carlton-Cook-Lake-St. Louis Community Health Board for fiscal services.–03-997

Upon motion of Commissioner Kron, supported by Commissioner Raukar, Resolutions No. 747 through 753, as submitted to this Board on the Consent Agenda were unanimously adopted as follows:

**BY COMMISSIONER KRON:**

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of November 18, 2003, are hereby approved.

Adopted December 16, 2003. No. 747

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of November 25, 2003, are hereby approved.

Adopted December 16, 2003. No. 748

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of December 2, 2003, are hereby approved.

Adopted December 16, 2003. No. 749

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, as set forth by the County Attorney, dated November 28, 2003, on file in the office of the County Auditor, identified as County Board File No. 57995, is hereby received and ratified as payable from Fund 52, Department 12.

Adopted December 16, 2003. No. 750

RESOLVED, that pursuant to St. Louis County Ordinance No. 51, the application for license to sell tobacco products, at retail, on file in the office of the County Auditor, identified as County Board File No. 57994, is hereby approved and the County Auditor is authorized to issue the license as follows;

RESOLVED FURTHER, that if named licenseholder sells their licensed business, the County Board, at its discretion, may, after an investigation, transfer the license to a new owner, but without pro-rated refund to the licenseholder:

Meadowlands Investment, Inc., d/b/a Meadowlands Rocket Fuel, City of Meadowlands, Tobacco Products License No. T04193, new.

Adopted December 16, 2003. No. 751

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

443

RESOLVED, that pursuant to St. Louis County Ordinance No. 51, the applications for license to sell tobacco products, at retail, on file in the office of the County Auditor, identified as County Board File No. 57994, are hereby approved and the County Auditor is authorized to issue the licenses as follows; RESOLVED FURTHER, that if named licenseholders sell their licensed business, the County Board, at its discretion, may, after an investigation, transfer the license to a new owner, but without pro-rated refund to the licenseholders:

Frieda Wilton, d/b/a Baba's Place, City of Brookston, Tobacco Products License No. T045;

Ragnar Properties, Inc., d/b/a Billy's, Rice Lake Township, Tobacco Products License No. T04170;

Triple R Enterprises of Duluth, Inc., d/b/a Blue Max Resort, Fredenberg Township, Tobacco Products License No. T0415;

BOB'S better BAIT and BOBBERS, d/b/a BOB'S better BAIT and BOBBERS, Unorganized Township 60-18, Tobacco Products License No. T04191;

J & M Ventures, Inc., d/b/a Breeze Inn, Lakewood Township, Tobacco Products License No. T0417;

C & B Warehouse Distr., Inc., d/b/a Britt Short Stop, Unorganized Township 60-18, Tobacco Products License No. T0418;

Michele Richards, d/b/a Chainsaw Sisters Saloon, Unorganized Township 64-12, Tobacco Products License No. T0423;

Marlene Anding, d/b/a Char Mars, Alborn Township, Tobacco Products License No. T0425;

The Clip Joint Tavern, Inc., d/b/a The Clip Joint Tavern, Inc., Alborn Township, Tobacco Products License No. T0428;

Jauert, Inc., d/b/a Eagle's Nest Resort, Fredenberg Township, Tobacco Products License No. T0443;

Every Buddy's Tavern, Inc., d/b/a Every Buddy's Tavern, Inc., Cherry Township, Tobacco Products License No. T0447;

Gruben's Marina, Inc., d/b/a Gruben's Marina, Greenwood Township, Tobacco Products License No. T0459;

Hi Banks Resort, Inc., d/b/a Hi Banks Resort, Fredenberg Township, Tobacco Products License No. T04187;

Holiday Stationstores, Inc., d/b/a Holiday Stationstore No. 85, City of Proctor, Tobacco Products License No. T0464;

Holiday Stationstores, Inc., d/b/a Holiday Stationstore No. 184, White Township, Tobacco Products License No. T0465;

Homecroft Super Valu, Inc., d/b/a Homecroft Super Valu, Rice Lake Township, Tobacco Products License No. T0466;

Knutson & Son, Inc., d/b/a Jim's Ash Trail Store, Unorganized 68-21, Tobacco Products License No. T04189;

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

444

C & B Warehouse Distributing, Inc., d/b/a The Ledge Short Stop, Vermilion Lake Township, Tobacco Products License No. T04178;

Meadowlands Investment, Inc., d/b/a Meadowlands Rocket Saloon, City of Meadowlands, Tobacco Products License No. T04188;

CMK Management, Inc., d/b/a Powerhouse Bar, City of Proctor, Tobacco Products License No. T04141;

Rocky Ledge Resort, LLC, d/b/a Rocky Ledge Resort, Kabetogama Township, Tobacco Products License No. T04184;

Saginaw Grand Lake Station, LLC, d/b/a Saginaw Grand Lake Station, LLC, Solway Township, Tobacco Products License No. T04171;

Pike River, Inc., d/b/a Silverado Saloon, Unorganized Township 59-16, Tobacco Products License No. T04190.

Adopted December 16, 2003. No. 752

RESOLVED, that pursuant to St. Louis County Ordinance No. 51, the applications for license to sell tobacco products, at retail, on file in the office of the County Auditor, identified as County Board File No. 57994, are hereby approved and the County Auditor is authorized to issue the licenses as follows; RESOLVED FURTHER, that if named licenseholders sell their licensed business, the County Board, at its discretion, may, after an investigation, transfer the license to a new owner, but without pro-rated refund to the licenseholders:

The following licenseholders were issued a tobacco violation citation on the dates as stated:

Vaughn, Inc., d/b/a Babbitt Junction, Unorganized Township 61-13, Tobacco Products License No. T04153, December 15, 2002;

George Stoyanoff, d/b/a Buffalo House, Midway Township, Tobacco Products License No. T0420, September 30, 1998;

Susan Chalstrom/John Chalstrom, d/b/a Chalstrom's Bait, Rice Lake Township, Tobacco Products License No. T0424, December 31, 2002;

Randall Willeck, d/b/a Country Corner, Culver Township, Tobacco Products License No. T0432, December 30, 2002;

5717, Inc., d/b/a Crossroads Store, Brevator Township, Tobacco Products License No. T0437, October 1, 1998;

C & B Waterhouse Distr., Inc., d/b/a Ely Lake Short Stop, Fayal Township, Tobacco Products License No. T0446, December 10, 2002;

JDL's Landing, Inc., d/b/a JDL's Landing, Inc., Beatty Township, Tobacco Products License No. T04142, July 10, 2003;

Barbara Boisjolie, d/b/a Jerry's Place, Unorganized Township 63-19, Tobacco Products License No. T0474, October 18, 2002;

Lakeway Drive, LLC, d/b/a LeGrand Supper Club, Grand Lake Township, Tobacco Products License No. T04146, December 28, 2002;

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

445

LH, Inc., d/b/a Liquid Larry's, City of Kinney, Tobacco Products License No. T04158, October 11, 2002;

Martinson Log Cabin, Inc., d/b/a Log Cabin, Angora Township, Tobacco Products License No. T0485, September 26, 1998;

Frederick A. Meyer, d/b/a Meyer's Minnows, Gas & More, Unorganized Township 63-19, Tobacco Products License No. T04151, July 10, 2003;

The South Switch, Inc., d/b/a The South Switch, Inc., Angora Township, Tobacco Products License No. T04119, September 26, 1998;

Jilliando Properties, Inc., d/b/a Timber's Edge Grill & Bar, Unorganized Township 56-17, Tobacco Products License No. T04162, December 8, 2002.  
Adopted December 16, 2003. No. 753

**BY COMMISSIONER FAY:**

BUDGET AND LEVY RESOLUTION  
2003 FOR FISCAL YEAR 2004

RESOLVED, that the Board of Commissioners of the County of St. Louis, duly assembled in regular session this 16th day of December, 2003, does hereby approve the 2004 budget document (excluding Arrowhead Regional Corrections) and does hereby levy and assess against the taxable real and personal property in the County of St. Louis, exclusive of monies and credits for County purposes, the sum of \$85,340,393 as heretofore prepared by this Board, pursuant to Minnesota Statutes 383C.021 and made a part of its proceedings, to-wit:

A. County-wide Levy (Non-debt)

Fund 01 General Fund	\$	37,758,531	
Fund 02 Road & Bridge Fund		15,992,774	
Fund 02 Road & Bridge Fund-Auditor's Correction		2,000,000	
Fund 04 Social Services Fund		22,777,672	
Fund 08 Capital Project-Courthouse		565,081	
Fund 08B Capital Project-Road & Bridge		<u>92,895</u>	
			\$ 79,186,953

B. Regional Levy (Non-debt)

Fund 01 General Fund - Arrowhead Regional Library	\$	469,011	
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C. Debt service (County-wide)

1995 Series Fund 37J AJC Expansion	\$	179,760	
1997 Series Fund 37K Tax Lease Obligation for Law Enforcement Facilities		531,515	
1997 Series Fund 37L Tax Lease Obligation for Hibbing Public Works Facility		85,789	
1999 Series Fund 37M Capital Equipment Notes		953,237	
2001 Series Fund 37N Capital Improvement Bonds		1,207,300	
2002A Series Fund 37P Nursing Home Revenue Bonds		116,261	
2002B Series Fund 37O Jail Refunding Bonds		1,441,965	
2002C Series Fund 37Q 2002 Capital Equipment Notes		1,122,917	
2004 Series Fund 37R 2004 Capital Equipment Notes		<u>45,685</u>	
			\$ 5,684,429

**TOTAL PROPERTY TAX LEVY**

**\$ 85,340,393**

BUDGET BY FUND TYPE AND MEANS OF FINANCING INCLUDING PROPERTY TAX LEVIES

Fund	Adopted Budget	MEANS OF FINANCING			Total Financing
		Use of Fd Bal or Working Capital	Property Tax Levy	Other Sources of Revenue	
<b>GENERAL FUND</b>					

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

446

General Fund	\$ 69,334,914		\$ 38,227,542	\$ 31,107,372	\$ 69,334,914
ESG Grant	<u>110,000</u>			<u>110,000</u>	<u>110,000</u>
Total GENERAL FUND	\$ 69,444,914		\$ 38,227,542	\$ 31,217,372	\$ 69,444,914
<b>SPECIAL REVENUE FUNDS</b>					
Public Works Fund	\$ 34,516,320		\$ 17,992,774	\$ 19,185,586	\$ 37,178,360
Social Service Fund	\$ 61,575,917		\$ 22,777,672	\$ 38,798,245	\$ 61,575,917
Land Department	\$ 4,837,299			\$ 7,970,970	\$ 7,970,970
Memorial Forests	\$ 1,115,500	\$ 615,500		\$ 500,000	\$ 1,115,500
Economic Development Fund	\$ 500,000			\$ 500,000	\$ 500,000
CDBG Fund	\$ 2,971,000			\$ 2,971,000	\$ 2,971,000
Home Grant Fund	\$ 752,672			\$ 752,672	\$ 752,672
Total SPECIAL REVENUE	\$ 106,268,708	\$ 615,500	\$ 40,770,446	\$ 70,678,473	\$ 112,064,419
<b>DEBT SERVICE FUNDS</b>					
95 AJC Expansion Fund 37J	\$ 171,200		\$ 179,760		\$ 179,760
97 Law Enforcement Facilities Fund 37K	\$ 506,205		\$ 531,515		\$ 531,515
97 Hibbing Public Works Facility Fund 37L	\$ 85,789		\$ 85,789		\$ 85,789
99 Capital Equipment Notes Fund 37M	\$ 907,845		\$ 953,237		\$ 953,237
2001 Capital Improvement Bonds Fund 37N	\$ 1,360,957	\$ 211,149	\$ 1,207,300		\$ 1,418,449
2002A Nursing Home Revenue Bonds Fund 37P	\$ 110,725		\$ 116,261		
2002B Jail Refunding Bonds Fund 37O	\$ 1,373,300		\$ 1,441,965		\$ 1,441,965
2002C Capital Equipment Notes Fund 37Q	\$ 1,069,445		\$ 1,122,917		
2004 Capital Equipment Notes Fund 37R	\$ 43,509		\$ 45,685		
Total DEBT SERVICE FUNDS	\$ 5,628,975	\$ 211,149	\$ 5,684,429		\$ 5,895,578
<b>CAPITAL PROJECTS FUNDS</b>					
Road & Bridge Construction Fund 08A	\$ 10,340,142			\$ 10,340,142	\$ 10,340,142
Bldg Construction/Improvement Fund 08B	\$ 110,000		\$ 92,895	\$ 17,105	\$ 110,000
Courthouse Buildings Fund 08	\$ 600,000		\$ 565,081	\$ 34,919	\$ 600,000
Total CAPITAL PROJECTS FUNDS	\$ 11,050,142		\$ 657,976	\$ 10,392,166	\$ 11,050,142

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

447

<b>ENTERPRISE FUNDS</b>	\$ 24,548,748	\$ 1,775,185		\$ 23,125,050	\$ 24,900,235
<b>INTERNAL SERVICE FUNDS</b>	\$ <u>35,969,686</u>	\$ <u>1,688,520</u>		\$ <u>33,163,218</u>	\$ <u>34,851,738</u>
<b>TOTAL BUDGET</b>	\$ <b>252,911,173</b>	\$ <b>4,290,354</b>	\$ <b>85,340,393</b>	\$ <b>68,576,279</b>	\$ <b>58,207,026</b>

**MEMO**

The Arrowhead Library has a 2004 adopted budget of \$469,011, for which means of financing is a regional property tax levy. This regional property tax is levied against all taxable real and personal property of the County of St. Louis, exclusive of monies and credits and excluding taxable real and personal property of any city or township wherein a free public library is located or which is already taxed for local support of any such library.

RESOLVED FURTHER, that the budget expenditure during the fiscal year 2004 in the several departments of St. Louis County, the estimates of receipts from sources other than the monies herein levied, and the estimates of balances remaining in the several funds as of December 31, 2003, all of which are hereinafter itemized, are hereby approved, allowed, levied, and apportioned to the several departments and made a part of the proceedings of this Board as follows:

**REVENUES**

<b>GENERAL FUND</b>		\$ <b>69,444,914</b>
Estimated Fund Balance	\$	0
Property Tax		38,227,542
Other Taxes		3,548,968
Fees and Services		7,180,840
Fines and Forfeitures		1,644,800
Licenses and Permits		127,070
Other Revenues		3,906,962
Intergovernmental Aid		<u>14,808,732</u>
<b>TOTAL MEANS OF FINANCING</b>		\$ <b>69,444,914</b>

Of the foregoing budget allowance, the sum of \$69,444,914 is hereby apportioned to the several departments operating under the General Fund, and pursuant to Chapter 240 of the Laws of Minnesota for 1990, and the rules and regulations thereof, heretofore approved by the Board, there is hereby appropriated from the General Fund for expenditure during the fiscal year of 2004 the sum of \$69,444,914 to the items, in the amounts of hereinafter listed; and said expenditure shall be made by appointed or elected department heads in charge of such items (subject to the fiscal policies of the Board as adopted in the Budget), all of whom are hereby declared to be the encumbrance officers for said items within the meaning of said Chapter 240. The expenditures shall be made for the purpose as shown in the 2004 budget record which is made part of these proceedings by reference, to wit:

Board of County Commissioners	\$	835,074	
Aid to Other Agencies		956,399	
Administrator		363,324	
Intergovernmental Affairs		279,489	
Administrative Support Division		434,775	
Labor Relations		<u>45,760</u>	
<b>TOTAL POLICY AND MANAGEMENT</b>			\$ <b>2,914,821</b>
Community Development	\$	225,144	
Planning & Zoning		<u>1,215,666</u>	
<b>TOTAL PLANNING DEPARTMENT</b>			\$ <b>1,440,810</b>
MIS Common Charges	\$	1,598,979	
Veterans' Services		582,812	
Employee Development		185,040	
Safety Office		<u>479,387</u>	
<b>TOTAL ADMINISTRATION</b>			\$ <b>2,846,218</b>
Property Management			\$ <b>5,397,993</b>
Purchasing	\$	487,960	
Microfilming		<u>201,156</u>	
<b>TOTAL PURCHASING</b>			\$ <b>689,116</b>

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

448

Auditor	\$	3,873,466		
Elections		<u>246,000</u>		
<b>TOTAL AUDITOR</b>			<b>\$</b>	<b>4,119,466</b>
Reserve for Retired Employees			<b>\$</b>	<b>350,000</b>
Civil Service			<b>\$</b>	<b>1,298,400</b>
Attorney			<b>\$</b>	<b>3,581,440</b>
Assessor			<b>\$</b>	<b>2,021,694</b>
Recorder			<b>\$</b>	<b>1,593,039</b>
Emergency Communications	\$	2,711,013		
Radio Maintenance		<u>457,690</u>		
<b>TOTAL COMMUNICATIONS</b>			<b>\$</b>	<b>3,168,703</b>
Extension Service			<b>\$</b>	<b>642,746</b>
Support Services	\$	1,671,993		
Health Risk Reduction		3,436,627		
Assessment/Evaluation		<u>1,450,708</u>		
<b>TOTAL HEALTH</b>			<b>\$</b>	<b>6,559,328</b>
Court Administrator	\$	5,573,322		
Examiner of Titles		<u>154,749</u>		
<b>TOTAL COURT ADMINISTRATOR</b>			<b>\$</b>	<b>5,728,071</b>
Commitments			<b>\$</b>	<b>60,438</b>
Sheriff Patrol	\$	9,081,418		
Boat and Water Safety		126,449		
Medical Examiner		326,100		
Emergency Management		188,099		
Rescue Squad		109,861		
Law Enforcement Services		785,832		
County Jail		<u>6,626,741</u>		
<b>TOTAL SHERIFF</b>			<b>\$</b>	<b>17,244,500</b>
Administration	\$	1,863,614		
Court and Field Services		7,730,783		
Northeast Regional Corrections Center		4,260,521		
Arrowhead Juvenile System		2,805,638		
Grants/Reimbursements		<u>(8,016,482)</u>		
<b>TOTAL ARROWHEAD REGIONAL CORRECTIONS</b>			<b>\$</b>	<b>8,644,074</b>
Mine Inspector	\$	212,515		
Land Survey		<u>821,542</u>		
<b>TOTAL PUBLIC WORKS</b>			<b>\$</b>	<b>1,034,057</b>
Emergency Shelter Grant Fund			<b>\$</b>	<b>110,000</b>
<b><u>TOTAL GENERAL FUND BUDGET ALLOWANCE</u></b>			<b><u>\$</u></b>	<b><u>69,444,914</u></b>
<b>PUBLIC WORKS FUND</b>		<b><u>SPECIAL REVENUE FUNDS</u></b>		
<b><u>Budget Allowance</u></b>				
Administration & Engineering	\$	6,341,423		



**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

450

**Means of Financing**

Intergovernmental Aid \$ 3,723,672

**TOTAL SPECIAL REVENUE**

**FUNDS BUDGET ALLOWANCE** **\$ 106,268,708**

**DEBT SERVICE FUNDS**

Fund 37J AJC Expansion	\$ 171,200
Fund 37K Tax Lease Obligation for Law Enforcement Facilities	506,205
Fund 37L Tax Lease Obligation for Hibbing Public Works Facility	85,789
Fund 37M 1999 Capital Equipment Notes	907,845
Fund 37N 2001 Capital Improvement Bonds	1,360,957
Fund 37P 2002A Nursing Home Revenue Bonds	110,725
Fund 37H 2002B Jail Refunding Bonds	1,373,300
Fund 37Q 2002C Capital Equipment Notes	1,069,445
Fund 37R 2004 Capital Equipment Notes	<u>43,509</u>

**TOTAL BUDGET ALLOWANCE**

**\$ 5,628,975**

**Means of Financing**

Property Tax:	
Fund 37J AJC Expansion	\$ 179,760
Fund 37K Tax Lease Obligation for Law Enforcement Facilities	531,515
Fund 37L Tax Lease Obligation for Hibbing Public Works Facility	85,789
Fund 37M 1999 Capital Equipment Notes	953,237
Fund 37N 2001 Capital Improvement Bonds	1,207,300
Fund 37P 2002A Nursing Home Revenue Bonds	116,261
Fund 37H 2002B Jail Refunding Bonds	1,441,965
Fund 37Q 2002C Capital Equipment Notes	1,122,917
Fund 37R 2004 Capital Equipment Notes	<u>45,685</u>
Total Property Tax	5,684,429

Use of fund balance:

Fund 37H 2002B Correction Facilities Refunding	211,149
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**TOTAL MEANS OF FINANCING**

**\$ 5,895,578**

**CAPITAL IMPROVEMENT FUNDS**

**Budget Allowance**

Courthouse Improvements Fund	\$ 600,000
Public Works Department	
Road & Bridge State Aid Projects	\$ 10,340,142
Road & Bridge Building Maintenance	<u>110,000</u>
	\$ 10,450,142

**TOTAL BUDGET ALLOWANCE**

**\$ 11,050,142**

**Means of Financing**

Property Tax	\$ 657,976
Intergovernmental Aid	<u>10,392,166</u>

**TOTAL MEANS OF FINANCING**

**\$ 11,050,142**

**ENTERPRISE FUNDS**

**Budget Allowance**

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

451

Chris Jensen Health & Rehabilitation Center	\$	13,891,739	
<b>Solid Waste</b>			
Solid Waste Management/Recycling	\$	2,789,775	
Solid Waste Service Areas		<u>4,717,594</u>	
	\$	<u>7,507,369</u>	
<b>Other</b>			
Community Foods	\$	1,357,097	
Laundry		1,153,436	
Supervised Living Facilities		<u>639,107</u>	
	\$	<u>3,149,640</u>	
<b><u>TOTAL BUDGET ALLOWANCE</u></b>			<b>\$ 24,548,748</b>

**Means of Financing**

Chris Jensen Health & Rehabilitation Center			
Use of General Fund Fund Balance	\$	649,243	
Fees and Services		13,152,148	
Other Revenue		<u>90,348</u>	
	\$	<u>13,891,739</u>	
<b>Solid Waste</b>			
Use of Fund Balance	\$	1,755,369	
Fees and Services		4,895,000	
Other Revenue		481,000	
Intergovernmental Aid		<u>376,000</u>	
	\$	<u>7,507,369</u>	
<b>Other</b>			
Use of Fund Balance	\$	19,816	
Fees and Services		2,155,031	
Other Revenue		4,500	
Intergovernmental Aid		<u>1,321,780</u>	
	\$	<u>3,501,127</u>	
<b><u>TOTAL MEANS OF FINANCING</u></b>			<b>\$ 24,900,235</b>

**INTERNAL SERVICE FUNDS**

**Budget Allowance**

Central Services Fund-Printing	\$	594,920	
Motor Pool Fund	\$	1,734,772	
<b>Insurance Funds</b>			
Property, Casualty, Liability	\$	560,000	
Workers Compensation	\$	2,715,646	
Self-Insurance - Medical/Dental	\$	<u>24,461,103</u>	
	\$	<u>27,736,749</u>	
Management Information Systems Fund	\$	4,275,390	
Telecommunications Fund	\$	1,627,855	
<b><u>TOTAL BUDGET ALLOWANCE</u></b>			<b>\$ 35,969,686</b>

**Means of Financing**

Central Services Fund			
Use of Working Capital	\$	42,000	
Fees and Services	\$	<u>552,920</u>	

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

452

	\$	594,920
Motor Pool Fund		
Use of Working Capital	\$	106,692
Fees and Services	\$	1,568,791
Other Revenue	\$	23,150
Intergovernmental Aid	<u>\$</u>	<u>1,757</u>
	\$	1,700,390
Insurance Funds		
Use of Working Capital	\$	815,627
Fees and Services	\$	25,111,282
Other Revenue	<u>\$</u>	<u>726,274</u>
	\$	26,653,183
Management Information Systems Fund		
Use of Working Capital	\$	459,219
Fees and Services	\$	3,804,419
Intergovernmental Aid	<u>\$</u>	<u>11,752</u>
	\$	4,275,390
Telecommunications		
Use of Working Capital	\$	264,982
Fees and Services	\$	1,361,426
Intergovernmental Aid	<u>\$</u>	<u>1,447</u>
	\$	1,627,855
<b><u>TOTAL MEANS OF FINANCING</u></b>		<b>\$ 34,851,738</b>

RESOLVED FURTHER, that the County Board recognizes the need to provide discretion to department heads in spending their budget allocations. The County Board hereby authorizes departmental spending within their agency budgets on any line item within their agency so long as their total budget is not overspent. However, no public aid assistance and/or personnel services budget authority may be used for any other purpose without prior Board approval.

RESOLVED FURTHER, that in order to achieve consistent and accurate staffing levels for each Department, the County Board authorizes the County Administrator to report the personnel complement as full-time equivalents. The County Board also authorizes Department Heads to add and delete positions within their personnel complement so long as the total full-time equivalent personnel complement does not exceed the total number of authorized positions contained in their 2004 budget and approved by the County Board. In addition, positions being added or deleted must be within three pay grades of each other and must be approved by the County Administrator as the budget officer of the County.

RESOLVED FURTHER, that the various funds and departments that have 'unbudgeted' positions within their respective departments, will not fill those vacancies during 2004.

RESOLVED FURTHER, that the Administrative Support Department, (Fund 01, Dept. 017) increases the full-time equivalent positions 2.0. This increase is the result of moving 2 information specialists from Central Services, Fund 50, to Administration.

RESOLVED FURTHER, that each Capital Projects Fund will have an appropriation which shall continue in force until the purpose for which it was made has been accomplished or abandoned. The purpose of a capital expenditure appropriation is abandoned if three years pass without a disbursement from or encumbrance of the appropriation, or earlier at the discretion of the County Administrator.

RESOLVED FURTHER, each appropriation, except an appropriation within the Capital Project Funds, lapses at the close of the fiscal year to the extent that it has not been expended or encumbered.

RESOLVED FURTHER, that the 2003 unspent balances of those grants which extend into 2004 will be carried forward into the 2004 budget.

RESOLVED FURTHER, that proceeds from the insurance fund for losses of covered property or proceeds from the sale by bid of damaged assets will be reimbursed into the capital outlay budget of the department involved.

RESOLVED FURTHER, that proceeds from the sale by bid of equipment that would otherwise be used in trade against the purchase price of new equipment be added to the budget by increasing both the capital outlay and the revenue budgets of the owning department by the amount of the sale.

RESOLVED FURTHER, that the 2004 Administrative Budget includes funding allocations for FY 2004 for service contracts with the following agencies within the Aid to Other Agencies Account (01-014):

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

453

St. Louis County Historical Society	\$212,048
St. Louis County Historical Society - Veterans' Memorial Hall	\$20,000
St. Louis County Promotional Bureau	\$55,064
Community Fair	\$578
County Fair, Hibbing	\$13,005
South St. Louis County Fair, Proctor	\$13,005
Soil Conservation, North	\$51,000
Soil Conservation, South	\$51,000
Port Authority	\$36,125
Duluth Drug Court	\$3,613
Arrowhead Library System	\$469,011
Northspan	\$14,450

**TOTAL: \$938,899**

RESOLVED FURTHER, that the following Public Service Contracts will be paid by Social Services (Fund 04). These contracts total \$467,753 as listed below:

Valley Youth Center	\$22,834
Life House	\$2,168
Minnesota Program Development	\$9,754
Copeland Community Center	\$7,225
Arrowhead Center	\$79,475
Ely Community Resources	\$5,419
St. Louis County on Aging	\$51,588
AEOA - RSVP	\$21,360
AEOA - Meals on Wheels	\$8,309
AEOA - Senior Services	\$3,786
Womens Coalition	\$3,613
Range Womens Advocates	\$3,613
AEOA - Lives in Transition	\$3,613
Legal Aid of NE Minnesota	\$79,475
Indian Legal Assistance	\$10,838
Sexual Assault Program of North St. Louis County	\$22,570
PAVSA	\$32,411
Duluth Community Health Center	\$10,838
Salvation Army	\$8,670
Bethany Crisis Nursery	\$18,063
First Witness	\$33,235
Elder Services Network	\$28,900

**TOTAL: \$467,753**

RESOLVED FURTHER, that the County Board authorizes the County Auditor to continue to reserve portions of fund balances for cash flow purposes in an amount equal to 5/12 of the 2004 levy plus the 2004 HACA and other property tax aids.

RESOLVED FURTHER, whereas the County receives federal program revenues as a reimbursement of indirect costs incurred by the General Fund, and whereas those revenues on future remittances may not always be separately identified from specific County Department revenues at the time of payment, that when federal program revenues are earned jointly by the General Government and a specific Department, and earnings are not separately identified at the time of payment, revenues shall be allocated between the General Fund and the specific department in the same proportion as federal program costs. Such allocation shall be made at the time that quarterly settlement payments are received.

RESOLVED FURTHER, that the St. Louis County Auditor is authorized to bill the St. Louis County Land Department (Fund 15) for the 2004 services it will receive as follows:

Legal Services from the St. Louis County Attorneys Office (Fund 01, Dept. 031)	\$100,000
Accounting Services from the St. Louis County Auditors Office (Fund 01, Dept. 051)	\$55,000
Personnel Services from the St. Louis County Civil Service Department (Fund 01, Dept. 063)	\$26,150

RESOLVED FURTHER, that the St. Louis County Auditor is authorized to bill the St. Louis County Solid Waste Department (Fund 26) for 2004 services it will receive as follows:

Legal services from the St. Louis County Attorney's Office (Fund 01, Dept. 031)	\$80,000
Personnel services from the St. Louis County Civil Service	

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

454

Department (Fund 01, Dept. 031)

\$24,650

RESOLVED FURTHER, that the St. Louis County Auditor is authorized to bill the St. Louis County Laundry (Fund 65) for 2004 services it will receive as follows:

Personnel services from the St. Louis County Civil  
Service Department (Fund 01, Dept. 063)

\$5,250

RESOLVED FURTHER, that, as in the past, the Chair of the County Board shall receive an additional \$500 annually.

RESOLVED FURTHER, that the St. Louis County Attorney shall have the authority to annually adjust the salaries of the unclassified employees in the St. Louis County Attorneys Office within the total funds allocated for salaries by the County Board.

RESOLVED FURTHER, that the estimated 2004 net receipts from the Forfeited Tax Fund (Fund 15) be allocated in such a way that the amount allocated to the General Fund is at least \$1,250,000.

RESOLVED FURTHER, that pursuant to M.S. 282.08 and M.S. 459.06, Subd. 2, and Minnesota Laws of 2002, Chapter 390, Sec. 30, Subd.2,

Thirty percent (30%) of the year 2003 net receipts of the Forfeited Tax Fund (Fund 16) shall be set aside and transferred to Memorial Forests Management Fund (Fund 16, Dept F11) for timber development.

Twenty percent (20%) of the net receipts after the above allocation shall be allocated according to Minnesota Laws of 2002, Chapter 390, Section 39, Subd. 3, in the following manner: In item three (3), which allows for \$4 per capita to be set aside for the promotion of tourism, agricultural, and economic development, \$500,000 for such activities will be transferred into Fund 125, Dept. TAX. In items one (1) and two (2) of Section 39, Subd. 3, any remaining balance will be used for the acquisition and maintenance of parks and recreational areas and for land use planning programs.

The above set asides and transfers are to be proportionately reduced until there are sufficient net receipts to produce an apportionment of net receipts to the County General fund, Cities, and School districts of at least \$3,125,000 with \$1,250,000 going to the General Fund of the County, \$1,250,000 to the School Districts, and \$625,000 going to the Cities and Townships.

RESOLVED FURTHER, that \$211,149 in lease payments received from the State of Minnesota for use of the Pike Lake Joint Maintenance Facility that have been deposited in Fund 37N, Capital Improvement Bond Debt Service (Resolution 685-02) be expended in 2004 for debt service on the 2001 Series Capital Improvement Bonds.

RESOLVED FURTHER, that the County Auditor is directed to make any changes in departmental budgets to comply with this resolution.

Yeas - Commissioners Fay, Kron, Sweeney, Nelson, Raukar and Chair Fink - 6

Nays - Commissioner Forsman - 1

Adopted December 16, 2003. No. 754

At 11:49 A.M. on Tuesday, December 16, 2003, upon motion of Commissioner Sweeney, supported by Commissioner Kron, the Board of County Commissioners adjourned.

Dennis Fink, Chair of the Board  
of County Commissioners

Attest:  
Gordon D. McFaul, County Auditor  
and Ex-Officio Clerk of the Board  
of County Commissioners

(Seal of the County Auditor)

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

455

**OFFICIAL PROCEEDINGS OF THE MEETING  
OF THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF ST. LOUIS, MINNESOTA,  
HELD ON DECEMBER 23, 2003**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 23rd day of December, 2003, at 9:36 A.M. in the Morse Town Hall, Ely, Minnesota. The meeting was called to order by the Chair with the following members present: Commissioners Joanne Fay, Bill Kron, Mike Forsman, Peg Sweeney, Keith Nelson, Steve Raukar, and Chair Dennis Fink - 7. Absent: None.

Chair Fink began the meeting by sharing historical facts about Minnesota.

Commissioner Nelson said he attended the recent grand opening of United Taconite, formerly known as Eveleth Taconite. Commissioner Nelson presented a coin commemorating the new venture to Chair Fink for display in the Duluth Courthouse.

Chair Fink opened the meeting to citizens who wanted to address the Board concerning issues not on the agenda and the following chose to do so:

Charles Baribeau, Virginia pharmacist, spoke against the County plan to allow employees to use mail-in prescription orders because local pharmacies will be unable to participate. Mr. Baribeau detailed effects of a 1.5 percent tax levied on Minnesota pharmacies for Minnesota Healthcare that out-of-state, mail-in pharmacies do not have to pay.

John Maraccini, Eveleth pharmacist, asked for a level playing field for all pharmacies.

Jean Ann Silverness, Ely pharmacist, said if firms require employees to use mail-in prescriptions it will force local pharmacies out of business.

David Dill, State Representative from District 6A, said the Minnesota Healthcare tax was lowered from the previous 2.0 percent.

Commissioner Forsman, supported by Commissioner Raukar, made a motion to remove sale of tax forfeited land located on Lake Vermilion to adjacent landowners from the agenda because the Land Department wanted time to reappraise the parcel. Mark Weber, Land Department, said the current appraisal of \$12,500 for the lakeshore property was a year and one-half old and needed updating; seven yeas - zero nays.

Commissioner Fay, supported by Commissioner Forsman, moved to authorize execution of an agreement for \$48,600 with Robinson Brothers Environmental, Inc., for asbestos abatement at the Nopeming facility. The resolution would also authorize removal of hazardous materials and all waste from the facility. Commissioner Nelson asked for a division of the question. The following persons addressed the issue:

Mike Warner, Hibbing, said Robinson Brothers has been cited many times for OSHA, scaffolding and prevailing wage violations. Mr. Warner said the firm was not a responsible bidder.

Dick Florey, Director of Purchasing, said he investigated the company and found violations to be minor. Director Florey said there were no prevailing wage issues outstanding and Robinson Brothers, Inc., workers' compensation rating was very good.

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

456

Larry Anderson, Esko, alleged that Robinson Brothers had numerous violations in Wisconsin.

Joe Austin, Employee Safety and Development, said it was extremely urgent that hazardous materials are removed from the facility. His department and local vendors would be used to remove the materials and waste.

After some discussion, Commissioner Nelson, supported by Commissioner Sweeney, moved to table the asbestos abatement contract with Robinson Brothers, Inc., until the January 6, 2004, meeting; seven yeas - zero nays. The removal of hazardous materials and all waste at a cost not to exceed \$50,000 was then approved; seven yeas - zero nays. Resolution No. 777.

Commissioner Fay, supported by Chair Fink, moved to extend the deadline for purchase of the Willow Street Garage for ninety days; four yeas - three nays, Commissioners Forsman, Sweeney and Raukar. Resolution No. 778.

At the request of County Attorney Mitchell, Commissioner Sweeney, supported by Commissioner Fay, moved to rescind motions made at the December 16, 2003, County Board meeting suspending the liquor licenses of Glenwood Lodge and Lakeview Castle for failure to pay real estate taxes when due. The two establishments have since paid their taxes; seven yeas - zero nays.

At 10:30 A.M. in the forenoon of Tuesday, December 23, 2003, Commissioner Sweeney, supported by Commissioner Kron, moved to recess the Board until 11:00 A.M. on December 23, 2003, in the Morse Town Hall, Ely, Minnesota.

The Board reconvened at 1:07 P.M. on December 23, 2003, and the regular order of business resumed with all members present.

Commissioner Sweeney, supported by Commissioner Raukar, moved to approve a second consent agenda consisting of items passed unanimously at the Committee of the Whole meeting completed earlier; seven yeas - zero nays.

The following Board and Contract Files were created as a result of documents received at this Board meeting:

Purchase of Service Agreement, Contract No. 13555, between the St. Louis County Board of Commissioners and Iron Range Empowerment Services, LLC, for independent living skills services.-03-998ss

Addendum to Purchase Agreement, Contract No. 13228B, between the St. Louis County Board of Commissioners and Andler Homes, Inc. - Home No. 2 for SLS for adults.-03-999ss

Addendum to Purchase Agreement, Contract No. 13227B, between the St. Louis County Board of Commissioners and Andler Homes, Inc. - Home No. 1 for SLS for adults.-03-1000ss

Addendum to Purchase Agreement, Contract No. 13479A, between the St. Louis County Board of Commissioners and ARC Northland for respite care services.-03-1001ss

Addendum to Purchase Agreement, Contract No. 13235B, between the St. Louis County Board of Commissioners and ARC Northland for respite care services.-03-1002ss

Addendum to Purchase Agreement, Contract No. 13166C, between the St. Louis County Board of

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

457

Commissioners and Geriatric Community Caregivers, Inc., for assisted living plus services.–03-1003ss

Addendum to Purchase Agreement, Contract No. 13166B, between the St. Louis County Board of Commissioners and Geriatric Community Caregivers, Inc., for assisted living plus services.–03-1004ss

Addendum to Purchase Agreement, Contract No. 13484B, between the St. Louis County Board of Commissioners and Garden House Estates, Ltd., for assisted living plus services.–03-1005ss

Addendum to Purchase Agreement, Contract No. 13153C, between the St. Louis County Board of Commissioners and Solstice Corporation, d/b/a Golden Oaks, for assisted living plus services.–03-1006ss

Addendum to Purchase Agreement, Contract No. 13155B, between the St. Louis County Board of Commissioners and Hillside Homes of Duluth, Inc., for assisted living plus services.–03-1007ss

Addendum to Purchase Agreement, Contract No. 13501A, between the St. Louis County Board of Commissioners and Lutheran Social Services of Minnesota for companion services.–03-1008ss

Addendum to Purchase Agreement, Contract No. 13167B, between the St. Louis County Board of Commissioners and McCarthy Manor for assisted living plus services.–03-1009ss

Addendum to Purchase Agreement, Contract No. 13480B, between the St. Louis County Board of Commissioners and Miller-Dwan Medical Center for adult foster care services.–03-1010ss

Addendum to Purchase Agreement, Contract No. 13525A, between the St. Louis County Board of Commissioners and Senior Friend Associates, Inc., for home care services.–03-1011ss

Purchase of Service Agreement, Contract No. 13547, between the St. Louis County Board of Commissioners and Range Mental Health Center for transportation for detoxification services.–03-1012ss

Addendum to Purchase Agreement, Contract No. 13520A, between the St. Louis County Board of Commissioners and Accessible Space, Inc., for home care services.–03-1013ss

Addendum to Purchase Agreement, Contract No. 13310A, between the St. Louis County Board of Commissioners and McIntyre Board and Lodging for residential care services.–03-1014ss

Grant Agreement, Contract No. 20549, between the St. Louis County Board of Commissioners and Mental Health Consumer/Survivor Network of Minnesota for flex fund grant.–03-1015ss

Purchase of Service Agreement, Contract No. 13551, between the St. Louis County Board of Commissioners and Brainerd House for independent living skills services.–03-1016ss

Addendum to Purchase Agreement, Contract No. 13162B, between the St. Louis County Board of Commissioners and Brainerd House for residential care services.–03-1017ss

Addendum to Purchase Agreement, Contract No. 13516C, between the St. Louis County Board of Commissioners and Range Respite for respite services.–03-1018ss

Addendum to Purchase Agreement, Contract No. 13391B, between the St. Louis County Board of

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

458

Commissioners and Anderson's Pine Grove Home for assisted living plus services.–03-1019ss

Addendum to Purchase Agreement, Contract No. 13152B, between the St. Louis County Board of Commissioners and Healthline Homecare for assisted living plus services.–03-1020ss

Addendum to Purchase Agreement, Contract No. 13209B, between the St. Louis County Board of Commissioners and Healthline Homecare for assisted living services.–03-1021ss

Addendum to Purchase Agreement, Contract No. 13533A, between the St. Louis County Board of Commissioners and Family Counseling and Extended Services (FACES) for adult foster care services.–03-1022ss

Addendum to Purchase Agreement, Contract No. 13311B, between the St. Louis County Board of Commissioners and Peterson Colonial Homes, Inc., for residential care services.–03-1023ss

Addendum to Purchase Agreement, Contract No. 13123C, between the St. Louis County Board of Commissioners and Range Development Company of Chisholm, Inc., for assisted living plus services.–03-1024ss

Addendum to Purchase Agreement, Contract No. 13378C, between the St. Louis County Board of Commissioners and Salmi Homes, Inc., for assisted living plus services.–03-1025ss

Addendum to Purchase Agreement, Contract No. 13608A, between the St. Louis County Board of Commissioners and St. Francis Health Services of Morris, d/b/a Home Care Service Options of Duluth, for assisted living services.–03-1026ss

Addendum to Purchase Agreement, Contract No. 13246E, between the St. Louis County Board of Commissioners and St. Francis Health Services of Morris, d/b/a Home Care Service Options of Duluth, for assisted living plus services.–03-1027ss

Employee Safety and Development Training Contract between St. Louis County and the American Red Cross for Adult CPR and First Aid Training.–03-1028

Group Residential Housing Rate Agreement between the St. Louis County Board of Commissioners and TBI Residential and Community Services.–03-1029ss

Group Residential Housing Rate Agreement between the St. Louis County Board of Commissioners and Primrose Duluth.–03-1030ss

Addendum to Purchase Agreement, Contract No. 13473A, between the St. Louis County Board of Commissioners and Proctor Meals on Wheels.–03-1031ss

Addendum to Purchase Agreement, Contract No. 13123C, between the St. Louis County Board of Commissioners and Range Development Company of Chisholm, Inc., for assisted living plus services.–03-1032ss

Addendum to Purchase Agreement, Contract No. 13446A, between the St. Louis County Board of Commissioners and Lifeline - Range Mental Health Center for adult day care services.–03-1033ss

Addendum to Purchase Agreement, Contract No. 13531A, between the St. Louis County Board of Commissioners and H.O.M.E.S., Inc., for non-residential services.–03-1034ss

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

459

Addendum to Purchase Agreement, Contract No. 13172D, between the St. Louis County Board of Commissioners and Community Connection of Minnesota, Inc., for adult foster care services.–03-1035ss

Addendum to Purchase Agreement, Contract No. 13161E, between the St. Louis County Board of Commissioners and Residential Services of Northeastern Minnesota, Inc., for adult foster care services.–03-1036ss

Addendum to Purchase Agreement, Contract No. 13154B, between the St. Louis County Board of Commissioners and Transitional Senior Housing for assisted living plus services.–03-1037ss

Addendum to Purchase Agreement, Contract No. 13450A, between the St. Louis County Board of Commissioners and University Medical Center - Mesabi for adult day care services.–03-1038ss

Addendum to Purchase Agreement, Contract No. 13386B, between the St. Louis County Board of Commissioners and University Medical Center - Mesabi for assisted living plus services.–03-1039ss

Addendum to Purchase Agreement, Contract No. 13530A, between the St. Louis County Board of Commissioners and UDAC for supported employment services.–03-1040ss

Addendum to Purchase Agreement, Contract No. 13470A, between the St. Louis County Board of Commissioners and Miller-Dwan Medical Center for consolidated chemical dependency treatment fund services.–03-1041ss

Addendum to Purchase Agreement, Contract No. 13470B, between the St. Louis County Board of Commissioners and Miller-Dwan Medical Center for consolidated chemical dependency treatment fund services.–03-1042ss

Purchase of Service Agreement, Contract No. 13553, between the St. Louis County Board of Commissioners and Duluth Retirement, LLC, d/b/a Primrose of Duluth, for assisted living plus.–03-1043ss

Professional Service Agreement between St. Louis County and Aristone Corporation.–03-1044ss

Purchase of Service Agreement, Contract No. 13557, between the St. Louis County Board of Commissioners and ADT Security Services, Inc., for supplies and equipment for emergency response services.–03-1045ss

Purchase of Service Agreement, Contract No. 13558, between the St. Louis County Board of Commissioners and Regency Home Healthcare Services, LLC, for home care services.–03-1046ss

Purchase of Service Agreement, Contract No. 13549, between the St. Louis County Board of Commissioners and DeRungs Adult Foster Care Home for adult foster care services.–03-1047ss

Addendum to Purchase Agreement, Contract No. 13422A, between the St. Louis County Board of Commissioners and Lakeshore Lutheran Home for home delivered meals.–03-1048ss

Purchase of Service Agreement, Contract No. 13556, between the St. Louis County Board of Commissioners and NHS - Northstar Specialized Services, Inc., for adult foster care services.–03-1049ss

Addendum to Purchase Agreement, Contract No. 13111H, between the St. Louis County Board of

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

460

Commissioners and TBI Residential and Community Services, Inc., for adult foster care services.–[03-1050ss](#)

Addendum to Purchase Agreement, Contract No. 13111G, between the St. Louis County Board of Commissioners and TBI Residential and Community Services, Inc., for adult foster care services.–[03-1051ss](#)

Addendum to Purchase Agreement, Contract No. 13110E, between the St. Louis County Board of Commissioners and TBI Residential and Community Services, Inc., for residential care services.–[03-1052ss](#)

Purchase of Service Agreement, Contract No. 13546, between the St. Louis County Board of Commissioners and Center for Alcohol and Drug Treatment.–[03-1053ss](#)

Addendum to Purchase Agreement, Contract No. 13532A, between the St. Louis County Board of Commissioners and St. Luke's Home Health Services for home care services.–[03-1054ss](#)

Addendum to Purchase Agreement, Contract No. 13242B, between the St. Louis County Board of Commissioners and St. Ann's Home for assisted living plus services.–[03-1055ss](#)

Addendum to Purchase Agreement, Contract No. 13124D, between the St. Louis County Board of Commissioners and STEP II, Inc., d/b/a Edgewood Vista, for assisted living plus services.–[03-1056ss](#)

Grant Agreement, Contract No. 20550, between the St. Louis County Board of Commissioners and Lutheran Social Services.–[03-1057ss](#)

Purchase of Service Agreement, Contract No. 13554, between the St. Louis County Board of Commissioners and the Town of White for chore services - snowplowing.–[03-1058ss](#)

Addendum to Purchase Agreement, Contract No. 13280B, between the St. Louis County Board of Commissioners and TBI Residential and Community Services for SLS for adults.–[03-1059ss](#)

Addendum to Purchase Agreement, Contract No. 13512A, between the St. Louis County Board of Commissioners and the City of Duluth (Senior Dining Program) for home delivered meals.–[03-1060ss](#)

Addendum to Purchase Agreement, Contract No. 13523A, between the St. Louis County Board of Commissioners and Northern Diagnostic Services, Inc., d/b/a Healthstar Home Health Agency, for home care services.–[03-1061ss](#)

Purchase of Service Agreement, Contract No. 13550, between the St. Louis County Board of Commissioners and Hassett Adult Foster Care Home for adult foster care services.–[03-1062ss](#)

Addendum to Purchase Agreement, Contract No. 13449A, between the St. Louis County Board of Commissioners and Floodwood Services and Training, Inc., for adult day care services.–[03-1063ss](#)

Addendum to Purchase Agreement, Contract No. 13457A, between the St. Louis County Board of Commissioners and Morgan Business Trust, d/b/a Extended Family Home Care, for home care services.–[03-1064ss](#)

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

461

Addendum to Purchase Agreement, Contract No. 13445A, between the St. Louis County Board of Commissioners and Elder Services Network for chore services.–[03-1065ss](#)

Addendum to Purchase Agreement, Contract No. 13442B, between the St. Louis County Board of Commissioners and Duluth Keystone, LLC, d/b/a Keystone Bluffs, for assisted living plus services.–[03-1066ss](#)

Addendum to Purchase Agreement, Contract No. 13447A, between the St. Louis County Board of Commissioners and Cook Hospital/Daybreak Adult Day Services.–[03-1067ss](#)

Addendum to Purchase Agreement, Contract No. 13513A, between the St. Louis County Board of Commissioners and Choice, Unlimited, for supported employment services.–[03-1068ss](#)

Addendum to Purchase Agreement, Contract No. 13516A, between the St. Louis County Board of Commissioners and Center for Independent Living of Northeastern Minnesota for non-residential services.–[03-1069ss](#)

Addendum to Contract No. 13552 between the St. Louis County Board of Commissioners and the Arrowhead Economic Opportunity Agency for food support employment and training services.–[03-1070ss](#)

Purchase of Service Agreement, Contract No. 13625, between the St. Louis County Board of Commissioners and NHS - Northstar Specialized Services, Inc. - Utah Home for SLS for children and adults.–[03-1071ss](#)

Addendum to Purchase Agreement, Contract No. 13503A, between the St. Louis County Board of Commissioners and Access to Employment Too, Inc., (MA MR/RC Waiver Supported Employment and Transportation - Extended.–[03-1072ss](#)

Addendum to Purchase Agreement, Contract No. 13402B, between the St. Louis County Board of Commissioners and Homes, Inc. - Hibbing I (MA MR/RC Waiver, Women's SLS).–[03-1073ss](#)

Addendum to Purchase Agreement, Contract No. 13401B, between the St. Louis County Board of Commissioners and Homes, Inc. - Hibbing II (MA MR/RC Waiver, Men's SLS).–[03-1074ss](#)

Addendum to Purchase Agreement, Contract No. 13400B, between the St. Louis County Board of Commissioners and Homes, Inc. - Virginia I (MA MR/RC Waiver, SLS).–[03-1075ss](#)

Addendum to Purchase Agreement, Contract No. 13399B, between the St. Louis County Board of Commissioners and Homes, Inc. - Virginia II (MA MR/RC Waiver, SLS).–[03-1076ss](#)

Addendum to Purchase Agreement, Contract No. 13448A, between the St. Louis County Board of Commissioners and Homes, Inc. - SLS Foster Support.–[03-1077ss](#)

Addendum to Purchase Agreement, Contract No. 13398B, between the St. Louis County Board of Commissioners and Homes, Inc. - In-Home Family Support Services.–[03-1078ss](#)

Addendum to Purchase Agreement, Contract No. 13277B, between the St. Louis County Board of Commissioners and Range Center, Inc. - Outlook for in-home family support services.–[03-1079ss](#)

Addendum to Purchase Agreement, Contract No. 13274B, between the St. Louis County Board of Commissioners and Range Center, Inc. - Banyan for SLS for adults.–[03-1080ss](#)

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

462

Addendum to Purchase Agreement, Contract No. 13275B, between the St. Louis County Board of Commissioners and Range Center, Inc. - Barrington for SLS for adults.-[03-1081ss](#)

Addendum to Purchase Agreement, Contract No. 13613A, between the St. Louis County Board of Commissioners and Range Center, Inc. - Cypress for SLS for adults.-[03-1082ss](#)

Addendum to Purchase Agreement, Contract No. 13276B, between the St. Louis County Board of Commissioners and Range Center, Inc. - Hawthorne for SLS for adults.-[03-1083ss](#)

Addendum to Purchase Agreement, Contract No. 13458A, between the St. Louis County Board of Commissioners and Range Center, Inc. - Logan for SLS for adults.-[03-1084ss](#)

Addendum to Purchase Agreement, Contract No. 13459A, between the St. Louis County Board of Commissioners and Range Center, Inc. - Laurel for SLS for adults.-[03-1085ss](#)

Addendum to Purchase Agreement, Contract No. 13612A, between the St. Louis County Board of Commissioners and Range Center, Inc. - Sequoia for SLS for adults.-[03-1086ss](#)

Addendum to Purchase Agreement, Contract No. 13278B, between the St. Louis County Board of Commissioners and Range Center, Inc. - Tamarack for SLS for children and adults.-[03-1087ss](#)

Addendum to Purchase Agreement, Contract No. 13279B, between the St. Louis County Board of Commissioners and Range Center, Inc. - Tamarack Respite Care.-[03-1088ss](#)

Addendum to Purchase Agreement, Contract No. 13226B, between the St. Louis County Board of Commissioners and Range Center, Inc. (MA MR/RC Waiver Supported Employment).-[03-1089ss](#)

Group Residential Housing Rate Agreement between the St. Louis County Board of Commissioners and NHS - Northstar Specialized Services, Inc. (Utah Home).-[03-1090ss](#)

Addendum to Purchase Agreement, Contract No. 13084B, between the St. Louis County Board of Commissioners and Homes, Inc. (SILS) - Virginia.-[03-1091ss](#)

Addendum to Purchase Agreement, Contract No. 13083B, between the St. Louis County Board of Commissioners and Homes, Inc. (SILS) - Hibbing.-[03-1092ss](#)

Group Residential Housing Rate Agreement between the St. Louis County Board of Commissioners and Cheryl Stauty, d/b/a Cotton Country Manor.-[03-1093ss](#)

Group Residential Housing Rate Agreement between the St. Louis County Board of Commissioners and Mahla Cornerstone Skyline.-[03-1094ss](#)

Addendum to Contract No. 20531 between the St. Louis County Board of Commissioners and Lutheran Social Services for SELF - O.N.E. grant services.-[03-1095ss](#)

Addendum to Purchase Agreement, Contract No. 13461A, between the St. Louis County Board of Commissioners and Benedictine Health Center Adult Day Services.-[03-1096ss](#)

Addendum to Purchase Agreement, Contract No. 13127C, between the St. Louis County Board of Commissioners and Senior Friend for assisted living plus services.-[03-1097ss](#)

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

463

Addendum to Purchase Agreement, Contract No. 13445B, between the St. Louis County Board of Commissioners and Elder Services Network for chore services.–03-1098ss

Software Products License and Maintenance Support Agreement between St. Louis County and Mitchell Humphrey & Company.–03-1099

Agreement for Professional Services between the County of St. Louis and Oneida Realty Company for lease management, general services and cleaning agreement for the Depot property.–03-1100

Amendment to Service Agreement for Collection of Residential and Commercial Recyclable Materials between St. Louis County, through its Solid Waste Department, and the City of Eveleth.–03-1101

Amendment to Service Agreement for Collection of Residential and Commercial Recyclable Materials between St. Louis County, through its Solid Waste Department, and the City of Hibbing.–03-1102

Employee Safety & Development Training Contract between St. Louis County and James Laumeier for a *So You Want to Become a Supervisor/Why Did We Become Supervisors?* session.–03-1103

Upon motion of Commissioner Sweeney, supported by Commissioner Raukar, Resolutions No. 755 through 776, as submitted to this Board on the Consent Agenda were unanimously adopted as follows:

**BY COMMISSIONER SWEENEY:**

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the Informational Meeting and Public Hearing on Truth in Taxation for the 2004 St. Louis County Budget and Levy are hereby approved.

Adopted December 23, 2003. No. 755

RESOLVED, that the recommendations of the Finance Committee for payment of claims and bills against the County of St. Louis, on file in the office of the County Auditor, identified as County Board File No. 57999, are hereby approved and the County Auditor shall issue checks in the following amounts:

<u>FUND</u>		<u>TOTAL</u>
T11	MN Trail Assistance	\$ 42,034.19
T22	Cities and Towns	18,757,709.69
T27	Refunds	190,230.45
T28	School Districts	1,496,405.23
T50	State of Minnesota	49,472.24
T74	Employer/Employee Deductions	113,481.97
T77	Cancelled Checks	4,206.62
T80	Lake Superior - Forfeiture	2,407.67
T83	Sheriff Fine Contingency	2,490.00
T85	Sheriff's State Forfeitures	711.63
01	General Fund	829,935.71
02	Public Works	947,159.12
03C	State Erosion Loan MPCA	18,000.00
04	Social Services	4,067,667.69
08	County Facilities - Capital Project	32,889.08

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

464

08A	State Aid Road	1,090,965.91
10B	Emergency Shelter 99/00 Funds	1,950.59
11A	Home Grant - All Years	43,027.58
12B	CDBG Grant	209,447.34
128	Law Library	1,435.30
13	St. Louis County HRA	33,200.38
131	Extension Service	39,480.62
15	Forfeited Tax	37,612.92
16	Forest Resources	44,886.50
26	Solid Waste Authorities	219,225.04
49	Postage/Office Supplies	9,103.60
50	Printing	7,310.93
51	County Garage	22,876.86
52B	Workers Compensation	108,747.74
53	Management Information Systems	52,234.07
54	Regional Railroad Authority	10,675.43
55	Telecommunications	42,481.40
57	Retired Employees Health Insurance	64,962.39
64A	Chris Jensen Health & Rehab.	266,933.38
65	Laundry	8,213.35
66	Community Food Services	48,240.19
67	Supervised Living Facilities	4,771.10
72	Northern Counties Land Use Coordinating Board	5,551.46
73	Arrowhead Regional Corrections	180,198.08
74	Community Health Services	<u>163,911.56</u>
		\$29,272,245.01

Adopted December 23, 2003. No. 756

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, as set forth by the County Attorney, dated December 12, 2003, on file in the office of the County Auditor, identified as County Board File No. 57995, is hereby received and ratified as payable from Fund 52, Department 12.

Adopted December 23, 2003. No. 757

RESOLVED, that pursuant to St. Louis County Ordinance No. 51, the application for license to sell tobacco products, at retail, on file in the office of the County Auditor, identified as County Board File No. 57994, is hereby approved and the County Auditor is authorized to issue the license as follows;

RESOLVED FURTHER, that if named licenseholder sells their licensed business, the County Board, at its discretion, may, after an investigation, transfer the license to a new owner, but without pro-rated refund to the licenseholder:

Ash-Ka-Nam Resort, LLC, d/b/a Ash-Ka-Nam, Unorganized Township 68-19, Tobacco Products License No. T03194, transfer.

Adopted December 23, 2003. No. 758

RESOLVED, that pursuant to the provisions of Minnesota Statutes, Section 340A, as amended, and Rules and Regulations adopted by this Board under St. Louis County Ordinance No. 28, dated May 22, 1978, as amended, the following application for an intoxicating liquor license is hereby approved, on file in the office of the County Auditor, identified as County Board File No. 58004; FURTHER RESOLVED, that said license is approved contingent upon licenseholder paying real estate or personal property taxes when due;

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

465

FURTHER RESOLVED, that if named licenseholder sells their licensed place of business, the County Board, at its discretion, may, after an investigation, transfer the license to a new owner, but without pro-rated refund of the license fees to the licenseholder;

FURTHER RESOLVED, that said license shall be effective through June 30, 2004:

Ash-Ka-Nam Resort, LLC, d/b/a Ash-Ka-Nam, Unorganized Township 68-19, On-Sale Intoxicating Liquor License No. CMB0480 and Sunday On-Sale Intoxicating Liquor License No. SUN0480, transfer.

Adopted December 23, 2003. No. 759

RESOLVED, that pursuant to the provisions of Minnesota Statutes, Section 340A, as amended, and Rules and Regulations adopted by this Board under St. Louis County Ordinance No. 28, dated May 22, 1978, as amended, the following application for an intoxicating liquor license is hereby approved, on file in the office of the County Auditor, identified as County Board File No. 58004; FURTHER RESOLVED, that said license is approved contingent upon licenseholder paying real estate or personal property taxes when due;

FURTHER RESOLVED, that said license is approved contingent upon Health Department approval;

FURTHER RESOLVED, that if named licenseholder sells their licensed place of business, the County Board, at its discretion, may, after an investigation, transfer the license to a new owner, but without pro-rated refund of the license fees to the licenseholder;

FURTHER RESOLVED, that said license shall be effective through June 30, 2004:

Rocky Point Resort, LLP, d/b/a Rocky Point Resort, LLP, Kabetogama Township, On-Sale Intoxicating Liquor License No. ON0423 and Sunday On-Sale Intoxicating Liquor License No. ONS0423.

Adopted December 23, 2003. No. 760

RESOLVED, that pursuant to St. Louis County Ordinance No. 51, the applications for license to sell tobacco products, at retail, on file in the office of the County Auditor, identified as County Board File No. 57994, are hereby approved and the County Auditor is authorized to issue the licenses as follows;

RESOLVED FURTHER, that if named licenseholders sell their licensed business, the County Board, at its discretion, may, after an investigation, transfer the licenses to a new owner, but without pro-rated refund to the licenseholders:

Ash-Ka-Nam Resort, LLC, d/b/a Ash-Ka-Nam, Unorganized Township 68-19, Tobacco Products License No. T04194;

MCV's, Inc., d/b/a Big Guys Bar, City of Aurora, Tobacco Products License No. T048;

Burns Bar & Grill, Inc., d/b/a Burns Bar & Grill, Inc., Rice Lake Township, Tobacco Products License No. T0421;

James Butchart, d/b/a Fall Inn Tavern, Rice Lake Township, Tobacco Products License No. T0448;

Gnesen Convenience Store, LLC, d/b/a Gnesen Convenience Store, LLC, Gnesen Township, Tobacco Products License No. T04186;

Joni Stutzman/Sharon Stutzman, d/b/a Hoyt Lakes IGA, City of Hoyt Lakes, Tobacco Products License No. T0468;

Arm-Gar Liquor, Inc., d/b/a Rascal's Lounge, City of Proctor, Tobacco Products License No. T04143;

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

466

Lakeway Drive II, LLC, d/b/a Sunset Bottle Shop & Lounge, Rice Lake Township, Tobacco Products License No. T04152;

Dean Esala/Selena Dertinger-Esala, d/b/a Wayside Café, Greenwood Township, Tobacco Products License No. T04133.

Adopted December 23, 2003. No. 761

RESOLVED, that pursuant to St. Louis County Ordinance No. 51, the applications for license to sell tobacco products, at retail, on file in the office of the County Auditor, identified as County Board File No. 57994, are hereby approved and the County Auditor is authorized to issue the licenses as follows;

RESOLVED FURTHER, that if named licenseholders sell their licensed business, the County Board, at its discretion, may, after an investigation, transfer the licenses to a new owner, but without pro-rated refund to the licenseholders;

The following licenseholders were issued a tobacco violation citation on the dates as stated:

Rodney Bruce Fontaine, Inc., d/b/a Almost Home Goodies & Gifts, Northland Township, Tobacco Products License No. T04150, December 30, 2002;

Curtis/Maryalys Mortenson, d/b/a Cherry Corner Store, Cherry Township, Tobacco Products License No. T0426, October 11, 2002;

Cold Springs, Inc., d/b/a Cold Springs, Inc., Unorganized Township 67-20, Tobacco Products License No. T04182, September 6, 1998, and August 16, 2003;

T. Musech Enterprise, Inc., d/b/a Country Store, City of Cook, Tobacco Products License No. T0433, August 25, 2001;

El Toro Lounge, Inc., d/b/a El Toro Lounge, Inc., Cotton Township, Tobacco Products License No. T0445, December 30, 2002;

Debra Sanders, d/b/a Frontier Resort, Unorganized Township 69-19, Tobacco Products License No. T0454, September 26, 1998;

Marie Kreegier, d/b/a The Homestead Restaurant, Clinton Township, Tobacco Products License No. T0467, December 10, 2002;

JT's General Stores, Inc., d/b/a JT's General Store, Colvin Township, Tobacco Products License No. T04168, December 15, 2002;

Mooseline Enterprises, Inc., d/b/a Mooseline Café, Unorganized Township 56-14, Tobacco Products License No. T0495, December 15, 2002;

Best Oil Co., Inc., d/b/a Proctor Little Store, City of Proctor, Tobacco Products License No. T04110, September 30, 1998;

Stoneybrook Saloon, Inc., d/b/a Stoneybrook Saloon, Inc., City of Brookston, Tobacco Products License No. T04121, October 1, 1998.

Adopted December 23, 2003. No. 762

RESOLVED, that the County Board of Commissioners authorizes the appropriate County officials to

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

467

enter into a contract with The Center for Alcohol and Drug Treatment at the rate of \$5.30 per meal. The contract will be effective from January 1, 2004, through December 31, 2004.

Budget Reference:

Fund 66 Community Food Services  
Agency A66 Community Food Services  
Org. 4200 Community Food Services  
Obj. 343 Food Service Agreements, 411 Food and Beverages, 418 Food Service Supplies

Revenue Source:

Fund 66 Community Food Services  
Agency A66 Community Food Services  
Org. 4200 Community Food Services  
Rev. 1942 Food Service  
Adopted December 23, 2003. No. 763

RESOLVED, that the County Board of Commissioners authorizes the appropriate County officials to enter into contracts with the following providers for the purchase of detoxification services for the period January 1, 2004, through December 31, 2004, as follows:

<u>Provider</u>	<u>Service Rate</u>	<u>Contract Maximum</u>
1. Center for Alcohol and Drug Treatment	\$190.00 per day	\$686,750.00
2. Range Mental Health Center	\$230.00 per day	\$326,125.00

Budget Reference:

Revenue Sources: 0020 Property Taxes - Current/Local Funding

Expense:

Fund 04 Social Services Department  
Agency SSV Social Services Division  
Organizations 2700 CD Services - South & Adult Services - North and 6700 Adult Services - North  
Object 3710 Detoxification Services  
Adopted December 23, 2003. No. 764

RESOLVED, that the St. Louis County Board of Commissioners hereby authorizes the appropriate County officials to enter into contracts with ODC and GIVE for the period January 1, 2004, through December 31, 2004, to provide the following extended employment services at the rates listed below, each with a contract maximum of \$87,757:

<u>Agency</u>	<u>Services</u>	<u>2004 Recommended*</u>
ODC	Shelter-Based Work	\$8.50/worker/day
	Supported Employment	\$8.50/worker/day
	Job Coaching	\$22/hour
GIVE	Shelter-Based Work	\$7.74/worker/day
	Supported Employment	\$7.74/worker/day
	Job Coaching	\$16.25/hour

\*These are the same rates as the 2003 rates.

Budget Reference:

Fund 04  
Agency SSV  
Object 5380 & 6380  
Adopted December 23, 2003. No. 765

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

468

WHEREAS, under the provisions of Minnesota Statutes 282.241, State Tax Forfeited land may be repurchased by the previous owner subject to payment of taxes and/or assessments and penalties, interest and costs; and

WHEREAS, Jerry Norlund, of 3932 Grand Avenue, Duluth, MN 55807, has applied to repurchase the following parcel: Plat/Parcel Code: 10-2120-1510. City of Duluth, Southerly 44 feet of Lot 1, Block 22, Hazelwood Addition to Oneota;

WHEREAS, Jerry Norlund is the owner of record prior to forfeiture, and is eligible to repurchase this property; and

WHEREAS, approving the repurchase will correct undo hardship and promote the use of lands that will best serve the public interest;

NOW, THEREFORE, BE IT RESOLVED, that the repurchase application of Jerry Norlund, on file in County Board File No. 58018, is approved for the property described above, and will be subject to payment including taxes and assessments of \$1398.27, a Repurchase Application Fee of \$114.00, a Deed Tax of \$4.61, a Deed Fee of \$25.00, and a Recording Fee of \$20.00; for a total of \$1561.88.

Adopted December 23, 2003. No. 766

WHEREAS, under the provisions of Minnesota Statutes 282.241, State Tax Forfeited land may be repurchased by the previous owner subject to payment of taxes and/or assessments and penalties, interest and costs; and

WHEREAS, Patricia Rudy, of 916 Douglas Avenue, Eveleth, MN 55734, has applied to repurchase the following parcel: Plat/Parcel Code:140-270-1642. City of Hibbing, Part of S 1/2 of E 1/2 of E 1/2 of NE 1/4 of NE 1/4, commencing 857.07 feet South of NE corner of section thence West 33 feet to point of beginning thence West 378.15 feet thence South 77.66 feet thence East 377.62 feet thence North 77.06 feet to point of beginning, Section 30, Township 57N, Range 20W;

WHEREAS, Patricia Rudy is the owner of record prior to forfeiture, and is eligible to repurchase this property; and

WHEREAS, approving the repurchase will correct undo hardship and promote the use of lands that will best serve the public interest;

NOW, THEREFORE, BE IT RESOLVED, that the repurchase application of Patricia Rudy, on file in County Board File No. 58018, is approved for the property described above, and will be subject to payment including taxes and assessments of \$6846.61, a Repurchase Application Fee of \$114.00, a Deed Tax of \$21.80, a Deed Fee of \$25.00, and a Recording Fee of \$20.00; for a total of \$7027.41.

Adopted December 23, 2003. No. 767

WHEREAS, the Duluth Economic Development Authority has offered to purchase the following described State Tax-Forfeited parcels for the sale price of \$95,150.00 plus fees:

City of Duluth, Duluth Heights 6th Division to Duluth -  
Lots 1-3, Block 8 Parcel Code: 010-890-2700  
Lots 4-13, Block 8 Parcel Code: 010-890-2730  
Lot 14, Block 8 Parcel Code: 010-890-2830  
Lot 15, Block 8 Parcel Code: 010-890-2840  
Lots 6-12, Block 14 Parcel Code: 010-890-5070  
Lots 13-25, Block 14 Parcel Code: 010-890-5140-5260  
Lots 15 & 16, Block 25 Parcel Code: 010-890-8030  
(Including parts of vacated streets and alleys adjacent)

for the purpose of a new housing development; and

WHEREAS, Minnesota Statute 282.01, Subdivision 1(a), authorizes the sale of State Tax Forfeited land to an organized governmental subdivision, for a public purpose; and

WHEREAS, these parcels of land are not withdrawn from sale pursuant to Minnesota Statutes Sections

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

469

84.012, 92.461, 282.01, Subdivision 8; and 282.018, and other statutes that require the withholding of tax-forfeited lands from sale.

WHEREAS, the Land Department recommends that these parcels be re-classified to non-conservation and approved for sale if the County Board does not receive notice of the City of Duluth's disapproval of the re-classification and sale of these parcels within 60 days of the date on which this resolution is delivered to the Clerk of the City.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board approves the reclassification as non-conservation and the sale of the above described tax-forfeited parcels to the Duluth Economic Development Authority for the purpose of a housing development, for the sale price of \$95,150.00 plus the following fees: 3 Percent Assurance Fee of \$2854.50, Deed Fee of \$25.00, Deed Tax of \$313.50, and Recording Fee of \$20.00, for a total of \$98,363.00.

Adopted December 23, 2003. No. 768

RESOLVED, that St. Louis County Board Resolution No. 540, dated September 9, 2003, is amended to correct the legal description of the permanent right-of-way easement crossing State Tax Forfeited land granted to Minnesota Power, as follows:

An easement 80 feet in width, being 40 feet in width on each side of the following described line: Commencing at the Northeast corner of Government Lot 1, Section 6, Township 58N, Range 15W; thence South 89 degrees 56 minutes 48 seconds West along the North line of said Government Lot 1 a distance of 1284.9 feet, more or less, to the POINT OF BEGINNING; thence South 02 degrees 46 minutes 53 seconds West a distance of 448 feet to a point on the West line of said Government Lot 1 and there terminating. The boundaries of said 80 foot wide easement are lengthened or shortened to terminate on the North and West boundaries of said Government Lot 1.

Adopted December 23, 2003. No. 769

WHEREAS, the following described parcel forfeited to the State of Minnesota for nonpayment of real estate taxes and was previously classified as conservation:

**CVT & Plat**

10-2720            Township 51N, Range 14W, Section 35

**Parcel**

340

**Description**

NW 1/4 of SE 1/4 of SE 1/4 except Southernly 33 feet.

WHEREAS, all parcels of land becoming the property of the State of Minnesota in trust through forfeiture for nonpayment of real estate taxes shall be classified or reclassified as "conservation" or "non-conservation" as required by Minnesota Statutes, Section 282.01, Subdivision 1; and

WHEREAS, the Land Department has recommended that the parcel described above be reclassified as non-conservation and approved for sale after considering, among other things, the present use of adjacent land; the productivity of the soil; the character of forest or other growth; the accessibility of lands to established roads, schools, and other public services; and the peculiar suitability or desirability of lands for particular uses; and

WHEREAS, said parcel of land is not withdrawn from sale pursuant to Minnesota Statutes sections 84.012, 92.461, 282.01, Subdivision 8, and 282.018, or any other statutes that require the withholding of State tax forfeited lands from sale; and

WHEREAS, said parcel of land is located inside the boundaries of a municipality, and Minnesota Statutes, Section 282.01, provides that classification or reclassification and sale of lands situated within a municipality must be approved by the governing body of the municipality; and

WHEREAS, reclassification and sale of said parcel will be deemed approved if the County Board does not receive notice of the municipality's disapproval of the reclassification and sale within 60 days of the date on which this resolution is delivered to the Clerk of the Municipality.

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

470

NOW, THEREFORE, BE IT RESOLVED, that the State Tax Forfeited parcel described above be reclassified as non-conservation and offered for sale, and that the request for approval of the reclassification be transmitted by the St. Louis County Land Department to the Clerk of the Municipality.

Adopted December 23, 2003. No. 770

WHEREAS, when County-State Aid Highway No. 4 was reconstructed adjacent to S 1/2 of SE 1/4 of NE 1/4, Section 6, Township 51, Range 14 (Rice Lake Township), controlled access was acquired as part of the right of way acquisition project; and

WHEREAS, the owner of the S 1/2 of SE 1/4 of NE 1/4, Section 6, Township 51, Range 14, has requested a change in access to be used in developing said property; and

WHEREAS, the St Louis County Public Works Department has approved the location of said access for driveway construction purposes.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners hereby grants the request to relocate the access to said property from the existing location described as the southerly forty (40.0) feet of said S 1/2 of SE 1/4 of NE 1/4, Section 6, Township 51, Range 14, to a new location described as beginning at a point on the westerly right of way line of County State Aid Highway No. 4, said point being 455.0 feet north of the south line of said SE 1/4 of NE 1/4, Section 6, Township 51 North, Range 14 West, and extending north along said right of way line a distance of 40 feet and there terminating.

RESOLVED FURTHER, owner of S 1/2 of SE 1/4 of NE 1/4, Section 6, Township 51, Range 14, will remove existing in-place entrance located at the southerly forty (40.0) feet of said SE 1/4 of NE 1/4, Section 6, Township 51, Range 14, at the direction of the County Engineer by July 1, 2004.

RESOLVED FURTHER, that an administrative fee of \$100.00 will be made to Public Works and also an application will be made for a driveway access permit.

Adopted December 23, 2003. No. 771

WHEREAS, bids have been received by the County Auditor for the following project: S.A.P. 69-600-30 (low), County Project No. 3637, and S.A.P. 69-600-31, County Project No. 3638; Combined Project, Cedar Island Drive from Gilbert/Fayal Corp. limits to Ely Lake Public Access, length 0.346 miles, and Lake Ore-Be-Gone Access Road from Sherwood Forest Drive to Lake Ore-Be-Gone Public Access, Length 0.310 miles. Project to consist of Grading, Aggregate Base, Bituminous Surface and Drainage; WHEREAS, said bids or proposals were duly opened in the County Board Room at 10:00 A.M., December 15, 2003, and this Board has, with the County Highway Engineer, determined the lowest bidder of said project for which proposals were invited and submitted; and

WHEREAS, in the judgment of this Board it is for the best interest of St. Louis County that the award of said contract be made to the lowest bidder.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of St. Louis County, Minnesota, in regular session duly convened, that they hereby approve the award of contract on the above project to the lowest bidder:

<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
Mesabi Bituminous, Inc.	Box 728 Gilbert, MN 55741	\$140,002.30

RESOLVED FURTHER, that the Chairman of the County Board, the County Auditor, and the County Attorney, on behalf of the County of St. Louis, are hereby authorized to approve the Contractor's Performance Bonds and to execute the bonds and contracts with the Contractor for the above listed project, subject to approval by the City of Gilbert; payable from State Park Road Account (Fund 08A, Agency 525, Org. 3637, Object 527, \$30,440.00) and Fund 08A, Agency 525, Org. 3638, Object 527, \$109,562.30).

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

471

Adopted December 23, 2003. No. 772

IT IS HEREBY RESOLVED, that the St. Louis County Attorney is authorized to execute an Administrative Services Agreement with Blue Cross Blue Shield of Minnesota for the period of January 1, 2004, through January 1, 2006, for the administration of the St. Louis County self-funded health insurance plan for a total maximum fee of \$20.82 per contract per month in the year 2004 and said amount not to increase more than the Minneapolis/St. Paul Urban CPI for the second and third year of the agreement.

Adopted December 23, 2003. No. 773

RESOLVED, the St. Louis County Board hereby appoints James Laumeier to serve on the Grievance Board for the calendar year 2004.

Adopted December 23, 2003. No. 774

RESOLVED, that the new job classification titled Health Information System Coordinator is hereby adopted and placed in Salary Grade 19 of the Health Care Supervisor's Unit Pay Plan.

Adopted December 23, 2003. No. 775

WHEREAS, the Hibbing Trailblazers Snowmobile Club has 22 miles of trail sponsored by the City of Hibbing; and

WHEREAS, 13 miles of this trail is found on what is now USX property and licenses with the prior property owner are null and void; and

WHEREAS, USX has historically refused to grant easements to entities which do not provide indemnification agreements, as required by USX; and

WHEREAS, the Hibbing Trailblazers Snowmobile Club has asked St. Louis County to accept that portion of this trail that runs across USX property.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners hereby authorizes the appropriate County officials to execute a surface lease agreement with USX, contingent upon approval of the County Attorney's Office.

Adopted December 23, 2003. No. 776

**BY COMMISSIONER FAY:**

RESOLVED, that the County Board authorizes the County Property Management Department to expend funds and execute any contracts as appropriate subject to County Attorney approval for removal of hazardous materials and all waste from the Nopeming facility for an amount not to exceed \$50,000, payable from Fund 01, Department 081, Property Management, Org. Nope.

RESOLVED FURTHER, that the Board authorizes appropriation of \$98,600 from the undesignated, unreserved fund balance to be transferred to Fund 01, Department 081, Property Management, Org. Nope.

Adopted December 23, 2003. No. 777

RESOLVED, that County Board Resolution No. 532, adopted September 2, 2003, which authorized execution of a Purchase Agreement with James V. Erlemeier, John K. Baker and Paul T. Larson for County fee land and buildings located at 24 East Willow Street, Duluth, MN, is hereby amended as follows:

RESOLVED, that the Purchase Agreement be for a duration of nine (9) months with the entire balance of One Hundred Thousand and 00/100's Dollars (\$100,000) due on or before the conclusion of a nine-month duration of the Purchase Agreement.

Yeas - Commissioners Fay, Kron, Nelson and Chair Fink - 4

Nays - Commissioners Forsman, Sweeney and Raukar - 3

Adopted December 23, 2003. No. 778

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

472

Upon motion of Commissioner Sweeney, supported by Commissioner Raukar, Resolutions No. 779 through 788, which were approved at the Committee of the Whole meeting this date, were brought forth to this meeting as a second Consent Agenda and were unanimously adopted as follows:

**BY COMMISSIONER SWEENEY:**

WHEREAS, the County Board of Commissioners of the County of St. Louis, State of Minnesota, desires to offer for sale, as recommended by the Land Commissioner, certain parcels of land that have forfeited to the State of Minnesota for non-payment of taxes; and

WHEREAS, said parcels of land as described in County Board File No. 58067, have been classified as non-conservation land as provided for in Minnesota Statutes 282.01; and

WHEREAS, said parcels of land are not withdrawn from sale pursuant to Minnesota Statutes 84.012, 92.461, 282.01, Subdivision 8, and 282.018, and other statutes that require the withholding of tax forfeited lands from sale.

WHEREAS, the classification and sale of these lands has been approved by the government subdivision in which they are located.

WHEREAS, the sale of these lands have been approved by the Commissioner of Natural Resources.

NOW, THEREFORE, BE IT RESOLVED, the County Auditor is hereby authorized to offer said lands at a public sale at not less than the basic sale price in accordance with terms set forth in the Land Department Policy No. 5450-1, and in a manner provided for by law on Tuesday, February 10, 2004, at 10:00 A.M. at the Duluth Entertainment and Convention Center, Paulucci Hall, Duluth, Minnesota. Adopted December 23, 2003. No. 779

RESOLVED, that pursuant to the recommendations of the Tax Committee, the applications of the following named persons and firms for reduction and correction of assessed valuations and taxes in the following amounts plus on those abatements of penalty and interest, any additional accrual to the date of this resolution, on file in the office of the County Auditor, identified as County Board File No. 58013, are hereby approved:

Real Estate - Jeffrey Brown, \$209.06; Stephen Wick, \$807.28; Larry Williams, \$541.00.

Personal Property - Marvin Aultman, \$331.72; Mark Hren, \$142.40; Ross Loewen, \$293.36.

Adopted December 23, 2003. No. 780

RESOLVED, that the Director of Purchasing is authorized to enter into an agreement with the State of Minnesota Department of Administration Intertechnologies Group for three years for the provision of voice, video and data communications network services at a monthly cost of \$8,533.00 plus installation costs of \$10,767.50.

All costs have been anticipated and budgeted for in the existing MIS Telecommunications budget Fund 55, Agency C11.

Adopted December 23, 2003. No. 781

RESOLVED, the St. Louis County Board of Commissioners hereby appoints Andrew Webb to the Civil Service Commission for a three-year term expiring December 31, 2006.

Adopted December 23, 2003. No. 782

WHEREAS, the St. Louis County Planning Commission on May 8, 2003, granted preliminary plat approval to Hide-A-Way Acres Second Addition; and

WHEREAS, the final prints have been submitted and conform with the requirements set forth by the Planning Commission. The County Attorney and County Surveyor have approved the plat.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners grants final approval to Hide Away Acres Second Addition located in Section 35, Township 51 North, Range 16 West, Town of Grand Lake.

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

473

Adopted December 23, 2003. No. 783

WHEREAS, the Hidden Valley Ski Trails and recreation area is used by the Ely Nordic Ski Club's 350 members, by the Ely High School team (45 members, 5-6 days a week), the Minnesota Youth Ski League (95 young participants at 8 Sundays each winter), and Hidden Valley plays a major role for area youth and residents in regard to recreation; and

WHEREAS, Hidden Valley is attracting skiers from all over the state, and thereby adding significantly to the economy of the Ely area; and

WHEREAS, Grants-in-aid trail funding has been invested in Hidden Valley for 15 years, for maintenance, grooming and trail development. In addition, the City of Ely, Morse and Fall Lake Townships, and the Ely Chamber of Commerce contribute to the grooming of the ski club trail system, and this investment should not be wasted; and

WHEREAS, MnDNR Minerals Division intends to extract gravel from the Hidden Valley area, and gravel is not in short supply in the Ely area, with both public and private gravel deposits located around Ely, and contractors and local soils experts have indicated there is enough gravel outside of Hidden Valley to last 50-100 years; and

WHEREAS, MnDNR Minerals Division is focused mainly on mine reclamation, and Hidden Valley is not an old mining site, but rather, a set of pristine hills located close to Ely and managed for multiple-use including recreation, vegetative management, and wildlife management, and preserving Hidden Valley's hills means preserving multiple-use of the area;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board supports a management plan for the Hidden Valley Ski Trails and recreation area that recognizes the needs of the Ely Nordic Ski Club, and directs Administration to communicate this support to the Minnesota Department of Natural Resources, Division of Minerals.

Adopted December 23, 2003. No. 784

WHEREAS, the North Shore State Snowmobile Trail is a multiple use trail; and

WHEREAS, the use of the North Shore State Trail (NSST) for All-Terrain-Vehicles (ATV) would minimize the additional loss of forest and recreation land if a separate trail was created for ATV's; and

WHEREAS, much of the NSST is located on St. Louis County Tax Forfeit Land and it is the policy of the St. Louis County Board of Commissioners to encourage public recreational use of roads and trails that cross these lands; and

WHEREAS, the authorized use of the NSST for ATV use would concentrate use on an improved trail which would minimize land disturbances on other unimproved trails and accesses on public and private lands; and

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners supports the concept to use the North Shore State Trail for ATV use.

Adopted December 23, 2003. No. 785

WHEREAS, the County Board adopted Resolution No. 287, dated April 23, 2002, which allowed the St. Louis County Agricultural Association (the Association) to utilize \$504,194.68 for the purpose of constructing permanent buildings at the Ironworld Discovery Center site; and

WHEREAS, the Association had 18 months from April 23, 2002, to expend the funds; and

WHEREAS, not all the funds were expended by the deadline and a balance of \$3,369.85 currently exists; and

WHEREAS, the Association has indicated they have paid over \$1,000 for some gravel associated with construction, which has not been reimbursed from these construction dollars; and

WHEREAS, the Association has experienced difficulties with water and sewer utilities at the fairground site, and has contracted with Barr Engineering in the amount of \$6,100 to study the feasibility of connecting the Fairgrounds infrastructure to the Ironworld Discovery Center infrastructure.

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

474

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners hereby authorizes the St. Louis County Agricultural Association to expend the balance of the funds held in this account, in the amount of \$3,369.85, to be expended in the following way:

1. Payment to Barr Engineering in the amount of \$3,050.
  2. Reimbursement to the Association in the amount of \$319.85.
- Adopted December 23, 2003. No. 786

RESOLVED, the St. Louis County Board of Commissioners hereby elects the following individuals to the Crane Lake Water and Sanitary District Board:

Michael J. White	Term expiring January, 2006
Robert J. Scott	Term expiring January, 2006

Adopted December 23, 2003. No. 787

**RESOLUTION OF ST. LOUIS COUNTY, MINNESOTA, IN SUPPORT OF DESIGNATION OF THE TOWN OF CRANE LAKE AS THE RELATED GOVERNING BODY OF THE CRANE LAKE WATER AND SANITARY DISTRICT**

BE IT RESOLVED, by the Board of Commissioners (the "Board") of St. Louis County, Minnesota (the "County"), as follows:

Section 1. Recitals. The Board makes the following recitals of fact:

A. Pursuant to Minnesota Statutes, Sections 115.18 through 115.37 (the "Act") and the petition of the Board, the Minnesota Pollution Control Agency (the "MPCA") issued an order (the "Order") approving creation of the Crane Lake Water and Sanitary District in the County (the "District").

B. Pursuant to the Order, the MPCA designated the Board as the related governing body under the Act, responsible for election of members to the Board of Managers of the District (the "Related Governing Body").

C. Since the issuance of the Order, the Town of Crane Lake (the "Town") was duly organized as a public corporation and political subdivision within the County. The entire area of the District lies within the jurisdictional boundaries of the Town.

D. It has been proposed that the Town replace the County as the Related Governing Body.

E. In order for the Town to replace the County as the Related Governing Body, it is necessary that the MPCA amend the Order.

Section 2. Findings. The Board finds that it is in the best interests of the Town and its residents that the Town replace the County as the Related Governing Body and that the Order be amended.

Section 3. Approval of Town as Related Governing Body. The Board hereby expresses its support of replacement of the County with the Town as the Related Governing Body and the amendment of the Order to effect such replacement.

Section 4. Transmittal of Resolution to County and MPCA. Transmittal of a certified copy

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

475

of this Resolution to the District, the Town and the MPCA forthwith is hereby authorized.  
Adopted December 23, 2003. No. 788

At 1:09 P.M. on Tuesday, December 23, 2003, upon motion of Commissioner Sweeney, supported  
by Commissioner Raukar, the Board of County Commissioners adjourned.

Dennis Fink, Chair of the Board  
of County Commissioners

Attest:  
Gordon D. McFaul, County Auditor  
and Ex-Officio Clerk of the Board  
of County Commissioners

(Seal of the County Auditor)