

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

JANUARY, 2010

OFFICIAL PROCEEDINGS OF THE MEETING
OF THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF ST. LOUIS, MINNESOTA,
HELD ON JANUARY 5, 2010

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 5th day of January, 2010, at 9:30 a.m., in the County Board Room, Duluth, Minnesota, with the following members present: Commissioners Dennis Fink, Steve O'Neil, Chris Dahlberg, Mike Forsman, Peg Sweeney, Keith Nelson, and Steve Raukar – 7. Absent: None.

Commissioner Fink, 2009 Board Chair, asked for a moment of silence to honor U.S. troops serving throughout the world.

Paul Tynjala, Deputy Auditor/Clerk of County Board, called the annual organizational meeting to order at 9:30 a.m. and asked for nominations for Chair of the Board for 2010. Commissioner Forsman, supported by Commissioner Nelson, nominated Commissioner Raukar to serve as Chair of the Board for 2010. No other nominations were received. Commissioner Sweeney, supported by Commissioner Forsman, moved to close nominations and declare Commissioner Raukar to be Chair for 2010 by unanimous ballot; seven yeas, zero nays.

Commissioner Fink presented a new gavel to Commissioner Raukar and thanked the Board for their hard work in 2009. Collaboration, imagination, knowledge, teamwork, integrity and leadership combined to make 2009 a very difficult but successful year. Commissioner Fink outlined some of the major issues confronted by the Board during the past year.

Chair Raukar thanked Commissioner Fink for his service as Chair in 2009 and said he looks forward to the challenges facing the County this year. He cited a decision made by the County Board in 1987 to hire an Administrator as a turning point in providing proactive rather than reactive solutions in an efficient and affordable manner. Chair Raukar said he will ask Commissioners and other elected officials to take turns presenting an optional Words of Wisdom at the beginning of each meeting.

Chair Raukar asked for nominations for Vice-Chair for 2010. Commissioner Sweeney nominated Commissioner O'Neil. No other nominations were received. Commissioner Nelson, supported by Commissioner Sweeney, moved to close nominations and declare Commissioner O'Neil to be Vice-Chair for 2010 by unanimous ballot; seven yeas, zero nays.

Commissioner O'Neil thanked the Board for their support and he urged Commissioners to be creative, energetic and compassionate in dealing with difficult issues looming in 2010.

Chair Raukar appointed the following as Chairs of Standing Committees of the County Board for 2010: Commissioner Dahlberg – Health and Human Services; Commissioner Fink – Environment and Natural Resources; Commissioner Forsman – Public Works and Transportation; Commissioner Nelson – Finance and Budget; Commissioner O'Neil – Central

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Management and Intergovernmental Committee; Commissioner Sweeney – Public Safety and Corrections.

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

Don Solem, Rice Lake Township and member of the Hunting Shack Lease Association, thanked the Board for their assistance during the past year and he asked the Board to keep his organization informed when lease changes are considered.

Commissioner O’Neil, supported by Commissioner Sweeney, moved to approve the Board meeting schedule for 2010; seven yeas, zero nays. Resolution No. 6.

Commissioner Forsman, supported by Commissioner O’Neil, moved to approve the Committee of the Whole schedule for 2010; seven yeas, zero nays. Resolution No. 7.

Commissioner Nelson, supported by Commissioner Forsman, moved to appoint Commissioners Fink and Dahlberg as representatives and Commissioner Nelson as alternate to Arrowhead Counties Association (ad hoc); seven yeas, zero nays.
Resolution No. 8.

Commissioner Fink said there were changes to the bylaws of the Arrowhead Medical Services Association Board of Directors and there is no need to appoint a Commissioner to serve at this time. Commissioners from member counties will serve on a rotating basis, according to Commissioner Fink. Commissioner Sweeney, supported by Commissioner Fink, moved to remove the appointment from the agenda. At the suggestion of Chair Raukar, the matter was referred to the January Board Workshop; seven yeas, zero nays.

Commissioner Nelson, supported by Commissioner Forsman, moved to appoint Commissioners Dahlberg, Sweeney and Nelson as representatives and Commissioner O’Neil as alternate to Arrowhead Regional Corrections; seven yeas, zero nays.
Resolution No. 9.

Commissioner Sweeney, supported by Commissioner Forsman, moved to appoint Commissioners Sweeney and Raukar as representatives and Commissioner Fink as alternate for three-year terms on Arrowhead Regional Development Commission (ARDC); seven yeas, zero nays. Resolution No. 10.

Commissioner Nelson, supported by Commissioner Fink, moved to appoint Commissioner Raukar to the ARDC Board of Directors for a two-year term; seven yeas, zero nays. Resolution No. 11.

Commissioner O’Neil, supported by Commissioner Nelson, moved to appoint Commissioner O’Neil as representative and Commissioner Sweeney as alternate to ARDC Metropolitan Interstate Committee; seven yeas, zero nays. Resolution No. 12.

Commissioner Sweeney, supported by Commissioner Nelson, moved to appoint Commissioner Forsman as representative and Commissioner Fink as alternate to the Community Health Services Board; seven yeas, zero nays. Resolution No. 13.

Commissioner O’Neil, supported by Commissioner Nelson, moved to remove two-year appointments to the Duluth/St. Louis County Joint Airport Zoning Board from the agenda and refer the matter to the January Board Workshop; seven yeas, zero nays.

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Commissioner Nelson, supported by Commissioner Forsman, moved to appoint Commissioners Dahlberg and Sweeney to the St. Louis County Election Canvassing Board for elections to be held in 2010; seven yeas, zero nays. Resolution No. 14.

Commissioner Fink, supported by Commissioner O'Neil, moved to appoint Commissioner Raukar to a two-year term on the Iron Range Long Range Readiness Program – Leadership Team; seven yeas, zero nays. Resolution No. 15.

Commissioner Sweeney, supported by Commissioner O'Neil, moved to appoint Commissioner Forsman as representative and Commissioner Nelson as alternate to the Job Training Partnership Act; seven yeas, zero nays. Resolution No. 16.

Commissioner O'Neil, supported by Commissioner Raukar, moved to appoint Commissioner Sweeney as representative to the Law Library Board; seven yeas, zero nays. Resolution No. 17.

Commissioner Nelson, supported by Commissioner Forsman, moved to appoint Commissioner Dahlberg as representative to the Laurentian Resource and Development Council (RC&D); seven yeas, zero nays. Resolution No. 18.

Commissioner Forsman, supported by Commissioner Sweeney, moved to appoint Commissioners Dahlberg and Nelson as representatives to the Liquor Licensing Committee; seven yeas, zero nays. Resolution No. 19.

Commissioner Nelson, supported by Commissioner Forsman, moved to appoint Commissioners Fink and Sweeney as representatives and Commissioner O'Neil as alternate to the Minnesota Inter-County Association (MICA); seven yeas, zero nays. Resolution No. 20.

Commissioner Sweeney, supported by Commissioner Fink, moved to appoint Commissioners Sweeney and Nelson as representatives and Commissioners O'Neil and Forsman as alternates to the 9-1-1 Emergency System User Board; seven yeas, zero nays. Resolution No. 21.

Commissioner O'Neil, supported by Commissioner Sweeney, moved to appoint Commissioner Sweeney as representative and Commissioner Nelson as alternate to the Northeast Regional Radio Board; seven yeas, zero nays. Resolution No. 22.

Commissioner Nelson, supported by Commissioner O'Neil, moved to remove appointments to the Planning Commission from the agenda and to refer the matter to the January Board Workshop. Commissioner Nelson said it may be inappropriate for Commissioners to be part of the Planning Commission in any capacity other than as liaison; seven yeas, zero nays.

Commissioner O'Neil, supported by Commissioner Nelson, moved to appoint Commissioners Sweeney and Nelson to the St. Louis County Promotional Bureau; seven yeas, zero nays. Resolution No. 23.

Commissioner Sweeney, supported by Commissioner Nelson, moved to appoint Commissioners O'Neil and Dahlberg as representatives to the Public Health and Human Services Advisory Committee; seven yeas, zero nays. Resolution No. 24.

Commissioner Forsman, supported by Commissioner Fink, moved to appoint Commissioners Sweeney, Nelson and Raukar as representatives and Commissioners O'Neil and Dahlberg as alternates to the St. Louis/Lake Counties Regional Railroad Authority; seven yeas, zero nays. Resolution No. 25.

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Commissioner Sweeney, supported by Commissioner Nelson, moved to appoint Commissioner Raukar to a six-year term on the Seaway Port Authority; seven yeas, zero nays. Resolution No. 26.

Commissioner Nelson, supported by Commissioner Sweeney, moved to award contracts for legal publications to the Duluth News Tribune (legal notices, board proceedings, notice of expiration of redemption – 1st and 2nd publications, and financial statement – 1st publication) and the Gilbert Herald (financial statement – 2nd publication, and delinquent tax list – 1st and 2nd publications). The following persons addressed the issue:

Kevin Gray, County Administrator, said this was previously an annual contract and will now be a three-year agreement with one-year fixed costs.

Dick Florey, Director of Purchasing, described the bid process and results and summarized the cost of legal publications for the past three years. The three-year agreements fit with County and departmental goals and are legally compliant, according to Director Florey.

After brief discussion of alternative means of communications, the awards were approved; seven yeas, zero nays. Resolution No. 27.

Chair Raukar designated Commissioner Fink to be the first Commissioner to deliver some words of wisdom at the beginning of the next board meeting. Chair Raukar also wished a Merry Christmas to those who follow the orthodox calendar.

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

County Auditor submitting applications to sell tobacco, at retail, for the year 2010.—59015

Workers' Compensation Reports for the year 2010.—59016

Land Commissioner submitting appraisal reports for the sale of timber for the year 2010.—59017

Upon motion of Commissioner Nelson, supported by Commissioner Forsman, Resolutions No. 1 through 6, as submitted to this Board on the Consent Agenda, were unanimously adopted as follows:

BY COMMISSIONER NELSON:

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of December 15, 2009, are hereby approved.
Adopted January 5, 2010. No. 1

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of December 22, 2009, are hereby approved.
Adopted January 5, 2010. No. 2

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. 59015, is hereby approved and the County Auditor is authorized to issue the license as follows:

RESOLVED FURTHER, that if named license holder sells their licensed business, the County Board, at its discretion, may, after an investigation, transfer the license to a new owner, but

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without pro-rated refund to the license holder:

Grumpy's Gas & Bait, LLC d/b/a Grumpy's Gas & Bait, Unorganized
Township 63-19, Tobacco Products License No. T10249, transfer.

Adopted January 5, 2010. No. 3

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, dated December 18, 2009, on file in the office of the County Auditor, identified as County Board File No. 59016, is hereby received and ratified as payable from Fund 730, Agency 730001.

Adopted January 5, 2010. No. 4

RESOLVED, that the appraisal reports for the sale of timber to be offered at Sealed Bid Timber Auction, numbered Tracts 1 through 3 (totaling \$3,044.75), as submitted by the Land Commissioner, on file in the office of the County Auditor, identified as County Board File No. 59017, are approved and the County Auditor is authorized to carry out the recommendations as listed in said appraisal reports.

Adopted January 5, 2010. No. 5

BY COMMISSIONER O'NEIL:

RESOLVED, that the St. Louis County Board of Commissioners will meet in 2010 commencing at 9:30 a.m. on Tuesdays according to the following schedule:

January:	5 th , 12 th – Duluth Courthouse 26 th – Gilbert City Hall
February:	2 nd , 9 th – Duluth Courthouse 23 rd – Hibbing City Council Chambers
March:	2 nd , 16 th – Duluth Courthouse 23 rd – Ely Recreation Center
April:	6 th , 13 th – Duluth Courthouse 27 th – Fayal Town Hall
May:	4 th , 11 th – Duluth Courthouse 25 th – Hibbing City Council Chambers
June:	1 st , 8 th – Duluth Courthouse 22 nd – Semer's Park Pavilion, Ely
July:	6 th , 13 th – Duluth Courthouse 27 th – Hibbing City Council Chambers
August:	3 rd – Duluth Courthouse 10 th – Mt. Iron City Council Chambers
September:	7 th , 14 th – Duluth Courthouse 28 th – Greenwood Town Hall
October:	5 th , 12 th – Duluth Courthouse 26 th – Virginia City Council Chambers
November:	2 nd , 9 th – Duluth Courthouse

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23rd – Hibbing City Council Chambers

December: 14th – Duluth Courthouse
 21st – Morse Town Hall

NOTE: The following Tuesdays were eliminated for the reasons indicated:
 March 9th – NACo Legislative Conference
 July 20th – NACo Annual Conference
 December 7th – AMC Annual Conference

Workshops: The following dates are reserved for County Board
 January 19th; February 16th; April 20th; May 18th;
July 26th, September 21st; October 19th; November 16th.
 (All dates are Tuesdays except Monday, July 26th)

Unanimously adopted January 5, 2010. No. 6

BY COMMISSIONER FORSMAN:

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 Human Services Committee
Chair – Commissioner Chris Dahlberg

Environment and Natural Resources Committee
Chair – Commissioner Dennis Fink

Public Works and Transportation Committee
Chair – Commissioner Mike Forsman

Finance and Budget Committee
Chair – Commissioner Keith Nelson

Central Management and Intergovernmental Committee
Chair – Commissioner Steve O’Neil

Public Safety and Corrections Committee
Chair – Commissioner Peg Sweeney

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners will meet in 2010 as a Committee of the Whole immediately following the County Board meeting on Tuesdays, according to the following schedule:

January: 5th, 12th – Duluth Courthouse
 26th – Gilbert City Hall

February: 2nd, 9th – Duluth Courthouse
 23rd – Hibbing City Council Chambers

March: 2nd, 16th – Duluth Courthouse
 23rd – Ely Recreation Center

April: 6th, 13th – Duluth Courthouse

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27th – Fayal Town Hall

May: 4th, 11th – Duluth Courthouse
25th – Hibbing City Council Chambers

June: 1st, 8th – Duluth Courthouse
22nd – Semer's Park Pavilion, Ely

July: 6th, 13th – Duluth Courthouse
27th – Hibbing City Council Chambers

August: 3rd – Duluth Courthouse
10th – Mt. Iron City Council Chambers

September: 7th, 14th – Duluth Courthouse
28th – Greenwood Town Hall

October: 5th, 12th – Duluth Courthouse
26th – Virginia City Council Chambers

November: 2nd, 9th – Duluth Courthouse
23rd – Hibbing City Council Chambers

December: 14th – Duluth Courthouse
21st – Morse Town Hall

Unanimously adopted January 5, 2010. No. 7

BY COMMISSIONER NELSON:

RESOLVED, that the St. Louis County Board hereby appoints the following as their representatives to the Arrowhead Counties Association (ad hoc) for one year terms expiring on December 31, 2010:

Commissioner Dennis Fink
Commissioner Chris Dahlberg
Commissioner Keith Nelson (alternate)

Unanimously adopted January 5, 2010. No. 8

BY COMMISSIONER NELSON:

RESOLVED, that the St. Louis County Board hereby appoints the following as their representatives to Arrowhead Regional Corrections for one year terms expiring on December 31, 2010:

Commissioner Chris Dahlberg
Commissioner Peg Sweeney
Commissioner Keith Nelson
Commissioner Steve O'Neil (alternate)

Unanimously adopted January 5, 2010. No. 9

BY COMMISSIONER SWEENEY:

RESOLVED, that the St. Louis County Board hereby appoints the following as their representatives to the Arrowhead Regional Development Commission (ARDC) for three year terms expiring on December 31, 2012:

Commissioner Peg Sweeney
Commissioner Steve Raukar
Commissioner Dennis Fink (alternate)

Unanimously adopted January 5, 2010. No. 10

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BY COMMISSIONER NELSON:

RESOLVED, that the St. Louis County Board hereby appoints the following as their representative to the Arrowhead Regional Development Commission Board of Directors for a two year term expiring on December 31, 2011:

Commissioner Steve Raukar

Unanimously adopted January 5, 2010. No. 11

BY COMMISSIONER O'NEIL:

RESOLVED, that the St. Louis County Board hereby appoints the following as their representatives to the Arrowhead Regional Development Commission Metropolitan Interstate Committee for a one year term expiring on December 31, 2010:

Commissioner Steve O'Neil

Commissioner Peg Sweeney (alternate)

Unanimously adopted January 5, 2010. No. 12

BY COMMISSIONER SWEENEY:

RESOLVED, that the St. Louis County Board hereby appoints the following as their representatives to the Community Health Services Board for a one year term expiring on December 31, 2010:

Commissioner Mike Forsman

Commissioner Dennis Fink (alternate)

Unanimously adopted January 5, 2010. No. 13

BY COMMISSIONER NELSON:

RESOLVED, that the St. Louis County Board hereby appoints the following as their representatives to the St. Louis County Election Canvassing Board for elections to be held in 2010:

Commissioner Peg Sweeney

Commissioner Chris Dahlberg

Unanimously adopted January 5, 2010. No. 14

BY COMMISSIONER FINK:

RESOLVED, that the St. Louis County Board hereby appoints the following as their representative to the Iron Range Long Range Readiness Program – Leadership Team for a two year term expiring December 31, 2011:

Commissioner Steve Raukar

Unanimously adopted January 5, 2010. No. 15

BY COMMISSIONER SWEENEY:

RESOLVED, that the St. Louis County Board hereby appoints the following as their representatives to the Job Training Partnership Act for a one year term expiring December 31, 2010:

Commissioner Mike Forsman

Commissioner Keith Nelson (alternate)

Unanimously adopted January 5, 2010. No. 16

BY COMMISSIONER O'NEIL:

RESOLVED, that the St. Louis County Board hereby appoints the following as their representative to the Law Library Board for a one year term expiring December 31, 2010:

Commissioner Peg Sweeney

Unanimously adopted January 5, 2010. No. 17

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BY COMMISSIONER NELSON:

RESOLVED, that the St. Louis County Board hereby appoints the following as their representative to the Laurentian Resource and Development Council (RC&D) for a one year term expiring December 31, 2010:

Commissioner Chris Dahlberg

Unanimously adopted January 5, 2010. No. 18

BY COMMISSIONER FORSMAN:

RESOLVED, that the St. Louis County Board hereby appoints the following as their representatives to the Liquor Licensing Committee for a one year term expiring December 31, 2010:

Commissioner Chris Dahlberg

Commissioner Keith Nelson

Unanimously adopted January 5, 2010. No. 19

BY COMMISSIONER NELSON:

RESOLVED, that the St. Louis County Board hereby appoints the following as their representatives to the Minnesota Inter-County Association (MICA) for a one year term expiring December 31, 2010:

Commissioner Dennis Fink

Commissioner Peg Sweeney

Commissioner Steve O'Neil (alternate)

Unanimously adopted January 5, 2010. No. 20

BY COMMISSIONER SWEENEY:

RESOLVED, that the St. Louis County Board hereby appoints the following as their representatives to the 9-1-1 Emergency System User Board for a one year term expiring December 31, 2010:

Commissioner Peg Sweeney

Commissioner Keith Nelson

Commissioner Steve O'Neil (alternate)

Commissioner Mike Forsman (alternate)

Unanimously adopted January 5, 2010. No. 21

BY COMMISSIONER O'NEIL:

RESOLVED, that the St. Louis County Board hereby appoints the following as their representatives to the Northeast Regional Radio Board for a one year term expiring December 31, 2010:

Commissioner Peg Sweeney

Commissioner Keith Nelson (alternate)

Unanimously adopted January 5, 2010. No. 22

BY COMMISSIONER O'NEIL:

RESOLVED, that the St. Louis County Board hereby appoints the following as their representatives to the St. Louis County Promotional Bureau for a one year term expiring December 31, 2010:

Commissioner Peg Sweeney

Commissioner Keith Nelson

Unanimously adopted January 5, 2010. No. 23

BY COMMISSIONER SWEENEY:

RESOLVED, that the St. Louis County Board hereby appoints the following as their representatives to the Public Health and Human Services Advisory Committee for a one year term expiring December 31, 2010:

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Commissioner Chris Dahlberg (PHHS Chair)
Commissioner Steve O'Neil
Unanimously adopted January 5, 2010. No. 24

BY COMMISSIONER FORSMAN:

RESOLVED, that the St. Louis County Board hereby appoints the following as their representatives to the St. Louis/Lake Counties Regional Railroad Authority for a one year term expiring December 31, 2010:

- Commissioner Peg Sweeney
- Commissioner Keith Nelson
- Commissioner Steve Raukar
- Commissioner Steve O'Neil (alternate)
- Commissioner Chris Dahlberg (alternate)

Unanimously adopted January 5, 2010. No. 25

BY COMMISSIONER SWEENEY:

RESOLVED, that the St. Louis County Board hereby appoints the following as their representative to the Seaway Port Authority for a six year term expiring December 31, 2015:

- Commissioner Steve Raukar

Unanimously adopted January 5, 2010. No. 26

BY COMMISSIONER NELSON:

RESOLVED, that the St. Louis County Board authorizes the Director of Purchasing to enter into a 3-year contract with the Duluth News Tribune for the 2010, 2011, and 2012 Official Newspaper, in accordance with the specifications of Bid No. 4850 and its bid as follows:

	Duluth News Tribune
Description (MNA)	MNA Index Number
1. Official Newspaper	
Legal Notices	0.27076
Board Proceedings	0.27076
Notice of Expiration of Redemption	
1 st Publication	0.27076
2 nd Publication	0.27076
2. Financial Statement	
1 st Publication	0.27076

RESOLVED FURTHER, that the Director of Purchasing is authorized to enter into a 3-year contract with the Gilbert Herald for the 2010, 2011, and 2012 Publication, in accordance with the specifications of Bid No. 4850 and its low bid as follows:

	Gilbert Herald
Description (MNA)	MNA Index Number
2. Financial Statement	
2 nd Publication/Location	0.05920
3. Delinquent Tax List	
1 st Publication	0.04620
2 nd Publication	0.01300

Unanimously adopted January 5, 2010. No. 27

At 10:55 a.m., January 5, 2010, Commissioner Sweeney, supported by Commissioner Nelson, moved to adjourn the County Board meeting; seven yeas, zero nays.

Steve Raukar, Chair of the Board
of County Commissioners

Attest:

Donald Dicklich, County Auditor
and Ex-Officio Clerk of the Board
of County Commissioners

(Seal of the County Auditor)

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**OFFICIAL PROCEEDINGS OF THE MEETING
OF THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF ST. LOUIS, MINNESOTA,
HELD ON JANUARY 12, 2010**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 12th day of January, 2010, at 9:30 a.m., in the County Board Room, Duluth, Minnesota, with the following members present: Commissioners Dennis Fink, Steve O'Neil, Chris Dahlberg, Mike Forsman, Peg Sweeney, Keith Nelson, and Steve Raukar – 7. Absent: None.

Chair Raukar asked for a moment of silence to honor U.S. troops serving throughout the world.

Commissioner Fink presented the following words of wisdom:

“Wisdom is knowing the path to take. Integrity is taking it.”

“Life is not measured by the number of breaths we take, but by the moments that take our breath away.”

Commissioner Fink expressed dismay about the following quote from Matt Lauer of the Today Show: “While the information was factual and correctly presented, in this era of political correctness, that statement was extremely inappropriate.” It is disturbing that concern for political correctness can override facts, according to Commissioner Fink.

Commissioner Nelson, supported by Commissioner Forsman, moved to withdraw from the agenda a proposal to terminate a business subsidy agreement with Cirrus Design Corporation of Duluth. Kevin Gray, County Administrator, said the matter was still in negotiation and he recommended withdrawal at this time. In response to a question from Commissioner Sweeney, Administrator Gray said several options are being explored and other parties are involved in a final decision. Chair Raukar asked Administration to provide memos to Commissioners in cases such as this to keep everyone up to date. After further discussion, the motion to withdraw was approved; seven yeas, zero nays.

At 9:50 a.m., Chair Raukar recessed the County Board meeting until 10:30 a.m.

At 11:00 a.m., the County Board reconvened in the Commissioner Conference Room, 2nd Floor, Courthouse, Duluth, MN, with all members present.

Commissioner Sweeney, supported by Commissioner Forsman, moved to approve a second Consent Agenda consisting of items passed unanimously at Committee of the Whole. At the request of Commissioner Fink, Items #6 (Establishing 2010 Minimum Compensation for Elected County Officials) and #7 (Wireless Communications Device Policy) were removed from the Consent Agenda for separate consideration. The remainder of the Second Consent Agenda was approved; seven yeas, zero nays.

At 11:07 a.m., Chair Raukar recessed the County Board meeting for five minutes.

At 11:15 a.m., the County Board reconvened in the Commissioner Conference Room, 2nd Floor, Courthouse, Duluth, MN, with all members present.

Commissioner O'Neil, supported by Commissioner Fink, moved to table establishment of minimum compensation for elected officials to the January 26 Board meeting; seven yeas, zero nays.

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Commissioner O'Neil, supported by Commissioner Fink, moved to table amending the Wireless Communication Device Policy to the January 26 County Board meeting; seven yeas, zero nays.

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

Committee of the Whole minutes for the year 2010.—59018

Mine Inspector submitting notices of inspections, accidents, and to fence mining property for the year 2010.—59019

Sheriff's Department submitting Report of Cash Received and Disbursed for the year 2010.—59020

County Auditor submitting applications to sell intoxicating liquor for the year 2010.—59021

Kevin Gray, County Administrator, and Robert Krepps, Land Commissioner, submitting requests for sale or reclassification of Tax Forfeited land for the year 2010.—59022

Kevin Gray, County Administrator, and Barbara Hayden, Planning and Development Director, submitting Board Letter No. 10-16, request to provide a \$100,000 grant from the Economic Development Fund – Minnesota Investment Fund (MIF) Repayments to Arrowhead Regional Development Commission (ARDC).—59023

Family Homeless Prevention and Assistance Program Grant, Contract No. 20857, between the St. Louis County Board of Commissioners and Arrowhead Economic Opportunity Agency.—10-01

Home and Community-Based Waiver Services Contract, Contract No. 14629, between the St. Louis County Board of Commissioners and Five Star Living of Mountain Iron, LLC, d/b/a Diamond Willow Assisted Living of Mountain Iron.—10-02

Home and Community-Based Waiver Services Contract, Contract No. 14627, between the St. Louis County Board of Commissioners and Keystone Five Star, LLC, d/b/a Keystone Bluffs Assisted Living, LLC.—10-03

Home and Community-Based Waiver Services Contract, Contract No. 14628, between the St. Louis County Board of Commissioners and Diamond Willow Living, LLC, d/b/a Diamond Willow Assisted Living Services, LLC.—10-04

Home and Community-Based Waiver Services Contract, Contract No. 14735, between the St. Louis County Board of Commissioners and Pamela Dungan, LPN.—10-05

Addendum to Purchase Agreement, Contract No. 14475A, between the St. Louis County Board of Commissioners and Human Development Center for Assertive Community Treatment Team South Services.—10-06

Addendum to Purchase Agreement, Contract No. 14474A, between the St. Louis County Board of Commissioners and Life House for Assertive Community Treatment Team South Services.—10-07

Memorandum of Agreement between the University of Minnesota and St. Louis County for providing Extension programs locally and Employing Extension Staff.—10-08

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Agreement for Professional Services between St. Louis County and Gary Kuyava for County Agricultural Inspector services.—[10-09](#)

Agreement for Professional Services between the County of St. Louis and DSGW Architects, Inc., for Virginia Courthouse Campus Predesign.—[10-10](#)

Agreement for Professional Services between the St. Louis County Housing and Redevelopment Authority and Springsted, Inc., for Recovery Zone Bond analysis.—[10-11](#)

Agreement for Professional Services between the County of St. Louis and Charles Hardtke for accounting/training services.—[10-12](#)

State of Minnesota Communications Facility Use Agreement, Agreement No. 95506-R, Virginia Midway Tower, between State of Minnesota, Department of Transportation, and the County of St. Louis for the use of Antenna space and shelter space for ten (10) years.—[10-13](#)

Professional Services Agreement between the City of Babbitt and the County of St. Louis for 2010 Fire Protection Services in Unorganized Townships 61-12 & 61-13.—[10-14](#)

Professional Services Agreement between the Bearville Township Volunteer Fire Department, Inc., and the County of St. Louis for 2010 Fire Protection Services in Unorganized Township 62-21.—[10-15](#)

Professional Services Agreement between the Central Lakes Volunteer Fire Department, Inc., and the County of St. Louis for 2010 Fire Protection Services in Unorganized Township 56-17.—[10-16](#)

Professional Services Agreement between the City of Chisholm and the County of St. Louis for 2010 Fire Protection Services in Unorganized Township 59-21.—[10-17](#)

Professional Services Agreement between the Colvin Volunteer Fire Department, Inc., and the County of St. Louis for 2010 Fire Protection and First Responder Services in Unorganized Township 55-15.—[10-18](#)

Professional Services Agreement between the City of Cook and the County of St. Louis for 2010 Fire Protection Services in Unorganized Township 62-17.—[10-19](#)

Professional Services Agreement between the City of Cook and the County of St. Louis for 2010 Fire Protection Services in Unorganized Township 63-17.—[10-20](#)

Professional Services Agreement between the Ellsburg Volunteer Fire Department, Inc., and the County of St. Louis for 2010 Fire Protection and First Responder Services in parts of Unorganized Township 55-15.—[10-21](#)

Professional Services Agreement between the Evergreen Volunteer Fire Department, Inc., and the County of St. Louis for 2010 Fire Protection Services in Unorganized Townships 60-19 and 60-20.—[10-22](#)

Professional Services Agreement between the Morse-Fall Lake Rural Protection Association and the County of St. Louis for 2010 Fire Protection and First Responder Services in Unorganized Townships 64-12 and 64-13.—[10-23](#)

Professional Services Agreement between the City of Floodwood and the County of St. Louis for

2010 Fire Protection Services in Unorganized Township 52-21.—10-24

Professional Services Agreement between French Township and the County of St. Louis for 2010 Fire Protection Services in Unorganized Township 59-21.—10-25

Professional Services Agreement between the Gnesen Volunteer Fire Department, Inc., and the County of St. Louis for 2010 Fire Protection Services in Unorganized Township 53-15.—10-26

Professional Services Agreement between the Greenwood Township Volunteer Fire Department and the County of St. Louis for 2010 Fire Protection Services in Unorganized Township 63-15.—10-27

Professional Services Agreement between the Lake Kabetogama Volunteer Fire Department and the County of St. Louis for 2010 Fire Protection Services in Unorganized Townships 68-19, 69-19, 67-20, 68-20, 67-21 & 68-21.—10-28

Professional Services Agreement between the Lakeland Volunteer Fire Department, Inc., and the County of St. Louis for 2010 Fire Protection Services in Unorganized Township 57-16.—10-29

Professional Services Agreement between the Makinen Volunteer Fire Department, Inc., and the County of St. Louis for 2010 Fire Protection Services in Unorganized Township 56-16.—10-30

Professional Services Agreement between the Morse-Fall Lake Rural Protection Association and the County of St. Louis for 2010 Fire Protection and First Responder Services in Unorganized Townships 64-12 and 64-13.—10-31

Professional Services Agreement between the Northland Volunteer Fire Department, Inc., and the County of St. Louis for 2010 Fire Protection Services in Unorganized Township 53-16.—10-32

Professional Services Agreement between the City of Orr and the County of St. Louis for 2010 Fire Protection Services in Unorganized Townships 63-19 & 66-20.—10-33

Professional Services Agreement between the Pequaywan Lake Volunteer Fire Department, Inc., and the County of St. Louis for 2010 Fire Protection Services in Unorganized Township 54-13.—10-34

Professional Services Agreement between the Silica Volunteer Fire Department and the County of St. Louis for 2010 Fire Protection Services in Unorganized Township 55-21.—10-35

Upon motion of Commissioner Sweeney, supported by Commissioner O'Neil, Resolutions No. 28 through 35, as submitted to this Board on the Consent Agenda, were unanimously adopted as follows:

COMMISSIONER SWEENEY:

WHEREAS, the St. Louis County Public Works Department plans to reconstruct 1435 feet of County Road 661 (County Project 3743, MP 661-3743) and replace County Bridge 439 over the West Two River in McDavitt Township; and

WHEREAS, it is necessary for the county to obtain additional highway right of way in order to perform this road reconstruction and bridge replacement; and

WHEREAS, the following numbered parcel has not been acquired by negotiation and direct purchase:

Parcel
5

Owners
Michael D. Luukkonen and Lori J.

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ST. LOUIS COUNTY, MINNESOTA**

Luukkonen
Husband and wife

(As more completely described in attached exhibit A)

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board, pursuant to Minn. Stat. Chapter 163.02 et. al., authorizes the County Attorney to proceed under Minn. Stat. Chapter 117.02 et. al., to acquire the necessary highway right of way by condemnation proceedings, payable from Fund 200, Agency 203001, Object 636500.

EXHIBIT A

CR 661
Parcel 5

MP 661-3743
County Project 3743

Legal Description:

A parcel of land Five Hundred (500) feet square lying in the Northeast corner of the Southeast Quarter of the Northeast Quarter (SE ¼ of NE ¼), Section Thirteen (13), Township Fifty-six (56) North, Range Nineteen (19), according to the Government survey thereof.

Rights to be Acquired:

A 100 foot permanent easement for highway purposes over, under and across the above described part of the Southeast Quarter of the Northeast Quarter of Section 13, Township 56 North, Range 19 West of the Fourth Principal Meridian. The center line of said easement is described as follows:

Commencing at the east quarter corner of said section 13; thence on an assumed bearing of N 0 deg 40' 38" E, along the east line of said Southeast Quarter of the Northeast Quarter 1242.57 feet to a point; thence westerly, deflecting to the left 90 deg 00' 00", a distance of 123.06 feet to the beginning of the center line to be described; thence N 39 deg 42' 39" E, 57.59 feet; thence along a tangential curve concave to the west having a radius of 276.81 feet and a central angle of 20 deg 42' 10", a distance of 28.73 feet more or less to a point on the north line of said Southeast Quarter of the Northeast Quarter and said center line there terminating.

The side lines of said easement are prolonged or shortened to terminate on the north boundary line of said Southeast Quarter of the Northeast Quarter and the centerline of County State Aid Highway 25 as it is located on 1 July, 2009. Described easement area contains 0.20 acre more or less, of which 0.08 acre is existing highway right of way and 0.12 acre is new highway right of way.

Adopted January 12, 2010. No. 28

WHEREAS, the St. Louis County Public Works Department plans to reconstruct 3.22 miles of County State Aid Highway No. 77 (County Project 9276, SAP 69-677-08) in Greenwood Township-Township 62 North-Range 16 West from a point 1272.89 ft E & 787.59 ft S of the South quarter corner of Sec. 7, T62N-R16W to a point 401.30 ft. N & 149.83 ft W of the SW

corner of Sec. 4, T62N-R16W; and
WHEREAS, in order to perform the reconstruction, it is necessary for the county to obtain additional highway right of way; and
WHEREAS, the following numbered parcel has not been acquired by negotiation and direct purchase:

<u>Parcel</u>	<u>Owner(s)</u>
22	John R. Cartier, a single man
(As more completely described in attached exhibit A)	

NOW, THEREFORE, BE IT RESOLVED, that under the authority granted by Minn. Stat. § 163.02, Subd. 2 and Minn. Stat. § 163.11, the St. Louis County Board authorizes the County Attorney to proceed under Minn. Stat. Chapter 117, to acquire the necessary highway right of way by condemnation proceedings. Right of way acquisition is payable from Fund 200, Agency 203001, Objects 636500 and 636600.

EXHIBIT A

CSAH 77	SAP 69-677-08
Parcel 22	County Project 9276

Legal Description:

Lots Five (5) and Six (6) and the Northwesterly 35 feet of lot 5A, Clover Point

Rights to be Acquired:

A PERMANENT EASEMENT for highway purposes over, under and across that part of the above described property shown as Parcel 22 on the plat designated as St. Louis County Highway Right of Way Plat No. 29, on file and on record in the Office of the County Recorder in and for the County of St. Louis, Minnesota.

Said permanent easement contains approximately 0.00 acres of existing highway right of way and 0.41 acres of additional highway right of way.

Together with a TEMPORARY EASEMENT for highway purposes over, under and across that part of the above described property shown as TEMPORARY EASEMENT on Parcel 22 on the plat designated as St. Louis County Highway Right of Way Plat No. 29, on file and on record in the Office of the County Recorder in and for the County of St. Louis, Minnesota.

Said temporary easement contains approximately 0.02 acres and shall expire December 31, 2012.

Adopted January 12, 2010. No. 29

WHEREAS, St. Louis County is planning to implement County State Aid Construction Projects in 2010 which will require State Aid funds in excess of those available in its State Aid Regular Construction Account; and

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 ST. LOUIS COUNTY, MINNESOTA

WHEREAS, the county is prepared to proceed with the construction of those projects through the use of an advance from the County State Aid Construction Fund to supplement the available funds in its State Aid Regular/Municipal Construction Account; and

WHEREAS, the advance is based on the following determination of estimated expenditures:

Project No. SAP 69-742-002
\$2,700,000
(Grant Avenue, Mill and Overlay/Build
Eveleth, MN)
Total 2010 Advance Amount: \$2,700,000

WHEREAS, repayment of the funds so advanced will be made in accordance with the provisions of Minn. Stat. § 162.08, Subd. 5 & 7 and Minnesota Rules, Chapter 8820; and

WHEREAS, the county acknowledges advance funds are released on a first-come-first-serve basis and this resolution does not guarantee the availability of funds.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board requests that the Minnesota Commissioner of Transportation approve an advance for financing approved County State Aid Highway Projects of St. Louis County in an amount up to \$2,700,000 in accordance with Minnesota Rules 8820.1500, Subd. 9.

RESOLVED FURTHER, the St. Louis County Board authorizes repayments from subsequent accruals to the Regular State Aid Construction Account of St. Louis County with repayment from the 2011 year allocation until fully repaid.

Adopted January 12, 2010. No. 30

WHEREAS, St. Louis County Ordinance No. 28 (Liquor Ordinance), Section 11.02 prohibits sales of alcohol after 1:00 a.m. on Monday through Saturday and Section 11.05 requires patrons to vacate licensed premises within twenty minutes after sales are ceased by law; and

WHEREAS, Ragnar Properties, Inc. d/b/a Billy's, 3502 West Tischer Road, Duluth, MN, a licensed liquor establishment, has requested a waiver to remain open from 1:00 a.m. to 8:00 a.m. on February 1 through February 3, 2010, to provide facilities and food to mushers and race officials of the John Beargrease Sled Dog Marathon; and

WHEREAS, the Liquor Licensing Committee has recommended approval of the waiver application.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the application (on file in County Board File No. 59021) submitted by the below listed establishment for a waiver of Section 11.05, which requires patrons to vacate the licensed premises by 1:20 a.m.

Ragnar Properties, Inc. d/b/a Billy's
3502 West Tischer Road
Duluth, MN 55803
Rice Lake Township

RESOLVED FURTHER, that the waiver shall be effective February 1 through February 3, 2010, from 1:00 a.m. to 8:00 a.m. and no alcohol shall be served or consumed on the licensed premises during the waiver period, although Billy's will be allowed to serve food to mushers and race officials of the John Beargrease Sled Dog Marathon during said waiver period.

Adopted January 12, 2010. No. 31

WHEREAS, St. Louis County has Child Protection and Intervention and Prevention Programs; and

WHEREAS, the St. Louis County Department of Public Health and Human Services contracted with Lutheran Social Service (LSS) Bethany Crisis Shelter and LSS Family Resource Center to provide Supervised Visitation Services on behalf of the County; and

WHEREAS, the Department wishes to renew the agreements to promote a safe environment for youth to visit non-custodial parents and other family members.

PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS 19
ST. LOUIS COUNTY, MINNESOTA

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes agreements with Lutheran Social Service (LSS) Bethany Crisis Shelter at \$35 per hour and LSS Family Resource Center at \$33 per hour for the period January 1, 2010 through December 31, 2010, payable from Fund 230 (Social Services), Agency 32008 (Children's Services), Expense Object 602000 (Other Children's Services).

RESOLVED FURTHER, that mileage for transportation reimbursement shall be paid to the LSS Family Resource Center to various sites at the Internal Revenue Service (IRS) standard rate of 50 cents per mile, changing automatically as the IRS standard rate is modified.

Adopted January 12, 2010. No. 32

RESOLVED, that the appropriate county officials are hereby authorized to enter into the following agreements:

St. Louis County Attorney with the St. Louis County Housing and Redevelopment Authority for legal services in the amount of \$40,000, and with Arrowhead Regional Corrections in the amount of \$44,407 to be payable to the St. Louis County Attorney's Office, Fund 100, Agency 113002.

St. Louis County Employee Relations Department with Arrowhead Regional Corrections for personnel services in the amount of \$211,655, and that said funds will be payable to the St. Louis County Employee Relations Department, Fund 100, Agency 123001, and training services in the amount of \$25,167, payable to Fund 100, Agency 126001.

St. Louis County Safety and Risk Management with Arrowhead Regional Corrections for consulting and testing services in the amount of \$23,506, and that said funds will be payable to the St. Louis County Safety and Risk Management Department, Fund 100, Agency 139001.

St. Louis County Auditor with Arrowhead Regional Corrections for fiscal services in the amount of \$65,024, and that said funds will be payable to the St. Louis County Auditor's Office, Fund 100, Agency 115001.

St. Louis County MIS Department with Arrowhead Regional Corrections for telephone services in the amount of \$73,753.02, computer network services in the amount of \$68,252.90, and data processing services in the amount of \$183,737.20, and that said funds will be payable to the St. Louis County MIS Department, Fund 760, Agency 760001, for telephone services, and Fund 750, Agency 750001, for data processing and computer network services.

St. Louis County Property Management with Arrowhead Regional Corrections for rent in the amount of \$341,874.13, and that said funds will be payable to the St. Louis County Property Management Department, Fund 100, Agency 128000.

St. Louis County Auditor with the Carlton-Cook-Lake-St. Louis Community Health Board for fiscal services in the amount of \$5,500, and that said funds will be payable to the St. Louis County Auditor's Office, Fund 100, Agency 115001.

St. Louis County Auditor with the Regional Rail Authority for fiscal services in the amount of \$5,500, and that said funds will be payable to the St. Louis County Auditor's Office, Fund 100, Agency 115001.

Adopted January 12, 2010. No. 33

WHEREAS, the Purchasing Department has prepared bid specifications for new 2010 vehicles

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 ST. LOUIS COUNTY, MINNESOTA

up to one ton capacity, and

WHEREAS, bids were received and compared with the State of Minnesota contracts, and

WHEREAS, several vehicles were priced lower on the State of Minnesota contracts, and

WHEREAS, local qualifying bids within \$300.00 of the State of Minnesota Contract prices will be awarded to local bidders, and

WHEREAS, build-out dates are often announced with short lead times for placing orders.

NOW, THEREFORE, BE IT RESOLVED, that the Director of Purchasing is hereby authorized to purchase, in accordance with the specifications of Bid No. 4874, and State of Minnesota Contract Releases, 2010 vehicles as follows:

- 1.0 Four (4) Class IIA, mid-size, four door sedans, with police package V-6, from Perkins Inc. of Fergus Falls, MN, at their State of Minnesota Contract price of \$20,086.55 each delivered to Virginia for a total of \$80,346.20, (this vehicle is not subject to state sales tax) for a total purchase price of \$80,346.20, payable from Fund 437 (2008 Capital Equipment), Agency 437003 (2008 Capital Equipment Sheriff), Object Code 666100 (automobiles).

- 1.1 Six (6) Class IIA, mid-size, four door sedans, with police package V-6, from Perkins Inc. of Fergus Falls, MN, at their State of Minnesota Contract price of \$20,086.55 each delivered to Virginia for a total of \$120,519.30, plus 6.5 % State Sales Tax of \$1,305.63 per unit, for a total purchase price of \$128,353.05, payable from Fund 437 (2008 Capital Equipment), Agency 437003 (2008 Capital Equipment Sheriff), Object Code 666100 (automobiles).

- 2.0 Four (4) Class IIA, mid-size, four door sedans, from Thane Hawkins Polar Chevrolet of White Bear Lake, MN, at their State of Minnesota Contract price of \$17,249.20 each delivered to Duluth for a total of \$68,996.80, plus 6.5 % State Sales Tax of \$1,121.20 per unit, for a total purchase price of \$73,481.59, payable from Fund 715 (County Garage), Agency 715001 (Motor Pool), Object Code 666100 (automobiles).

- 2.1 Three (3) Class IIA, mid-size, four door sedans, from Thane Hawkins Polar Chevrolet of White Bear Lake, MN, at their State of Minnesota Contract price of \$17,249.20 each delivered to Virginia for a total of \$51,747.60, plus 6.5 % State Sales Tax of \$1,121.20 per unit, for a total purchase price of \$55,111.19, payable from Fund 715 (County Garage), Agency 715001 (Motor Pool), Object Code 666100 (automobiles).

- 3.0 Three (3) 6400 GVWR, full size, regular cab, 2-wheel drive, pickup trucks with long box, from Lundgren Motors of Eveleth, MN, at their low specification bid price of \$14,388.20 each delivered to Virginia for a total of \$43,164.60, plus 6.5 % State Sales Tax of \$935.23 per unit, for a total purchase price of \$45,970.30, payable from Fund 437 (2008 Capital Equipment), Agency 437001 (2009-2010 Capital Equipment), Object Code 666200 (pickups/vans).

- 4.0 One (1) 6400 GVWR, full size, extended cab, 2-wheel drive, pickup truck with short box, from Nelson Auto Center of Fergus Falls, MN, at their low specification bid price of \$17,189.00 each delivered to Duluth for a total of \$17,189.00, plus 6.5 % State Sales Tax of \$1,117.29 per unit, for a total purchase price of \$18,306.29, payable from Fund 437 (2008 Capital Equipment), Agency 437001 (2009-2010 Capital Equipment), Object Code 666200 (pickups/vans).

- 4.1 Three (3) 6400 GVWR, full size, extended cab, 2-wheel drive, pickup trucks with short box, from Nelson Auto Center of Fergus Falls, MN, at their low specification

bid price of \$17,189.00 each delivered to Virginia for a total of \$51,567.00, plus 6.5 % State Sales Tax of \$1,117.29 per unit, for a total purchase price of \$54,918.86, payable from Fund 437 (2008 Capital Equipment), Agency 437001 (2009-2010 Capital Equipment), Object Code 666200 (pickups/vans).

- 5.0 One (1) 6650 GVWR, full size, extended cab, 4-wheel drive, pickup truck with short box, from Lundgren Motors of Eveleth, MN, at their low specification bid price of \$21,422.20 each delivered to Duluth for a total of \$21,422.20, plus 6.5 % State Sales Tax of \$1,392.44 per unit, for a total purchase price of \$22,814.64, payable from Fund 715 (County Garage), Agency 715001 (Motor Pool), Object Code 666200 (pickups/vans).

- 5.1 Two (2) 6650 GVWR, full size, extended cab, 4-wheel drive, pickup trucks with short box, from Lundgren Motors of Eveleth, MN, at their low specification bid price of \$21,422.20 each delivered to Duluth for a total of \$42,844.40, plus 6.5 % State Sales Tax of \$1,392.44 per unit, for a total purchase price of \$45,629.29, payable from Fund 240 (Forfeited Tax), Agency 241008 (Pike Lake), Object Code 666200 (pickups/vans).

- 5.2 One (1) 6650 GVWR, full size, extended cab, 4-wheel drive, pickup truck with short box, from Lundgren Motors of Eveleth, MN, at their low specification bid price of \$21,422.20 each delivered to Virginia for a total of \$21,422.20, plus 6.5 % State Sales Tax of \$1,392.44 per unit, for a total purchase price of \$22,814.64, payable from Fund 240 (Forfeited Tax), Agency 241007 (Virginia), Object Code 666200 (pickups/vans).

- 6.0 One (1) 8200 GVWR, full size, regular cab, 2-wheel drive, pickup truck with long box, from Ranger GM of Hibbing, MN, at their low specification bid price of \$19,659.00 each delivered to Virginia for a total of \$19,659.00, plus 6.5 % State Sales Tax of \$1,277.84 per unit, for a total purchase price of \$20,936.84, payable from Fund 437 (2008 Capital Equipment), Agency 437001 (2009-2010 Capital Equipment), Object Code 666200 (pickups/vans).

- 7.0 Three (3) 5000 GVWR, mid size, 4-wheel drive, sport utility vehicles, from Lundgren Motors of Eveleth, MN, at their low specification bid price of \$22,089.20 each delivered to Duluth for a total of \$66,267.60, plus 6.5 % State Sales Tax of \$1,435.80 per unit, for a total purchase price of \$70,574.99, payable from Fund 715 (County Garage), Agency 715001 (Motor Pool), Object 666200 (pickups/vans).

- 7.1 One (1) 5000 GVWR, mid size, 4-wheel drive, sport utility vehicle, from Lundgren Motors of Eveleth, MN, at their low specification bid price of \$22,089.20 each delivered to Virginia for a total of \$22,089.20, plus 6.5 % State Sales Tax of \$1,435.80 per unit, for a total purchase price of \$23,525.00, payable from Fund 715 (County Garage), Agency 715001 (Motor Pool), Object 666200 (pickups/vans).

- 8.0 Four (4) 6500 GVWR, full size, 4-wheel drive, sport utility vehicles with Special Service Package, from Thane Hawkins Polar Chevrolet of White Bear Lake, MN, at their State of Minnesota contract price of \$28,273.00 each delivered to Duluth for a total of \$113,092.00, (this vehicle is not subject to state sales tax) for a total purchase price of \$113,092.00, funded as follows: \$66,443.00 payable from Fund 437 (2008 Capital Equipment), Agency 437003 (2008 Capital Equipment Sheriff), Object Code 666200 (pickups/vans), and \$44,649.00 payable from Fund 100 (General), Agency 129999 (Stonegarden Grant 12931), Object Code 666200 (pickups/vans).

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- 9.0 Two (2) 7 passenger minivans, from Elk River Chrysler of Elk River, MN, at their State of Minnesota contract price of \$20,201.00 each delivered to Duluth for a total of \$40,402.00, plus 6.5 % State Sales Tax of \$1,313.07 per unit, for a total purchase price of \$43,028.13, payable from Fund 437 (2008 Capital Equipment), Agency 437003 (2008 Capital Equipment Sheriff), Object Code 666200 (pickups/vans).
- 10.0 One (1) 9300 GVWR, passenger van, from Lundgren Motors of Eveleth, MN, at their low specification bid price of \$22,228.84 each delivered to Virginia for a total of \$22,228.84, plus 6.5 % State Sales Tax of \$1,444.87 per unit, for a total purchase price of \$23,673.71, payable from Fund 437 (2008 Capital Equipment), Agency 437001 (2009-2010 Capital Equipment), Object Code 666200 (pickups/vans).
- 11.0 One (1) 9300 GVWR, diesel cargo van, from Nelson Auto Center of Fergus Falls, MN, at their low specification bid price of \$28,434.00 each delivered to Duluth for a total of \$28,434.00, plus 6.5 % State Sales Tax of \$1,848.21 per unit, for a total purchase price of \$30,282.21, payable from Fund 437 (2008 Capital Equipment), Agency 437003 (2008 Capital Equipment Sheriff), Object Code 666200 (pickups/vans).

Adopted January 12, 2010. No. 34

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, dated January 1, 2010, on file in the office of the County Auditor, identified as County Board File No. 59016, is hereby received and ratified as payable from Fund 730, Agency 730001.

Adopted January 12, 2010. No. 35

Upon motion of Commissioner Sweeney, supported by Commissioner Forsman, Resolutions No. 36 through 41, as submitted to this Board on a second Consent Agenda, were unanimously adopted as follows:

WHEREAS, St. Louis County desires to offer for sale certain parcels of tax forfeited land; and
WHEREAS, the parcels are not withdrawn from sale pursuant to Minn. Stat. §§ 85.012, 92.461, 282.01, subdivision 8; and 282.018, and other statutes that require the withholding of State tax forfeited lands from sale; and

WHEREAS, the parcels of land cannot be improved because they are less than the minimum size required by the applicable zoning ordinance; and

WHEREAS, the County Auditor has determined that a non-public sale to adjacent property owners will encourage the return of the lands to the tax rolls; and

WHEREAS, the parcels of land have been classified as non-conservation land pursuant to Minn. Stat. § 282.01.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board approves the sale of the parcels described in County Board File No. 59022 and the County Auditor is authorized to offer the parcels at private sale for not less than appraised value to the adjacent property owners to encourage return of the parcels to the tax rolls. Funds from the sales are to be deposited into Fund 240 (Forfeited Tax Fund).

RESOLVED FURTHER, that the Land Commissioner shall give at least 30 days notice of its sales to all adjoining owners.

Adopted January 12, 2010. No. 36

WHEREAS, St. Louis County and Koochiching County have formed a Joint Powers Board to plan, design, develop and fund the Voyageurs National Park (VNP) Clean Water Project; and
WHEREAS, visitors to VNP access the park through four distinct areas: Ash River, Crane Lake, Kabetogama Township and Rainy Lake; and

WHEREAS, tourism is a major industry in the region and VNP is the only water based national

park in the United States; and
WHEREAS, resorts and businesses on the lands adjacent to VNP provide nearly all the sewage treatment needs for park visitors through treatment systems that often times do not effectively protect ground and surface water; and
WHEREAS, the remoteness of the area and rugged nature of the terrain make it cost prohibitive for businesses and homeowners to bring their systems to code; and
WHEREAS, financial assistance for VNP Clean Water Project has already been received by St. Louis County, Koochiching County, the Iron Range Resources Agency, the Township of Kabetogama and the Crane Lake Water and Sanitary District; and
WHEREAS, the United States has an obligation as a nation to protect its waters, and federal assistance is necessary to address the clean water concerns of VNP; and
WHEREAS, the VNP Clean Water Joint Powers Board has submitted a request for \$21,421,000 through the Water Resources Development Act II (WRDA).
NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board fully supports the request of the Voyageurs National Park Joint Powers Board under the Water Resources Development Act II (WRDA), for approximately 75% of the estimated project costs, \$21,421,000.
Adopted January 12, 2010. No. 37

WHEREAS, the St. Louis County Board has sponsored Federal Enhancement for various cities, townships and organized groups; and
WHEREAS, cities under 5000 in population require a sponsor; and
WHEREAS, the projects listed below do not require funding or maintenance by St. Louis County.
NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board agrees to sponsor the listed projects for the purpose of securing Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users funding; and
RESOLVED FURTHER, that St. Louis County shall provide assistance on a limited basis to assure the success of the following projects:

1. Bike/Pedestrian Trail (2014): Community Connection to the Trezona Trail, by City of Ely.
2. Bike/Pedestrian Trail (2014): Mesabi Trail Segment Soudan to Bearhead Segment, by St. Louis/Lake County Regional Rail.

Adopted January 12, 2010. No. 38

WHEREAS, St. Louis County has approximately \$169,000 in Economic Development Fund - Minnesota Investment Fund (MIF) Repayments; and
WHEREAS, these funds must be used for eligible projects in accordance with the state of Minnesota Investment Fund requirements; and
WHEREAS, a request by the Arrowhead Regional Development Commission (ARDC) for a \$100,000 grant in matching funds for the federal Economic Development Administration for the Regional Revolving Fund meets the state requirements; and
WHEREAS, on September 15, 2009, Resolution No. 09-428, the St. Louis County Board authorized a \$100,000 matching grant to ARDC contingent upon securing a \$3 million grant from the federal Economic Development Administration; and
WHEREAS, the federal Economic Development Administration has approved a \$1.4 million grant to ARDC and is requiring the full match identified in the ARDC application.
NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board rescinds Resolution No. 09-428 authorizing a \$100,000 matching grant for \$3 million grant from the federal Economic Development Administration for the Regional Revolving Fund; and
RESOLVED FURTHER, that the St. Louis County Board authorizes \$100,000 from the Economic Development Fund - MIF Repayments, Fund 176, Agency 176001, to be used for matching funds for a Regional Revolving Loan Fund contingent upon approval of a \$1.4 million grant from the federal Economic Development Administration and all required matching funds;

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 ST. LOUIS COUNTY, MINNESOTA

and

RESOLVED FURTHER, that the Regional Revolving Loan Fund will serve all communities in the seven county Arrowhead Regional Development Commission service area including the city of Duluth; and

RESOLVED FURTHER, that the appropriate county officials are authorized to execute a funding agreement to capitalize the Regional Revolving Loan Fund and comply with all state and county requirements.

Adopted January 12, 2010. No. 39

WHEREAS, the Northeast Minnesota Law Enforcement Executive Administrative Council has received a U.S. Department of Justice Methamphetamine Initiative Grant; and

WHEREAS, the grant provides funding for three law enforcement positions for a period of three years; and

WHEREAS, the Boundary Waters Drug Task Force has identified a need for a Deputy Sheriff Sergeant position to fill the role as the multijurisdictional task force commander, and that position qualifies under this grant.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes an increase to the Sheriff's office authorized 2010 FTE complement by one (1) Deputy Sheriff Sergeant position to be assigned to the Boundary Waters Drug Task Force for a period of three years or until the position is no longer funded by grant monies.

RESOLVED FURTHER, that this position will be accounted for in Fund 100, Agency 129999, Grant 12943, Year 2009.

Adopted January 12, 2010. No. 40

WHEREAS, St. Louis County Sheriff's Office is a member of the Boundary Waters Drug Task Force; and

WHEREAS, the Boundary Waters Drug Task Force Joint Powers Agreement is being amended to change the Task Force headquarters location from Virginia to Hibbing, MN.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the Sheriff and appropriate county officials to sign the updated Boundary Waters Drug Task Force Joint Powers Agreement.

Adopted January 12, 2010. No. 41

At 11:17 a.m., January 12, 2010, Commissioner Sweeney, supported by Commissioner O'Neil, moved to adjourn the County Board meeting; seven yeas, zero nays.

Steve Raukar, Chair of the Board
of County Commissioners

Attest:

Donald Dicklich, County Auditor
and Ex-Officio Clerk of the Board
of County Commissioners

(Seal of the County Auditor)

**OFFICIAL PROCEEDINGS OF THE MEETING
OF THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF ST. LOUIS, MINNESOTA,
HELD ON JANUARY 26, 2010**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 26th day of January, 2010, at 9:35 a.m., in the County Board Room, Duluth, Minnesota, with the following members present: Commissioners Dennis Fink, Steve O'Neil, Chris Dahlberg, Mike Forsman, Peg Sweeney, and Steve Raukar – 6. Absent: Commissioner Keith Nelson – 1.

Chair Raukar asked for a moment of silence to honor U.S. troops serving throughout the world and their families at home as well as all persons whose lives are adversely affected by war.

Chair Raukar noted that Commissioner Nelson was absent because of a medical issue.

Donald Bellerud, Mayor of Gilbert, welcomed Commissioners to his city.

Commissioner O'Neil presented Words of Wisdom by quoting the late Rev. Dr. Martin Luther King, Jr., who, on March 18, 1968 in Memphis during a speech to striking sanitary workers, said all labor has worth and society shall someday recognize the value of all laborers. Commissioner O'Neil also quoted the following from Dr. King: "Of all the forms of inequality, injustice in health care is the most shocking and inhumane."

Chair Raukar 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 Fink, supported by Commissioner Sweeney, moved to approve acceptance of a grant in the amount of \$123,164 by Center City Housing from the Minnesota Department of Human Services (DHS), Alcohol and Drug Abuse Division, for the San Marco Project in Duluth. The following persons addressed the issue:

Kevin Gray, County Administrator, said the County will not receive any of the funding, will not serve as fiscal agent or be involved in utilization of the funds. State statutes require County consent for organizations to receive funds for drug and alcohol abuse programs.

Nancy Cashman, Center City Housing Corp., described how grant funding will be used to provide activities and services for residents at the San Marco.

Rick Klun, Center City Housing Corp., said the San Marco population consists of 40 homeless individuals and 30 chronic alcoholics. San Marco does not require sobriety from its tenants but does provide a safe home. The Duluth Police Department, while initially skeptical, now firmly supports the facility because of reductions in the number of alcohol-related incidents, panhandling in the downtown area and trips to Detox Centers, according to Mr. Klun.

Commissioner Sweeney, in response to a comment from Ms. Cashman, said it was a measure of success that funding is needed for more activities because residents of San Marco spend more days sober than not. Commissioner Fink said much of the early public consternation about the facility has disappeared because of its positive impact. Commissioner Dahlberg said the program is a lightning rod issue and he would not support the resolution. Cost savings may be a mirage and the program tends to eliminate personal responsibility while perpetuating a problem, according to Commissioner Dahlberg. Commissioner O'Neil said

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 ST. LOUIS COUNTY, MINNESOTA

San Marco was not a perfect solution but simply an alternative for individuals who apparently will not quit drinking. Commissioner Forsman said San Marco provides an opportunity for change. After further discussion, the resolution was approved; five yeas, one nay, Commissioner Dahlberg. Resolution No. 50.

Commissioner Sweeney, supported by Commissioner O'Neil, moved to authorize a ten-year lease with the City of Duluth for a joint vehicle impound lot at the Sheriff Dispatch Center on the Chris Jensen campus. Commissioner Fink summarized the agreement but cautioned the lease formalizes what is already a done deal without affording the Board an opportunity to give permission to locate an impound lot on the property. Administrator Gray said the impound lot is moveable if a joint law enforcement center is constructed on the property. Commissioner O'Neil and Chair Raukar said this was a good cooperative effort between the County and Duluth; six yeas, zero nays. Resolution No. 51.

Commissioner O'Neil, supported by Commissioner Forsman, moved to approve minimum salary levels for the elected Sheriff, Attorney and Auditor. Administrator Gray described the proposed salary level and said pay scales must be established at the beginning of each year these offices appear on the ballot. Commissioner Fink said he tabled this matter at the January 12 meeting to allow the compensation levels to be approved in a transparent manner; six yeas, zero nays. Resolution No. 52.

Commissioner O'Neil, supported by Commissioner Dahlberg, moved to adopt a Revised Wireless Communications Device Policy, effective February 1, 2010. This matter was tabled at the January 12, 2010 meeting. Administrator Gray described changes to the wireless device policy which include raising the maximum cell phone stipend to \$55 and authorizing 100% reimbursement for data/wireless/email accounts if used for work purposes. Commissioner Dahlberg said these were good changes and should save the taxpayers money. Commissioner Fink said this policy may see numerous changes because of advances in technology; six yeas, zero nays. Resolution No. 53.

Commissioner O'Neil, supported by Commissioner Fink, moved to appoint Commissioner Dahlberg to serve on the Planning Commission for 2010. This matter was referred from the January 5 Annual Meeting. Administrator Gray said the appointment was discussed at a Board Workshop but an ordinance change must take place to eliminate the commissioner appointment. Chair Raukar said there will be a follow-up discussion of Commissioner appointments to the Planning Commission at a future workshop; six yeas, zero nays. Resolution No. 54.

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

Finance and Budget Committee submitting recommendations for payment of claims and bills against St. Louis County for the year 2010.—[59024](#)

Kevin Z. Gray, County Administrator, submitting Board Letter No. 10-15, Revised Wireless Communications Device Policy.—[59025](#)

Commissioner Raukar's Organizational Meeting and Acceptance of Chair comments from January 5, 2010.—[59026](#)

Minutes of the Public Hearings on the Proposed St. Louis County Tax Levy and Operating Budget for 2010 (Truth in Taxation Hearings).—[59027](#)

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Kevin Z. Gray, County Administrator, submitting Board Letter No. 10-14, Establishing 2010 Minimum Compensation for Elected County Officials.—[59028](#)

Commissioner O'Neil's "Words of Wisdom" quotes from the late Dr. Martin Luther King, Jr.—[59029](#)

Nancy Cashman, Center City Housing Corp., submitting a cd titled "No Losers" and information about the New San Marco Apartments.—[59030-D](#)

Communication from Linnea Mirsch, Deputy County Administrator, to Commissioner Dahlberg, Gary Eckenberg, Deputy County Administrator, and Kevin Gray, County Administrator, regarding Wireless Communications Device Policy questions.—[59031](#)

Amendment to Professional Services Agreement, Purchasing Contract No. 4757, between the County of St. Louis and Architectural Resources, Inc., for the A/E Services for the Duluth Courthouse Sally Port project.—[10-36](#)

Agreement for Services between the County of St. Louis and J & B Café, to provide food service at the Hibbing Jail.—[10-37](#)

CVSO Enhancement Grant from the Minnesota Department of Veterans Affairs to the St. Louis County Veterans Service Office for Outreach, Collaborating & Marketing purposes.—[10-38](#)

Employee Safety & Development Training Contract between St. Louis County and Advance Training & Consulting, LLC, for *Access Forms 2003, Access 2007 What's New, Access Consultant, Word Formatting 2003, Word Formatting 2007, Word Styles and Templates 2003, and Word Styles and Templates 2007*.—[10-39](#)

Employee Development Training Contract between St. Louis County and Bonnie Brost for *Sodium: How Much is Too Much*.—[10-40](#)

Employee Development Training Contract between St. Louis County and Maria Stalzer Wyant Cuzzo for *How to Handle Difficult Conversations*.—[10-41](#)

Employee Development Training Contract between St. Louis County and SMDC for *Mindfulness-Based Stress Reduction Program*.—[10-42](#)

Employee Development Training Contract between St. Louis County and SMDC for Health Risk Assessments provided as part of the new Wellness Program.—[10-43](#)

Employee Development Training Contract between St. Louis County and Rod Raymond Seminars for *After All It's Your Life*.—[10-44](#)

Employee Development Training Contract between St. Louis County and Ward Melenich for *Excel Intro 2003; Excel Intro 2007; Excel Lists 2003; Excel Lists 2007*.—[10-45](#)

Employee Development Training Contract between St. Louis County and Keenan Consulting, LLC, for *Respectful Workplace*.—[10-46](#)

Employee Development Training Contract between St. Louis County and J. Cameron and Associates for *Customer Services for Supervisors*.—[10-47](#)

Employee Development Training Contract between St. Louis County and ADR Services, LLC, for *Respectful Workplace*.—[10-48](#)

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2010 Boundary Waters Drug Task Force Grant from Minnesota Department of Public Safety, Office of Justice Programs.—[10-49](#)

2009 South HEAT Grant from the State of Minnesota, Patrol Division.—[10-50](#)

Agreement for Services between the County of St. Louis and Deluxe Café for food service at the Virginia Jail.—[10-51](#)

Customized Training Income Contract between the Minnesota State Colleges and Universities, Fond du Lac Tribal and Community College for *Introduction to Strengths*.—[10-52](#)

Agreement for Purchase of Services, Contract No. 2010-5521, between St. Louis County and the City of Hibbing for the Hibbing Animal Shelter & Humane Society.—[10-53](#)

Agreement for Purchase of Services, Contract No. 2010-5522, between St. Louis County and Mesabi Humane Society for animal shelter.—[10-54](#)

Agreement for Purchase of Services, Contract No. 2010-5523, between St. Louis County and Animal Allies for animal shelter.—[10-55](#)

Agreement for Professional Services between St. Louis County and Besundberg Graphic Design to create publications, illustrations and guides.—[10-56](#)

Agreement for Professional Services between the County of St. Louis and LHB Corporation for Bridge Load Capacity Rating – County Bridge 642 on County Road 492, (Sturgeon Township), CP 1818, SAP 69-598-034.—[10-57](#)

Agreement for Professional Services between the County of St. Louis and LHB Corporation for Bridge Load Capacity Rating – County Bridge 664 on Unorganized Township Road 8127, (Unorg. Township 59-21), WO 58652, SAP 69-599-026.—[10-58](#)

Agreement for Professional Services between the County of St. Louis and Meyer Group for Architect Services for the Public Health and Human Services Relocation, GSC First Floor Phase I project.—[10-59](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14559A, between SLC Public Health and Human Services Department and Stepping Stones for Living, LLC.—[10-60](#)

Group Residential Housing Rate Agreement, Contract No. 50792, between the St. Louis County Board of Commissioners and Ann Teske and Mary Wentland.—[10-61](#)

Group Residential Housing Rate Agreement, Contract No. 50812, between the St. Louis County Board of Commissioners and NHS-Northstar Specialized Services, Inc. (Phoenix).—[10-62](#)

Home and Community-Based Waiver Services Contract, Contract No. 14744, between the St. Louis County Board of Commissioners and Helen Giesen.—[10-63](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14289B, between the SLC Public Health and Human Services Department and Ecumen, d/b/a

Lakeshore.—10-64

Home and Community-Based Waiver Services Contract, Contract No. 14630, between the St. Louis County Board of Commissioners and Ecumen, d/b/a Lakeshore.—10-65

Home and Community-Based Waiver Services Contract, Contract No. 14743, between the St. Louis County Board of Commissioners and Andrea L. Palmer, RN.—10-66

Home and Community-Based Waiver Services Contract, Contract No. 14609, between the St. Louis County Board of Commissioners and Lifeline Systems Co., d/b/a Philips Lifeline.—10-67

Home and Community-Based Waiver Services Contract, Contract No. 14692, between the St. Louis County Board of Commissioners and Sandra L. Dickman and Carolyn Pohjonen.—10-68

Home and Community-Based Waiver Services Contract, Contract No. 14741, between the St. Louis County Board of Commissioners and Judy Bennett and Gary Bennett.—10-69

Home and Community-Based Waiver Services Contract, Contract No. 14581, between the St. Louis County Board of Commissioners and Possibilities Plus.—10-70

Agreement for Professional Services between St. Louis County and JSA GIS Services to assist the County assessing and building a new County plat book.—10-71

Agreement for Purchase of Services, Contract No. 2009-5496, between St. Louis County and St. Louis County Historical Society for promotion, collection, preservation, publication and dissemination of historical material.—10-72

Grant Agreement, Contract No. 2009-5502, between St. Louis County and the St. Louis County Historical Society on behalf of Veterans' Memorial Hall.—10-73

Safety Focused Family Partnership Training Grant from the Minnesota Department of Human Services.—10-74

Service Contract, Contract No. 4844, between the County of St. Louis and Mahkahta Trucking for transfer trailer haulage services.—10-75

Lobbying Services Agreement between the County of St. Louis and the Arrowhead Counties Association.—10-76

Agreement between the County of St. Louis and the Town of Greenwood for Fire Hall Warning Sign Remote Activated Beacons.—10-77

Grant Agreement Amendment No. 1, Grant Agreement No. 2009-JDAI-00358, Minnesota Department of Public Safety, Office of Justice, amending grant expiration date from December 31, 2009, to July 31, 2010.—10-78

Agreement for Professional Services between the County of St. Louis and Northern Lights Surveying Co., for land surveying services for the St. Louis County Land Department.—10-79

Upon motion of Commissioner O'Neil, supported by Commissioner Fink, Resolutions No. 42 through 49, as submitted to this Board on the Consent Agenda were unanimously adopted as

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 ST. LOUIS COUNTY, MINNESOTA

follows:

BY COMMISSIONER O'NEIL:

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of January 5, 2010, are hereby approved.

Adopted January 26, 2010. No. 42

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of January 12, 2010, are hereby approved.

Adopted January 26, 2010. No. 43

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the Public Hearings on the Proposed St. Louis County Tax Levy and Operating Budget for 2010 held on December 3, 2009, and December 10, 2009, are hereby approved.

Adopted January 26, 2010. No. 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. 59024, are hereby approved and the County Auditor shall issue checks in the following amounts:

NOVEMBER 2009

<u>FUND</u>		<u>TOTAL</u>
100	General Fund	\$4,746,505.79
149	Personnel Service Fund	87.50
150	Sheriff's Nemesis Fund Group	66,375.10
166	Sheriff Fine Contingency	11,063.02
167	Attorney's Forfeitures	72.83
168	Sheriff's State Forfeitures	360.48
173	Emergency Shelter Grant	13,857.96
179	Enhanced 9-1-1	1,096.76
180	Law Library	12,566.19
183	City/County Communications	362.72
184	Extension Service	45,115.27
200	Public Works	4,214,020.36
220	State Road Aid	1,907,278.70
230	Public Health & Human Services	5,811,480.74
240	Forfeited Tax	364,197.75
250	St. Louis County HRA	1,260.75
260	CDBG Grant	385,436.91
270	Home Grant	55,173.69
281	Federal Septic Loans – EPA Fund	28,900.00
290	Forest Resources	83,532.24
400	County Facility	48,629.72
405	Road & Bridge Building Const.	8,856.46
438	2008 Capital Improvement Bond	1,164,086.64
500	Shoreline Sales	11,503.80
600	Environmental Services	569,459.34
616	On-Site Waste Water Division	51,660.65
625	Chris Jensen Health & Rehab	1,368,552.31
660	Community Foods	6,917.06
670	Supervised Living	8,629.61

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

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700	Printing	8,315.33
705	Postage Office Supplies	150,920.37
715	County Garage	84,040.22
720	Property Casualty Liability	4,951.56
730	Workers Compensation	213,398.11
750	Management Info Systems	250,884.41
760	Telecommunications	69,037.13
770	Retired Employees Health Ins	811.78
900	State of Minnesota	490,716.22
902	Courts	285,583.41
909	Tax Refunds	43,042.78
910	School Districts Taxes	6,713,510.00
911	Taxes and Penalties	144.71
925	Arrowhead Regional Corrections	1,480,886.22
955	Community Health Board	150,815.24
985	Collective Local Collaborative	20,000.00
989	Regional Railroad Authority	200,340.64
990	Northern Cities Land Use	754.84
998	MPL-DUL Train Alliance	366,312.38
		\$31,521,505.70

Adopted January 26, 2010. No. 45

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. 59024, are hereby approved and the County Auditor shall issue checks in the following amounts:

DECEMBER 2009

<u>FUND</u>	<u>TOTAL</u>	
100	General Fund	\$5,011,811.41
149	Personnel Service Fund	681.05
150	Sheriff's Nemesis Fund Group	12,900.45
160	MN Trail Assistance	12,834.20
167	Attorney's Forfeitures	700.95
168	Sheriff's State Forfeitures	1,580.47
173	Emergency Shelter Grant	15,482.42
178	Economic Development-Tax Forf	20,000.00
179	Enhanced 9-1-1	10,975.35
180	Law Library	17,792.86
183	City/County Communications	333.56
184	Extension Service	117,847.78
200	Public Works	2,383,876.46
210	Road Maint – Unorg Townships	142.60
220	State Road Aid	814,193.37
230	Public Health & Human Services	7,778,845.68
240	Forfeited Tax	409,277.01
250	St. Louis County HRA	130.00
260	CDBG Grant	214,712.46
270	Home Grant	275,423.66
281	Federal Septic Loans – EPA Fund	59,672.20
282	State Septic – Planning	255.92
290	Forest Resources	154,891.08
304	Capital Improve Bonds 2001	8,932,812.50

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ST. LOUIS COUNTY, MINNESOTA**

309	Capital Improve Bonds 2004A	1,009,068.75
310	AJC Refunding Bonds 2004C	175,737.50
311	Capital Improve Bonds 2005A	441,760.00
312	Law Enforce Refund Bonds 2005B	443,625.00
313	Cap Imp Cross Ref Bonds 2006A	7,942,093.75
314	Capital Equipment Notes 2007	1,322,700.00
315	Capital Equipment Notes 2008A	717,650.00
316	Capital Improve Bonds 2008B	765,317.50
400	County Facility	76,735.65
405	Road & Bridge Building Const.	75,770.00
407	Road & Bridge – Equipment	64,371.89
433	Dul CH – Begin Phase III HVAC	5,789.15
438	2008 Capital Improvement Bond	1,478,207.64
500	Shoreline Sales	7,610.00
600	Environmental Services	420,079.37
616	On-Site Waste Water Division	53,902.54
625	Chris Jensen Health & Rehab	68,960.64
670	Supervised Living	6,563.30
700	Printing	8,239.97
705	Postage Office Supplies	5,709.98
715	County Garage	102,572.84
720	Property Casualty Liability	1,796.49
730	Workers Compensation	273,170.36
750	Management Info Systems	228,380.00
760	Telecommunications	147,932.69
770	Retired Employees Health Ins	1,044.28
826	Taconite Production Tax	25,000.00
900	State of Minnesota	598,529.39
902	Courts	285,067.69
908	City and Towns Taxes	26,131,783.43
909	Tax Refunds	170,423.23
910	School Districts Taxes	1,776,832.40
911	Taxes and Penalties	144.71
925	Arrowhead Regional Corrections	1,533,673.98
955	Community Health Board	207,544.82
985	Collective Local Collaborative	11,959.36
989	Regional Railroad Authority	88,553.20
994	Sheriff Forfeits/Evidence	1,600.59
995	Region 3 Adult Mental Health I	44,592.65
998	MPL-DUL Train Alliance	8,485.58
		<u>\$72,976,153.76</u>

Adopted January 25, 2010. No. 46

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, dated January 15, 2010, on file in the office of the County Auditor, identified as County Board File No. 59016, is hereby received and ratified as payable from Fund 730, Agency 730001.

Adopted January 25, 2010. No. 47

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. 59017, is approved and the County Auditor is authorized to carry out the recommendation as

listed in said appraisal report.
Adopted January 25, 2010. No. 48

RESOLVED, that the appraisal reports for the sale of timber to be offered at SEALED BID TIMBER AUCTION, numbered Tracts 1 through 34 (totaling \$927,146.42), as submitted by the Land Commissioner, on file in the office of the County Auditor, identified as County Board File No. 59017, are approved and the County Auditor is authorized to carry out the recommendations as listed in said appraisal reports.
Adopted January 25, 2010. No. 49

WHEREAS, state statute requires that county boards, or their designees, coordinate all alcohol and other drug abuse services conducted by local agencies and review all proposed agreements for those programs that receive funding from local, state or federal governmental sources; and WHEREAS, Center City Housing has applied for funding from the state under the category of chronic public inebriates and has been awarded \$300,000 for the period January 2, 2010, to June 30, 2011, for group residential housing services at Rivercrest Program in St. Cloud in the amount of \$176,836, and the San Marco Project in Duluth in the amount of \$123,164; and WHEREAS, St. Louis County will not receive any funding, will not serve as fiscal agent, and will not be involved in the utilization of the grant funds; and WHEREAS, the St. Louis County Board of Commissioners has been asked to support Center City Housing's acceptance of a grant from the Minnesota Department of Human Services. NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board supports Center City Housing's acceptance of a grant from the Minnesota Department of Human Services, Alcohol and Drug Abuse Division.
Adopted January 25, 2010. No. 50

WHEREAS, the County Sheriff, Duluth Police Department, and County Property Management staff developed a plan to address impound vehicle storage needs at minimal cost and impact to both governmental units in an easily accessible area; and WHEREAS, with no permanent structures, fixtures, fences or equipment installed, the impound lot is designed and constructed to be readily "uprooted" if the county's public safety campus design, planning, and use necessitate relocation in the future; and WHEREAS, County Property Management requests the approval of a ten (10) year ground lease with the City of Duluth for a shared vehicle impound lot in which the St. Louis County Sheriff's Office and the City of Duluth Police Department share the area equally. WHEREAS, the term of the lease shall be January 1, 2010 through December 31, 2019 at a rate based on operating, maintenance, repairs, and mutually agreed upon improvement costs; and WHEREAS, the city's first 5 year (2010 through 2014) lease rate will be \$2,800 annually, which represents one half of the costs, with the Sheriff's Office incurring the other half, and the second five year lease rate to be adjusted based on maintenance and operating costs calculated from 2014 to 2019. NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board authorizes the appropriate county officials to execute a lease agreement with the City of Duluth, Minnesota for an amount of \$2,800 annually, payable to Fund 100, Agency 128015.
Adopted January 25, 2010. No. 51

WHEREAS, the St. Louis County Board has the authority to set compensation for elected county officials including County Attorney, County Auditor, and the County Sheriff, [*County Attorney: Minn. Stat. 388.18, subd. 2; County Auditor: Minn. Stat. 384.151, subd. 1(b) and Minn. Stat. 385.373, subd. 1(b); County Sheriff: Minn. Stat. 387.20, subd. 2(b)*]; and WHEREAS, according to state statutes, at the January meeting prior to the first date on which applicants may file for the office of County Attorney, County Auditor, and County Sheriff, the Board shall set, by resolution, the minimum salary to be paid the County Attorney, County Auditor, and County Sheriff, for the term next following; and

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 ST. LOUIS COUNTY, MINNESOTA

WHEREAS, the proposed 2010 minimum salary for these positions recognizes the pattern established in the Management Compensation Pay Plan salary schedule for newly elected officials in St. Louis County, and reflects no cost of living increase for the 2010 payroll year. NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the minimum 2010 salary compensation levels for newly elected officials to the positions of County Attorney at \$104,522.34; County Auditor at \$85,990.32; and County Sheriff at \$94,803.80 as established in the Management Compensation Pay Plan for elected officials.
Adopted January 25, 2010. No. 52

WHEREAS, the St. Louis County Board considered a Wireless Communications Device Policy at its workshop on January 20, 2009; and
WHEREAS, after substantial input from Department Heads adopted the Wireless Communications Device Policy by Resolution No. 09-130, dated March 24, 2009; and
WHEREAS, the County Administrator committed to reviewing the Policy upon implementation and has developed two recommendations for revisions that will make this policy consistent with the Board's intent and improve its implementation.
NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board adopts the Revised Wireless Communications Device Policy, County Board File No. 59025, to be effective February 1, 2010.
Adopted January 25, 2010. No. 53

WHEREAS, St. Louis County Zoning Ordinance, Ordinance 46, Article IX, Section 1 and 2, which establishes a planning commission and details membership requirements, stipulates that "one voting member of the planning commission shall also be a member of the County Board of Commissioners".
NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board appoints Commissioner Dahlberg to the St. Louis County Planning Commission for calendar year 2010.
Adopted January 25, 2010. No. 54

At 11:00 a.m., January 25, 2010, Commissioner Sweeney, supported by Commissioner Forsman, moved to adjourn the County Board meeting; six yeas, zero nays.

Steve Raukar, Chair of the Board
of County Commissioners

Attest:

Donald Dicklich, 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, 2010

OFFICIAL PROCEEDINGS OF THE MEETING
OF THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF ST. LOUIS, MINNESOTA,
HELD ON FEBRUARY 2, 2010

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 2nd day of February, 2010, at 9:35 a.m., in the County Board Room, Duluth, Minnesota, with the following members present: Commissioners Dennis Fink, Steve O'Neil, Chris Dahlberg, Mike Forsman, Peg Sweeney, Keith Nelson, and Steve Raukar – 7. Absent: None

Chair Raukar asked for a moment of silence to honor U.S. troops serving throughout the world and their families at home as well as all persons whose lives are adversely affected by war.

Commissioner Nelson presented his Words of Wisdom by quoting the following from Eleanor Roosevelt: “Every time you meet a situation you think at the time it is impossibility and you go through the tortures of the damned, once you have met it and lived through it, you find that forever after you are freer than you were before.”

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

Dan Hartman, Duluth, said as a new City Councilor and Chair of the Intergovernmental Relations Committee, he looks forward to opportunities for cooperative ventures between Duluth and the County in order to save taxpayers money. Mr. Hartman also took the opportunity to invite everyone to Hill Fest in September which will celebrate the Central Hillside area of Duluth.

Gary Eckenberg, in response to a question from Commissioner Fink concerning Item #6 of the Consent Agenda (amend County Board Resolution No. 13, adopted January 5, 2010), said the amendment was to correct the term length from one year to three years for appointments to the Community Health Services Board.

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

Mark A. Monacelli, County Recorder, submitting 2009 Business Report.—[59032](#)

Kevin Gray, County Administrator, and Robert Krepps, Land Commissioner, submitting Board Letter No. 10-21, Utility Easement across State Tax Forfeited Land to Great River Energy and Lake Country Power.—[59033](#)

Kevin Gray, County Administrator, and Martha J. Watson, Employee Relations Director, submitting Board Letter No. 10-27, Abolishment of Obsolete County Job Classes.—[59034](#)

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ST. LOUIS COUNTY, MINNESOTA**

Kevin Gray, County Administrator, and Barbara Hayden, Planning and Development Director, submitting Board Letter No. 10-24 – Amend Ordinance 46, County Zoning Maps (Wuori Township) and Ordinance 27, Comprehensive Land Use Plan.—59035

Agreement for Professional Services between St. Louis County and Fredrikson & Byron, P.A., to assist with Government Relation Services during the 2010 Legislative Session.—10-80

Professional Services Contract, Contract No. 2010-5540, between St. Louis County and Ann Harrington Training & Consulting for *Compassionate Communications*.—10-81

Professional Services Contract, Contract No. 2010-5541, between St. Louis County and Clark Bennett for *Defensive Driving*.—10-82

Amendment No. 2, Garbage and Recycling Pick-Up and Disposal Service Contract between the County of St. Louis and North Shore Sanitary.—10-83

Addendum to Grant Agreement, Contract No. 20790B, between the St. Louis County Board of Commissioners and Mental Health Consumer/Survivor Network of Minnesota.—10-84

Addendum to Grant Agreement, Contract No. 20707C, between the St. Louis County Board of Commissioners and Occupational Development Center, Inc.—10-85

Addendum to Grant Agreement, Contract No. 20709C, between the St. Louis County Board of Commissioners and Human Development Center.—10-86

Addendum to Grant Agreement, Contract No. 20711C, between the St. Louis County Board of Commissioners and Range Mental Health Center.—10-87

Group Residential Housing Rate Agreement, Contract No. 50793, between the St. Louis County Board of Commissioners and Andrea's Home Care.—10-88

Home and Community-Based Waiver Services Contract, Contract No. 14760, between the St. Louis County Board of Commissioners and Accra Care, Inc.—10-89

Home and Community-Based Waiver Services Contract, Contract No. 14746, between the St. Louis County Board of Commissioners and SMDC Health System, d/b/a Midwest Medical Equipment and Supply, Inc.—10-90

Home and Community-Based Waiver Services Contract, Contract No. 14745, between the St. Louis County Board of Commissioners and Kevin G. Miles, d/b/a Victorian House.—10-91

Home and Community-Based Waiver Services Contract, Contract No. 14678, between the St. Louis County Board of Commissioners and Peace of Mind of Duluth, Inc.—10-92

Home and Community-Based Waiver Services Contract, Contract No. 14759, between the St. Louis County Board of Commissioners and Mark D. Nelson and Mona K. Nelson d/b/a Bayside Adult Foster Home.—10-93

State of Minnesota Income Contract between the Minnesota Department of Natural

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Resources and St. Louis County Land Department for bare-root seedlings (Spring 2010).—10-94

Service Contract Amendment, DAMION #2009-5442, between the County of St. Louis and Holmes Recycling Services, Inc., for Appliance, Ballast, and Scrap Metal Processing and Recycling services, extending the contract for an additional one (1) year effective January 1, 2010 through December 31, 2010.—10-95

Master License Agreement No. 09-FAV-0012, between St. Louis County and Computer Sciences Corporation for RISKMASTER Workers' Compensation Claims & Risk Management Information System.—10-96

Upon motion of Commissioner O'Neil, supported by Commissioner Sweeney, Resolutions No. 55 through 64, as submitted to this Board on the Consent Agenda, were unanimously adopted as follows:

BY COMMISSIONER O'NEIL:

WHEREAS, Johnson and Hopkins Partnership, Mark and Janel Roettger, Michael and Stephanie Gregerson, and Gary Lamppa have requested a non-exclusive roadway easement across State tax forfeited land; and

WHEREAS, there are no reasonable alternatives to obtain access to their properties; and
WHEREAS, exercising the easement will not cause significant adverse environmental or natural resource management impacts; and

WHEREAS, Minn. Stat. § 282.04, subd. 4 (a), allows for the granting of private easements across State tax forfeited land for such purposes; and

WHEREAS, the appraised value of the easement was accounted for in Easement No. E13050010 which did not include all benefited parcels.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the County Auditor to grant the following non-exclusive roadway easement to Johnson and Hopkins Partnership, Mark and Janel Roettger, Michael and Stephanie Gregerson, and Gary Lamppa:

A 66 foot wide easement for ingress, egress, and utility purposes over and across the southwest quarter of the northwest quarter of Section 21 and the southeast quarter of the northeast quarter, the southwest quarter of the northeast quarter, the southeast quarter of the northwest quarter, and the southwest quarter of the northwest quarter of section 20, Township 61 North, Range 13 West of the Fourth Principal Meridian, Saint Louis County, Minnesota, being 33.00 feet on each side of the following described centerline:

Commencing at the east quarter corner of said Section 20; thence on an assigned azimuth of 73 degrees 38 minutes 04 seconds, 1154.2 feet to the centerline of the existing road and the actual point of beginning; thence continue along said centerline on an azimuth of 306 degrees 34 minutes 43 seconds, 141.0 feet; thence continue along said centerline on an azimuth of 293 degrees 32 minutes 36 seconds, 244.8 feet; thence continue along said centerline on an azimuth of 266 degrees 34 minutes 35 seconds, 171.5 feet; thence continue along said centerline on an azimuth of 255 degrees 23 minutes 35 seconds, 49.7 feet; thence continue along said centerline on an azimuth of 272 degrees 10 minutes 43 seconds, 661.7 feet; thence continue along said centerline on an azimuth of 290 degrees 04 minutes 17 seconds, 265.3 feet; thence continue along said centerline on an azimuth of 279 degrees 13 minutes 59 seconds, 246.4 feet; thence continue along said centerline on an azimuth of 280 degrees 05 minutes 51 seconds, 177.7 feet; thence continue along said centerline on an azimuth of 257 degrees 23 minutes 45 seconds, 197.6 feet; thence continue along said centerline on an azimuth of 264 degrees 45 minutes 45 seconds, 144.4 feet; thence continue

along said centerline on an azimuth of 313 degrees 08 minutes 25 seconds, 261.0 feet; thence continue along said centerline on an azimuth of 266 degrees 06 minutes 35 seconds, 300.2 feet; thence continue along said centerline on an azimuth of 286 degrees 21 minutes 39 seconds, 136.1 feet; thence continue along said centerline on an azimuth of 338 degrees 07 minutes 03 seconds, 157.5 feet; thence continue along said centerline on an azimuth of 307 degrees 30 minutes 14 seconds, 129.9 feet; thence continue along said centerline on an azimuth of 271 degrees 44 minutes 08 seconds, 118.7 feet; thence continue along said centerline on an azimuth of 244 degrees 04 minutes 09 seconds, 145.2 feet; thence continue along said centerline on an azimuth of 273 degrees 12 minutes 56 seconds, 355.2 feet; thence continue along said centerline on an azimuth of 271 degrees 17 minutes 03 seconds, 267.2 feet; thence continue along said centerline on an azimuth of 237 degrees 08 minutes 39 seconds, 246.2 feet; thence continue along said centerline on an azimuth of 270 degrees 37 minutes 15 seconds, 443.7 feet; thence continue along said centerline on an azimuth of 299 degrees 47 minutes 22 seconds, 190.5 feet; thence continue along said centerline on an azimuth of 274 degrees 23 minutes 55 seconds, 125.0 feet; thence continue along said centerline on an azimuth of 249 degrees 44 minutes 57 seconds, 307.5 feet; thence continue along said centerline on an azimuth of 218 degrees 12 minutes 07 seconds, 515.3 feet; thence continue along said centerline on an azimuth of 264 degrees 14 minutes 14 seconds, 393.7 feet; thence continue along said centerline on an azimuth of 300 degrees 13 minutes 42 seconds, 352.2 feet; thence continue along said centerline on an azimuth of 286 degrees 24 minutes 30 seconds, 147 feet more or less to the west line of said southwest quarter of the northwest quarter of section 20 and there terminating; with the sidelines of said easement being lengthened or shortened to terminate on the respective landlines. Said easement is 6881 feet in length.

RESOLVED FURTHER, the granting of this easement is conditioned upon payment of a \$150 administration fee and \$46 recording fee, for a total of \$196 to be deposited into Fund 240 (Forfeited Tax Fund).

Adopted February 2, 2010. No. 55

WHEREAS, Great River Energy, a Minnesota cooperative corporation, will be constructing a 69 kilo-volt transmission line between Tower and Orr to upgrade the electrical delivery system in this area of St. Louis County and Lake Country Power will under build on this line; and

WHEREAS, Great River Energy and Lake Country Power have requested that the St. Louis County Board grant a transmission line utility easement across State tax forfeited land; and

WHEREAS, exercising the easement will not conflict with public use of land; and

WHEREAS, Minn. Stat. § 282.04, Subd. 4, authorizes the St. Louis County Auditor to grant easements for such purposes.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board authorizes the County Auditor to grant a transmission line utility easement to Great River Energy and Lake Country Power as described in Exhibits A and B on file in the Land Commissioner's Office and in County Board File No. 59033.

RESOLVED FURTHER, the granting of this easement is conditioned upon payment of \$36,820 land use fee, \$830 timber damages, and \$92 recording fee; for a total of \$37,742 to be deposited into Fund 240 (Forfeited Tax Fund).

Adopted February 2, 2010. No. 56

WHEREAS, the Land Department has initiated the request for Two Harbors Cooperative Light and Power to establish a utility easement across State tax forfeited land; and

WHEREAS, exercising the easement will not conflict with public use of the land.

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

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County Auditor to grant a utility easement to Two Harbors Cooperative Light and Power for:

UTILITY LINE A

A 40.00 foot wide utility easement through part of Government Lot 2, Section 19, Township 54 North, Range 12 West of the 4th Principal Meridian, the center line of which is described as follows:

Commencing at the Northeast corner of said Government Lot; thence South 3 degrees 37 minutes West, assumed bearing, along the east line of said Government Lot, 1344 feet to the Southeast Corner of said Government Lot; thence South 88 degrees 34 minutes West, along the south line of said Government Lot, 1501 feet to the center line of an existing utility line, which is the POINT OF BEGINNING, and all succeeding courses are intended to follow said existing utility center line; thence North 43 degrees 3 minutes West, 128 feet; thence North 29 degrees 58 minutes East, 350 feet, more or less, to the southerly line of the plat of CUMMINGS BEACH, a record plat, and there terminating.

UTILITY LINE B

A 40.00 foot wide utility easement through part of Government Lot 2, Section 19, Township 54 North, Range 12 West of the 4th Principal Meridian, the center line of which is described as follows:

Commencing at the Northeast corner of said Government Lot; thence South 3 degrees 37 minutes West, assumed bearing, along the east line of said Government Lot, 1344 feet to the Southeast Corner of said Government Lot; thence South 88 degrees 34 minutes West, along the south line of said Government Lot, 2069 feet to the center line of an existing utility line, which is the POINT OF BEGINNING, and all succeeding courses are intended to follow said existing utility center line; thence North 15 degrees 56 minutes West, 285 feet, more or less, to the southerly line of CUMMINGS BEACH, a record plat, and there terminating.

UTILITY LINE C

A 40.00 foot wide utility easement through part of Government Lot 2, Section 19, Township 54 North, Range 12 West of the 4th Principal Meridian, the center line of which is described as follows:

Commencing at the Northeast corner of said Government Lot; thence South 3 degrees 37 minutes West, assumed bearing, along the east line of said Government Lot, 1344 feet to the Southeast Corner of said Government Lot; thence South 88 degrees 34 minutes West, along the south line of said Government Lot, 2661 feet to the southerly extension of the center line of an existing utility line, which is the POINT OF BEGINNING, and all succeeding courses are intended to follow said existing utility center line; thence North 5 degrees 19 minutes West, 110 feet, more or less, to the southerly line of CUMMINGS BEACH, a record plat, and there terminating.

UTILITY LINE D

A 40.00 foot wide utility easement through part of Government Lot 2, Section 19, Township 54 North, Range 12 West of the 4th Principal Meridian, the center line of which is described as follows:

Commencing at the Northeast corner of said Government Lot; thence South 3 degrees 37 minutes West, assumed bearing, along the east line of said Government Lot, 1344 feet to the Southeast Corner of said Government Lot; thence South 88 degrees 34 minutes West, along the south line of said Government Lot, 2069 feet to the center line of an existing utility line, which is the POINT OF BEGINNING, and all succeeding courses are intended to follow said existing utility center line; thence South 89 degrees 23 minutes West, 749 feet; thence North 70 degrees 07 minutes West, 72 feet, more or less, to the southerly line of CUMMINGS BEACH, a record plat, and there terminating.

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RESOLVED FURTHER, the granting of this easement is conditioned upon payment of \$4,416 land use fee, \$170 administrative fee, and \$46 recording fee, for a total of \$4,632 to be deposited into Fund 240 (Forfeited Tax Fund).

Adopted February 2, 2010. No. 57

RESOLVED, County Board Resolution No. 09-556, dated December 15, 2009, authorizing a non-exclusive roadway easement across State tax forfeited land to Mike Swinda is amended to correct the legal description to the following:

A 33 foot wide easement for access road purposes across the East 33 feet of the Northwest Quarter of the Southeast Quarter of Section 11, Township 58 North, Range 20 West of the Fourth Principle Meridian, in St. Louis County, State of Minnesota.

Adopted February 2, 2010. No. 58

WHEREAS, on December 10, 2009, the St. Louis County Planning Commission held a public hearing regarding a request to rezone portions of the SW ¼ of the NE ¼, Section 21, Township 59 North, Range 17 West, and an amendment to the St. Louis County Comprehensive Land Use Plan, Section 7 West Range; and

WHEREAS, the St. Louis County Planning Commission recommends approval of the rezoning.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves rezoning for the SW ¼ of the NE ¼, Section 21, Township 59 North, Range 17 West (Wuori), from IND-4 to MUNS-4, and amends the comprehensive plan concept area from Concept 11, Mining, to Concept 5, Rural Estate, effective March 5, 2010.

Adopted February 2, 2010. No. 59

RESOLVED, that County Board Resolution No.10-13, dated January 5, 2010, is amended to read as follows:

“RESOLVED, that the St. Louis County Board hereby appoints the following as its representatives to the Community Health Services Board for a three year term expiring on December 31, 2012: Commissioner Mike Forsman, Commissioner Dennis Fink (alternate)”

Adopted February 2, 2010. No. 60

WHEREAS, the St. Louis County Board appoints citizens to serve on the St. Louis County Cooperative Extension Committee; and

WHEREAS, the Cooperative Extension Committee currently has two individuals, Diana Werschay and Dr. George Host, whose terms expired December 31, 2009, and are eligible for reappointment and interested in continuing to serve.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the appointment of Diana Werschay and Dr. George Host for three year terms to the St. Louis County Cooperative Extension Committee, expiring December 31, 2012.

Adopted February 2, 2010. No. 61

RESOLVED, that the following St. Louis County job classes are abolished effective immediately: Activities Director, Certified Occupational Therapy Assistant, Clinical Administrator, Clinical Dietician, Computer Operator I, Director of Nursing Services, Driver, Equipment Operator I, Food Service Supervisor, Graduate Nurse, Graduate Practical Nurse, Health Information System Coordinator, Health Unit Coordinator, Laundry Manager, Laundry Worker I, Licensed Practical Nurse, Licensed Practical Nurse-Health, Mender Sewing Machine Operator, Nursing Assistant Registered, Nursing Assistant Trainee, Nursing Home Director, Physical Therapy Aide, Registered Nurse Manager, Registered Nurse-General Duty, Resident Attendant, Schedule Coordinator, Senior Manager for

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Administration Support Services, Therapeutic Recreation Assistant, and Volunteer Services Coordinator.
Adopted February 2, 2010. No. 62

WHEREAS, St. Louis County, on behalf of the North East Minnesota Enforcement and Safety Information System (NEMESIS) partners, has secured a 2009 COPS Technology grant in the amount of \$300,000 to provide enhancements to the regional interoperable wireless data communications system; and
WHEREAS, the St. Louis County Sheriff's Office desires to enter into a contract with Tiburon, Inc, to provide these enhancements.
NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the Sheriff and appropriate county officials to enter into a contract with Tiburon, Inc., not to exceed \$300,000, the amount of the grant, to provide enhancements to the regional interoperable wireless data communications system.
Adopted February 2, 2010. No. 63

WHEREAS, pursuant to Minn. Stat. §§ 94.341 to 94.349, inclusive, a land exchange proposal has been submitted to the St. Louis County Board for certain lands owned by Dale and Verra Johnson; and
WHEREAS, this proposed exchange has been reviewed by the Land Department to determine the suitability of lands for exchange, and the Land Department has completed appraisals of the lands to be exchanged and the offered lands; and
WHEREAS, the County Attorney's office has examined and issued a title opinion dated December 3, 2009, verifying that Dale and Verra Johnson own title to the lands offered by them in this land exchange, subject to matters identified in the title opinion; and
WHEREAS, the lands acquired through this exchange would consolidate tax-forfeited ownership in the area and increase the timber management potential on approximately 66 acres of county managed land for the benefit of the tax payers of St. Louis County; and
WHEREAS, the Land Department has appraised the value of the properties with Dale and Verra Johnson agreeing to pay the difference as follows:

Dale and Verra Johnson land:	\$49,500
Tax Forfeited class "B" land:	\$56,000

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the appraisals of those class "B" lands offered for exchange with Dale and Verra Johnson and the proposal to exchange the following described lands:

OFFERED LANDS (Dale and Verra Johnson) - 66 ACRES
NE 1/4 of SW 1/4 EX A STRIP OF LAND 2 ACRES WIDE ON S. SIDE OF WATER HEN RIVER GOING S 7 ACRES ON E BOUNDARY LINE OF E 1/2 of SW 1/4 and SE 1/4 of SW 1/4 EX THAT PART OF A STRIP OF LAND 2 ACRES WIDE ON S SIDE OF WATER HEN RIVER GOING S 7 ACRES ON E BOUNDARY LINE OF E 1/2 of SW 1/4, SECTION 17, TOWNSHIP 56 NORTH, RANGE 15 WEST

TAX FORFEITED LAND (CLASS "B") - 40 ACRES
SW 1/4 of SE 1/4, SECTION 27, TOWNSHIP 56 NORTH, RANGE 15 WEST

RESOLVED FURTHER, that pursuant to Minn. Stat. § 94.344, Subdivision 7, a public hearing shall be scheduled on Tuesday, March 2, 2010, at 9:35 a.m. at the St. Louis County Courthouse, Duluth, MN.
RESOLVED FURTHER, that the County Auditor shall post notice of hearing in his office

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containing a description of the lands affected and publish a notice of public hearing in the official newspaper at least two weeks before the date of hearing.

Adopted February 2, 2010. No. 64

At 9:45 a.m., February 2, 2010, Commissioner Sweeney, supported by Commissioner Fink, moved to adjourn the County Board meeting; seven yeas, zero nays.

Steve Raukar, Chair of the Board
of County Commissioners

Attest:

Donald Dicklich, County Auditor
and Ex-Officio Clerk of the Board
of County Commissioners

(Seal of the County Auditor)

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**OFFICIAL PROCEEDINGS OF THE MEETING
OF THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF ST. LOUIS, MINNESOTA,
HELD ON FEBRUARY 9, 2010**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 9th day of February, 2010, at 9:35 a.m., in the County Board Room, Duluth, Minnesota, with the following members present: Commissioners Dennis Fink, Steve O'Neil, Chris Dahlberg, Mike Forsman, Peg Sweeney, Keith Nelson, and Steve Raukar – 7. Absent: None

Chair Raukar asked for a moment of silence to honor U.S. troops serving throughout the world and their families at home as well as all persons whose lives are adversely affected by war.

Commissioner Dahlberg, in the spirit of individualism and self-determination, took a turn presenting Words of Wisdom by offering the following: "Happy are those who dream dreams and are willing to pay the price when they can come true."

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

Chair Raukar noted that Item #13 of the Consent Agenda authorizes the County to be fiscal agent for the Chisholm-Hibbing Pathblazers Snowmobile Club. At the request of Commissioner Forsman, Item #15 was removed from the Consent Agenda for separate consideration under Central Management and Intergovernmental Committee to clarify if appointments to the Board of Adjustment complied with statutory and ordinance requirements. Commissioner Sweeney, supported by Commissioner O'Neil moved to approve the remainder of the Consent Agenda; seven yeas, zero nays.

Commissioner Dahlberg, supported by Commissioner Sweeney, moved to accept the Minnesota Department of Human Services grant for Family Group Decision Making for the period of January 2010 through December 2011. Kevin Gray, County Administrator, said the resolution has been revised to accurately reflect budgetary and staffing considerations. Commissioner Fink said he still had concerns about the effect budget unallotments may have on the program. Commissioner Sweeney noted the program saves money in out-of-home placements; seven yeas, zero nays. Resolution No. 79.

Commissioner Fink, supported by Commissioner Nelson, moved to suspend the rules to consider amending Board Resolution No. 600, adopted December 22, 2009, to correct the legal description of a tax forfeited property to be offered for sale; seven yeas, zero nays. Commissioner Fink, supported by Commissioner Forsman, moved to approve the correction. Commissioner Fink said the correction was minor but needed to be made prior to the upcoming land sale; seven yeas, zero nays. Resolution No. 80.

Commissioner Nelson, supported by Commissioner Sweeney, moved to suspend the rules to establish a public hearing for March 2, 2010, at 9:40 a.m., in the Duluth Courthouse, to receive public input on the 2010-2014 Consolidated Plan and Fiscal Year (FY) 2010 Action Plan for Community Development Block Grant (CDBG), Home Investment Partnership (HOME), and Emergency Shelter Grant (ESG). Commissioner Fink cautioned that suspending the rules to establish a public hearing may limit transparency for the public. Administrator Gray said following normal time lines was not possible in this case and would jeopardize funding for this vital program; seven yeas, zero nays. Commissioner Nelson,

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supported by Commissioner Sweeney, moved to establish the hearing; seven yeas, zero nays. Resolution No. 81.

Commissioner O'Neil, supported by Commissioner Sweeney, moved to authorize the Planning Development Director to submit a letter of support to include all of St. Louis County in the Duluth Seaway Port Authority Foreign Trade Zone (FTZ). Administrator Gray said this is a good tool to have available for businesses and he emphasized FTZ exemptions only apply to duties and not property taxes; seven yeas, zero nays. Resolution No. 82.

Commissioner O'Neil, supported by Commissioner Fink moved to approve appointments of Kelly M. Klun, Ely, and Steven L. Filipovich, Duluth, to the St. Louis County Board of Adjustment (Consent Agenda Item #15). Commissioner Forsman said he was concerned the bylaws allow only two representatives from towns that do their own zoning. Administrator Gray said because the statutory limitation applies only to townships and does not mean cities, the County is in compliance. Barbara Hayden, Planning Director, said membership on the Board of Adjustment, including the two new members, does meet ordinance requirements. After further discussion, the appointments were approved; seven yeas, zero nays. Resolution No. 83.

Commissioner Raukar, noting that a number of persons entered the Boardroom since the beginning of the meeting, asked if anyone wanted to address the Board on issues not on the agenda. Abram Olson, Duluth, asked if the sale of tax forfeited lands to the Fond du Lac Band of Lake Superior Chippewa was going to be discussed. Chair Raukar said the issue(s) is on the Committee of the Whole agenda and citizens will be allowed to address the issue at that time.

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 2010.—[59036](#)

Planning Director submitting various plats for approval during 2010.—[59037](#)

County Auditor submitting lists of tax forfeited property declared in default during the year 2010.—[59038](#)

Land Commissioner and Property Management Director submitting various County Fee Land sales during the year 2010.—[59039](#)

Public Works Director submitting Awards for Bids for Projects in the 2010 Construction Program.—[59040](#)

St. Louis and Lake Counties Regional Railroad Authority submitting agendas and minutes for their meetings held in the year 2010.—[59041](#)

Land Commissioner submitting Special Sale of State Tax Forfeited Lands during the year 2010.—[59042](#)

Kevin Gray, County Administrator, and Barbara Hayden, Planning and Development Director, submitting Board Letter No. 10-39, Support of Expansion of the Duluth Seaway Port Authority Foreign Trade Zone.—[59043](#)

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Kevin Gray, County Administrator, and Barbara Hayden, Planning and Development Director, submitting Board Letter No. 10-42, Committee Vacancy Appointments – Board of Adjustment.—59044

Safety & Risk Management Training Contract between St. Louis County and American Red Cross for *Adult CPR, AED Training, Infant and Child CPR, and First Aid training*.—10-97

Employee Development Training Contract between St. Louis County and Dr. Heather Rose-Carlson for *Emotional Intelligence*.—10-98

Minnesota State Colleges and Universities contract between Fond du Lac Tribal and Community College and St. Louis County for *Leading with Strengths*.—10-99

County-State Aid Highway Project Contract between the County of St. Louis and the State of Minnesota for SAP 69-668-004, CP 9588 (Approach Grading, Bituminous Surfacing and Bridge No. 69684).—10-100

Addendum #7 to Parking Space Lease, identified as 1998-958:2, between the County of St. Louis and Kegler's Inc., d/b/a The Incline Station Bowling Center, increasing the rent from \$32.50 to \$38.00 for each of 12 spots for a total of \$456 per month, payable in advance.—10-101

Grant Application Approval Form submitted by the Sheriff's Department from the MN Homeland Security for the 2009 Federal Emergency Management Agency (FEMA) Pre-Disaster Mitigation (PDM) Programs Grant.—10-102

Grant Approval Form submitted by the St. Louis County Public Health & Human Services Department from the MN Department of Human Services for Family Group Decision Making.—10-103

Grant Agreement between the St. Louis County Board of Commissioners and Range Women's Advocates.—10-104

Grant Agreement, No. 2009-5491, between St. Louis County and South St. Louis County Fair Association.—10-105

Grant Agreement, No. 2009-5492, between St. Louis County and St. Louis County Agricultural Fair Association.—10-106

Agreement for Purchase of Services, Contract No. 2009-5493, between the County of St. Louis and St. Louis County Promotional Bureau.—10-107

Professional Services Contract between St. Louis County and Nordy's Exterior Works for lawn and yard care on tax forfeited property.—10-108

Amended and Restated Managed Pharmacy Benefit Services Agreement between National Association of Counties (NACo) and CaremarkPCS Health, L.P., for Consumer Card Program (Prescription Discount Card Program).—10-109

Upon motion of Commissioner Sweeney, supported by Commissioner O'Neil, Resolutions No. 65 through 78, 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 January 26, 2010, are hereby approved.

Adopted February 9, 2010. No. 65

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, dated January 29, 2010, on file in the office of the County Auditor, identified as County Board File No. 59016, is hereby received and ratified as payable from Fund 730, Agency 730001.

Adopted February 9, 2010. No. 66

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. 59021;

FURTHER RESOLVED, that said license is approved contingent upon license holder paying real estate or personal property taxes when due;

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 liquor license is contingent upon applicant Burow complying in all respects with the controlling building, construction, zoning, liquor, health, environmental and sanitary laws, rules and regulations for the liquor license and in the construction of the licensed premises.

FURTHER RESOLVED, that said license shall be effective through June 30, 2010:

Vaughn, Inc., d/b/a Junction Bar & Grill, Unorganized Township 61-13,
On-Sale Intoxicating Liquor License No. CMB10131 and Sunday On-Sale
Intoxicating Liquor License No. SUN10131, new.

Adopted February 9, 2010. No. 67

WHEREAS, the St. Louis County Planning Commission held a public hearing regarding the preliminary plat of Strand Lake Properties on June 12, 2008, and granted preliminary approval for the plat; and

WHEREAS, the final prints have been submitted and conform with the requirements set forth by the Planning Commission.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board grants final approval to the plat of Strand Lake Properties, located in Section 30, Township 54 North, Range 16 West (Cotton).

Adopted February 9, 2010. No. 68

WHEREAS, St. Louis County requires the services of a competent contractor to provide tire management and recycling service to its Environmental Services and Public Works facilities; and

WHEREAS, Liberty Tire, LLC, is willing and able to provide the service.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes a contract for the term of two (2) years with the possibility of a one (1) year extension with Liberty Tire, LLC., for collection, haulage and proper disposal of waste tires at \$110 per ton for tires up to 24 ½ inches, and \$180 per ton for tires over 24 ½ inches, payable from Fund

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600, Agency 601004 (Recycling).
Adopted February 9, 2010. No. 69

RESOLVED, St. Louis County Board Resolution No. 09-600, dated December 22, 2009, which authorized the sale of State tax forfeited parcels, is amended to change two legal descriptions to the following:

Tract 23 – Block 8, Lots 1 thru 16 inc, Plat of Eagles Nest.
Tract 24 – Block 9, Lots 1 thru 8 inc AND that part of Lots 13 thru 16
lying west of centerline of Co. Rd. #128, Plat of Eagles Nest.

Adopted February 9, 2010. No. 70

WHEREAS, the contract with Range Rental Resources, LLC, c/o Brian McCune, for the purchase of State tax forfeited land is in default for nonpayment of taxes and/or installments; and

WHEREAS, the purchaser was properly served with Notice of Cancellation of Contract by civil process and/or publication and has failed to cure the default for lands legally described as:

CITY OF VIRGINIA, LOT: 0030 BLOCK:012 ROONEYS ADDITION
TO VIRGINIA
Property address: 827 13th Street North, Virginia, MN

WHEREAS, the Land Department requests authorization to dispose of abandoned personal property on the State tax forfeited parcel described above according to Minn. Stat. §§ 282.04, subd. 2(d), and 504B.271; and

WHEREAS, the previous owners of the property will be properly notified by posting of property or by mail.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the cancellation of contract C22050061 for the purchase of State tax forfeited land described above, according to the provisions of Minn. Stat. § 282.01, Subd. 5, and Minn. Stat. § 282.40, and according to the procedures of Minn. Stat. § 559.21.

RESOLVED FURTHER, the St. Louis County Board authorizes the County Auditor to dispose of abandoned personal property from the above described State tax forfeited property.

Adopted February 9, 2010. No. 71

WHEREAS, Iron Range Resources has requested to purchase State tax forfeited land for the purpose of economic development consistent with the Giants Ridge Master Development Plan; and

WHEREAS, Minn. Stat. § 282.01, subd. 1(a), authorizes the sale of State tax forfeited land to an organized governmental subdivision for any public purpose for which the subdivision is authorized to acquire property; and

WHEREAS, the lands have been classified as non-conservation land pursuant to Minn. Stat. § 282.01; and

WHEREAS, the lands have not been withdrawn from sale pursuant to Minn. Stat. §§ 85.012, 92.461, 282.01, subd. 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 following described State tax forfeited parcels to Iron Range Resources for the amount of \$469,000 plus the following fees: 3% assurance fee of \$14,070, deed fee of \$25, deed tax of

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ST. LOUIS COUNTY, MINNESOTA**

\$1,547.70, and recording fee of \$46; for a total of \$484,688.70 to be deposited into Fund 240 (Forfeited Tax Fund):

1. LOT 3, SECTION 31, TOWNSHIP 59 NORTH, RANGE 15 WEST
 BIWABIK LANDS IN THE CITY 59-15
 PARCEL 015-0110-04850; 46.15 ACRES
2. UND 7/8 LOT 2, SECTION 31, TOWNSHIP 59 NORTH, RANGE 15 WEST
 BIWABIK LANDS IN THE CITY 59-15
 PARCEL 015-0110-04841; 46.05 ACRES
3. THAT PART OF NE1/4 OF NW1/4 LYING W OF CENTERLINE OF CO HWY
 NO 138, SECTION 31, TOWNSHIP 59 NORTH, RANGE 15 WEST
 BIWABIK LANDS IN THE CITY 59-15
 PARCEL 015-0110-04830; 24.55 ACRES
4. THAT PART OF SE1/4 OF NW1/4 LYING W OF CENTERLINE OF CO HWY
 NO 138, SECTION 31, TOWNSHIP 59 NORTH, RANGE 15 WEST
 BIWABIK LANDS IN THE CITY 59-15
 PARCEL 015-0110-04860; 36.3 ACRES
5. NE1/4 OF NW1/4 EX PART W OF CENTERLINE OF CO HWY NO 138,
 SECTION 31, TOWNSHIP 59 NORTH, RANGE 15 WEST
 PARCEL 570-0035-00680; 15.45 ACRES
6. SE1/4 OF NW1/4 EX PART W OF CENTERLINE OF CO HWY NO 138,
 SECTION 31, TOWNSHIP 59 NORTH, RANGE 15 WEST
 PARCEL 570-0035-00710; 3.7 ACRES

RESOLVED FURTHER, the St. Louis County Board approves the sale of the following described State tax forfeited parcels to Iron Range Resources, contingent upon purchase within sixteen months from the date of this resolution, for the amount of \$108,000 plus the following fees: 3% assurance fee of \$3,240, deed fee of \$25, deed tax of \$356.40, and recording fee of \$46; for a total of \$111,667.40 to be deposited into Fund 240 (Forfeited Tax Fund):

1. LOT 4, SECTION 31, TOWNSHIP 59 NORTH, RANGE 15 WEST
 BIWABIK LANDS IN THE CITY 59-15
 PARCEL 015-0110-04880; 46.25 ACRES
2. NE ¼ OF SW ¼, SECTION 31, TOWNSHIP 59 NORTH, RANGE 15 WEST
 BIWABIK LANDS IN THE CITY 59-15
 PARCEL 015-0110-04870; 40 ACRES

RESOLVED FURTHER, St. Louis County Board Resolution No. 08-669, dated December 23, 2008, is rescinded.
Adopted February 9, 2010. No. 72

RESOLVED, that the St. Louis County Board approves the applications for abatements, correction of assessed valuations and taxes plus penalty and interest, and any additional accrual, identified in County Board File No. 59036.
Adopted February 9, 2010. No. 73

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WHEREAS, in 1993 St. Louis County acquired the NW ¼ of the SE ¼ of Section 4, Township 61 North, Range 16 West (Vermilion Lake Township), from the State of Minnesota and this property has been requested for sale and was approved by the Property Acquisition Team.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board authorizes the Property Management Director to advertise for request for proposals for the sale, pursuant to Minn. Stat. § 373.01, of approximately 40 acres located in Vermilion Lake Township and legally described as the NW ¼ of the SE ¼ of Section 4, Township 61 North, Range 16 West.

RESOLVED FURTHER, the County Board establishes the time for proposal consideration to be at 9:35 a.m. on Tuesday, March 16, 2010, at the St. Louis County Board meeting, Courthouse, Duluth, MN.

Adopted February 9, 2010. No. 74

WHEREAS, the St. Louis County Board has approved the development and completion of a county-wide digital GIS parcel layer through the support of the Land Records Management; and

WHEREAS, Pro-West and Associates, Inc., was selected as the vendor to create the county's GIS digital parcel layer, and has received favorable performance evaluations in developing the county's GIS geodatabase parcel layer in the pilot project areas of Canosia and Rice Lake townships; and

WHEREAS, as part of the 2010 budget process, the County Board approved \$250,000 from the Recorder's Technology Fund to the Planning and Development Department for GIS activities.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board authorizes the appropriate county officials to negotiate a contract extension with Pro-West and Associates, Inc., and to execute agreements and related documents to continue the development of the digital GIS parcel layer and GIS activities with a renewable option as additional funding becomes available.

RESOLVED FURTHER, that payment to the vendor will be disbursed from the balance of Fund 100, Agency 109003, and additional grant and available funds to be disbursed from Planning & Development, Fund 109003, or its designated fund.

Adopted February 9, 2010. No. 75

WHEREAS, the St. Louis County Board supports the goal of providing a strong county infrastructure; and

WHEREAS, the Management Information Systems Storage Area Network systems occasionally need to be upgraded to adequately support the technology needs of the county.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the purchase of additional hardware and software under the Minnesota state contract with Compar, Inc., at the combined quoted price of \$149,749.51 including Minnesota state sales tax, payable as follows:

- Fund 750, Agency 751001, Object 665300 in the amount of \$68,289.92 (funding transferred from MIS Fund Balance, Fund 750, Object 311500)
- Fund 100, Agency 121002, Object 665300 (Recorder's Technology Fund) in the amount of \$81,459.59

Adopted February 9, 2010. No. 76

WHEREAS, St. Louis County supports the grant application of \$75,000 made by the Chisholm-Hibbing Pathblazers Snowmobile Club to the Minnesota Department of Natural Resources for the Federal Recreational Trail Grant Program; and

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WHEREAS, the grant application is to be used toward the purchase of one 2010 Prinoth Husky Trail Groomer (expected to cost in excess of \$150,000), to be used by the club for regular maintenance and trail grooming; and

WHEREAS, St. Louis County recognizes that there is percent match requirement for the Federal Recreational Trail grant program which will be secured by the Chisholm-Hibbing Pathblazers Snowmobile Club.

NOW, THEREFORE, BE IT RESOLVED, that if St. Louis County is awarded a grant by the Minnesota Department of Natural Resources, the county agrees to accept the grant award and may enter into an agreement with the State of Minnesota for the above referenced project, and will comply with all applicable laws, environmental requirements, and regulations as stated in the grant agreement.

RESOLVED FURTHER, that the St. Louis County Board authorizes the County Auditor to act as the fiscal agent for the project and authorizes the appropriate county officials to sign all necessary documents.

Adopted February 9, 2010. No. 77

WHEREAS, bids have been received by the County Auditor for the following project:

SAP 69-677-008, CP 9276 located on CSAH No. 77 (Angus Road) between 0.5 mi. N. of CSAH 115 to end at CR 929 in Greenwood Twp., MN; and

WHEREAS, bids were opened in the County Board Room at 10:00 a.m., February 1, 2010, and the St. Louis County Board has, with the County Highway Engineer, determined the lowest responsible bidder.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the award on the above project to the lowest bidder.

<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
Ulland Brothers, Inc. Cloquet, MN 55720	P.O. Box 340	\$4,187,000

RESOLVED FURTHER, that the County Board Chair, the County Auditor, and the County Attorney are authorized to approve the Contractor's Performance Bonds and to execute the bonds and contract for the above listed project payable from Fund 220, Agency 220146, Object 652700.

Adopted February 9, 2010. No. 78

BY COMMISSIONER DAHLBERG:

WHEREAS, the Minnesota Department of Human Services awarded \$108,964 each calendar year for the Family Group Decision Making project for the period January 1, 2010 through December 31, 2011; and

WHEREAS, the St. Louis County Public Health and Human Services Department has contracted with Carlton County Public Health and Human Services and Fond du Lac Human Services since October 1, 2004, to provide Family Group Decision Making services on behalf of the County; and

WHEREAS, the St. Louis County Public Health and Human Services Department wishes to renew these Agreements.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board accepts the Minnesota Department of Human Services grant for Family Group Decision Making in the amount of \$108,964 each calendar year for the period January 1, 2010 through December 31, 2011, such funds to be deposited into Fund 230, Agency 232999, Revenue Object 540271, Grant 23201, Grant Year 2010 and Grant Year 2011.

RESOLVED FURTHER, that the St. Louis County Board authorizes the appropriate County

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officials to enter into contracts with Carlton County Public Health and Human Services and Fond du Lac Human Services to render specific Family Group Decision Making services to be paid from Fund 230, Agency 232999, Object 603200 (Family Group Decision Making). RESOLVED FURTHER, that the Director of Public Health and Human Services and the County Administrator coordinate as necessary to maintain the authorized staffing complement of the St. Louis County Public Health and Human Services Department with 1.0 FTE Social Worker from January 1, 2010 through December 31, 2011, and amend the 2010 budget as adopted by the St. Louis County Board to reflect the decreased grant revenues and associated expenditures for this program.

RESOLVED FURTHER, when the grant income ceases, the St. Louis County position financed by this grant will be eliminated.

Unanimously adopted February 9, 2010. No. 79

BY COMMISSIONER FINK:

NOW, THEREFORE, BE IT RESOLVED, St. Louis County Board Resolution No. 09-600, dated December 22, 2009, which authorized the sale of State tax forfeited parcels, is amended to change the legal description for Tract # 11 to the following:

Tract #11 Lot 5 and 6, Block 86, West Duluth 6th Division

Unanimously adopted February 9, 2010. No. 80

BY COMMISSIONER NELSON:

WHEREAS, the U.S. Department of Housing and Urban Development (HUD) requires a consolidated application process for entitlement funds under the following Community Planning and Development programs: Community Development Block Grant, HOME, and Emergency Shelter Grant; and

WHEREAS, St. Louis County has prepared a draft five-year strategic plan called the 2010-2014 Consolidated Plan and the One-Year Action Plan required by HUD; and

WHEREAS, HUD requires that a public hearing be conducted to allow citizen input prior to submittal of these plans.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board will hold a public hearing on Tuesday, March 2, 2010, at 9:40 a.m., at the St. Louis County Courthouse in Duluth, Minnesota, for the purpose of receiving citizen comments on the established priorities and funding recommendations included in the 2010-2014 Consolidated Plan and FY 2010 Action Plan.

Unanimously adopted February 9, 2010. No. 81

BY COMMISSIONER O'NEIL:

WHEREAS, the Duluth Seaway Port Authority is in the process of reorganizing its Foreign Trade Zone under a new process approved by the U.S. Department of Commerce called Alternative Site Framework (ASF); and

WHEREAS, under the ASF process, the Duluth Seaway Port Authority will expand its service area to include all of St. Louis County rather than a specific area at the Port.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the Planning and Development Director to submit a letter of support to include all of St. Louis County in the service area of the Duluth Seaway Port Authority Foreign Trade Zone.

Unanimously adopted February 9, 2010. No. 82

BY COMMISSIONER O'NEIL:

RESOLVED, the St. Louis County Board appoints the following individuals to the St. Louis County Board of Adjustment for a three-year term expiring December 31, 2012:

Steven L. Filipovich

Kelly M. Klun

Unanimously adopted February 9, 2010. No. 83

At 10:11 a.m., February 9, 2010, Commissioner Nelson, supported by Commissioner O'Neil,

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moved to adjourn the County Board meeting; seven yeas, zero nays.

Steve Raukar, Chair of the Board
of County Commissioners

Attest:

Donald Dicklich, County Auditor
and Ex-Officio Clerk of the Board
of County Commissioners

(Seal of the County Auditor)

**OFFICIAL PROCEEDINGS OF THE MEETING
OF THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF ST. LOUIS, MINNESOTA,
HELD ON FEBRUARY 23, 2010**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 23rd day of February, 2010, at 9:36 a.m., in the Hibbing City Council Chambers, City Hall, Hibbing, Minnesota, with the following members present: Commissioners Dennis Fink, Steve O'Neil, Chris Dahlberg, Mike Forsman, Peg Sweeney, Keith Nelson, and Steve Raukar – 7. Absent: None

Melanie Ford, County Attorney, took her turn presenting Words of Wisdom by quoting the following lyrics from a song entitled "Lift Every Voice and Sing," composed by James Weldon Johnson, an African American composer, publisher, lawyer and educator:
"Lift every voice and sing till earth and heaven ring, ring with the harmonies of Liberty; let our rejoicing rise, high as the listening skies, let it resound loud as the rolling sea. Sing a song full of the faith that the dark past has taught us, sing a song full of the hope that the present has brought us, facing the rising sun, of our new day begun let us march on till victory is won. Stony the road we trod, bitter the chastening rod, felt in the days when hope unborn had died; yet with a steady beat, have not our weary feet come to the place for which our fathers sighed? We have come over a way that with tears have been watered, we have come, treading our path through the blood of the slaughtered, out of our gloomy past, till now we stand at last where the white gleam of our bright star is cast."

Chair Raukar 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 O'Neil, supported by Commissioner Nelson, moved to suspend the rules to consider settlement of a claim made by Debra Morris against St. Louis County for injuries received; seven yeas, zero nays. County Attorney Ford said the matter came before the Board in closed session awhile ago and involves a dog bite incurred by the plaintiff during a law enforcement training session. Commissioner Fink, supported by Commissioner Nelson, moved to go to closed session to allow Attorney Ford to refresh Commissioners about the circumstances of the claim; seven yeas, zero nays.

At 9:50 a.m., Chair Raukar recessed the Board until 10:00 a.m. to go to closed session.

At 10:15 a.m., the County Board reconvened in the Hibbing City Council Chambers, City Hall, Hibbing, MN, with all members present.

Commissioner O'Neil, supported by Commissioner Sweeney, moved to approve the settlement. Commissioner O'Neil read the terms of settlement into the record. Commissioner Sweeney said it would be cost prohibitive at this point to continue the court case and she supported the proposed settlement. Commissioner Nelson said the County is often the target for litigation and he would not be supporting the settlement. Commissioner Fink said the plaintiff was aware of the risks when attending the training session and he would not support the settlement. After further discussion, the settlement was approved; five yeas, two nays, Commissioners Fink and Nelson. Resolution No. 99.

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

Kevin Gray, County Administrator, and Ted Troolin, Environmental Services Director,

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submitting Board Letter No. 10-56, Contract for Haulage, Processing, and Marketing of Recyclable Materials with Northern Minnesota Recycling, Inc. (NMR).—[59045](#)

St. Louis County Liquor Licensing Committee Meeting minutes submitted during 2010.—[59046](#)

County Attorney Melanie Ford's "Words of Wisdom" presentation of lyrics by James Weldon Johnson entitled *Lift Every Voice and Sing*.—[59047](#)

State of Minnesota Joint Powers Agreement between the State of Minnesota, Commissioner of Corrections Minnesota Correctional Facility-Oak Park Heights and St. Louis County Jail for inmate specific boarding as needed during the period January 1, 2010 through December 31, 2012.—[10-110](#)

Safety & Risk Management Training Contract between St. Louis County and Pumps Tire for *Truck Tire Care and Maintenance as related to 29 CFR 1910.177*.—[10-111](#)

Purchase of Services Agreement, Contract No. 20866, between St. Louis County and St. Louis County Council on Aging.—[10-112](#)

Purchase of Services Agreement, Contract No. 20865, between St. Louis County and Ely Community Resource.—[10-113](#)

Purchase of Services Agreement, Contract No. 20868, between St. Louis County and AEOA – Senior Services.—[10-114](#)

Purchase of Services Agreement, Contract No. 20876, between St. Louis County and Lake Superior Community Health Center.—[10-115](#)

Purchase of Services Agreement, Contract No. 20871, between St. Louis County and AEOA – Lives in Transition.—[10-116](#)

Purchase of Services Agreement, Contract No. 14764, between St. Louis County and Woodland Hills for Children's Residential Treatment Services.—[10-117](#)

2009-2010 Recycling and Waste Reduction Grant Agreement between the County of St. Louis and the City of Eveleth.—[10-118](#)

2010 Contract for Professional Services between the County of St. Louis and Lockridge Grindal Nauen, PLLP, for federal legislative consulting services.—[10-119](#)

Agreement for Professional Services between the County of St. Louis and N.G. Engineering for Downtown Duluth Parking Lot Renovation.—[10-120](#)

Grant Agreement, Contract No. 20887, between St. Louis County Board of Commissioners and Lutheran Social Services (Bethany Crisis Nursery).—[10-121](#)

Easement between the State of Minnesota, by and through the St. Louis County Auditor, and the State of Minnesota, Department of Natural Resources, on the West 33 feet of the NW ¼ of the NW ¼, Section 32, Township 59 North, Range 21 West.—[10-122](#)

Agreement Addendum #100105 between St. Louis County and High Line Corporation adding Oracle Application Specific licenses to the Personality project.—[10-123](#)

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Employee Development Training Contract between St. Louis County and Karen Alseth for *Mindfulness-Based Stress Reduction Program*.—[10-124](#)

Service Agreement between St. Louis County and Lake County for recyclable materials collection & processing.—[10-125](#)

Mark Sykes, Internal Sales Representative, Tiburon, Inc., submitting Enhancement Proposal (EP)-287002D MobileCOM Migration, Mobile Mapping and AVL for the System Implementation Agreement (SIA) between Tiburon, Inc., and St. Louis County, dated October 24, 2006.—[10-126](#)

Amendment to Professional Services Agreement, County Attorney Contract No. 2008-004498, between the County of St. Louis and Architectural Resources, Inc., for the Hibbing Courthouse Security Renovation project.—[10-127](#)

Addendum to Contract No. 20676H between the St. Louis County Board and the Arrowhead Economic Opportunity Agency (AEOA) for Food Support Employment and Training Services (FSET) Employment Services and Support Services.—[10-128](#)

Purchase of Services Agreement, Contract No. 20880, between St. Louis County and Elder Services Network.—[10-129](#)

Purchase of Services Agreement, Contract No. 20879, between St. Louis County and First Witness.—[10-130](#)

Purchase of Services Agreement, Contract No. 20878, between St. Louis County and Lutheran Social Service Bethany Crisis Nursery.—[10-131](#)

Purchase of Services Agreement, Contract No. 20869, between St. Louis County and Safe Haven Shelter for Battered Women.—[10-132](#)

Purchase of Services Agreement, Contract No. 20867, between St. Louis County and AEOA – Retired Senior Volunteer Program.—[10-133](#)

Purchase of Services Agreement, Contract No. 20861, between St. Louis County and Valley Youth Center.—[10-134](#)

Purchase of Services Agreement, Contract No. 20875, between St. Louis County and Program for Aid to Victims of Sexual Assault (PAVSA).—[10-135](#)

Purchase of Services Agreement, Contract No. 20874, between St. Louis County and Sexual Assault Program of Northern St. Louis County.—[10-136](#)

Purchase of Services Agreement, Contract No. 20870, between St. Louis County and Range Women's Advocates.—[10-137](#)

Purchase of Services Agreement, Contract No. 20862, between St. Louis County and Life House.—[10-138](#)

Purchase of Services Agreement, Contract No. 14762, between St. Louis County Board of Commissioners and Lutheran Social Service of Minnesota (Family Resource Center – Range Youth Shelter) for Group Home Residential/Shelter Service.—[10-139](#)

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Purchase of Services Agreement, Contract No. 14761, between the St. Louis County Board of Commissioners and Lutheran Social Service of Minnesota (Bethany Crisis Shelter) for Group Home Residential Service and Diagnostic 25-day Evaluation.—10-140

Addendum to Purchase Agreement, Contract No. 14339B, between the St. Louis County Board of Commissioners and Occupational Development Center, Inc. (ODC) extending the termination date from December 31, 2009, to December 31, 2010.—10-141

Home and Community-Based Waiver Services Contract, Contract No. 14748, between St. Louis County Board of Commissioners and Cheryl Nordeen.—10-142

Home and Community-Based Waiver Services Contract, Contract No. 14531, between St. Louis County Board of Commissioners and Andrea's Home Care, LLC.—10-143

Home and Community-Based Waiver Services Contract, Contract No. 14530, between St. Louis County Board of Commissioners and Andersons Pine Grove Home, Inc.—10-144

Upon motion of Commissioner O'Neil, supported by Commissioner Sweeney, Resolutions No. 84 through 98, as submitted to this Board on the Consent Agenda were unanimously adopted as follows:

BY COMMISSIONER O'NEIL:

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of February 2, 2010, are hereby approved.
Adopted February 23, 2010. No. 84

WHEREAS, Minnesota Teen Challenge has been operating its Northland Campus in Duluth since 2006 to support people with chemical dependency issues; and

WHEREAS, Minnesota Teen Challenge Northland Campus now holds a Rule 31 license to provide chemical dependency treatment; and

WHEREAS, the Department of Public Health and Human Services has an interest in expanding the available chemical dependency services for St. Louis County residents to include non-residential services provided by Minnesota Teen Challenge Northland Campus which would be funded by the Consolidated Chemical Dependency Treatment Fund.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the appropriate county officials to enter into and execute a contract with Minnesota Teen Challenge, doing business as Minnesota Teen Challenge Northland Campus, for the provision of non-residential chemical dependency services funded through the Consolidated Chemical Dependency Treatment Fund (CCDTF) at the rate of \$35.61 per hour, effective February 1, 2010 through December 31, 2010.

RESOLVED FURTHER, that Minnesota Teen Challenge will bill the Department of Human Services directly for the services provided; the county has a 15% Maintenance of Effort on all services paid for through the CCDTF.

Adopted February 23, 2010. No. 85

WHEREAS, the contract with Gladys Jean Eral, for the Estate of Ina McKerrihan, for the purchase of State tax forfeited land is in default for nonpayment of taxes and/or installments; and for lands legally described as:

CITY OF DULUTH
LOT 0002 BLOCK 023
STOWELLS ADDITION TO WEST DULUTH
Parcel Code: 10-4220-3440

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WHEREAS, Minn. Stat. §§ 282.04, subd. 2(d), and 504B.271, authorizes the County Auditor to dispose of abandoned personal property; and

WHEREAS, the previous owner of the property will be notified by posting of property or by mail.

NOW, THEREFORE, BE IT RESOLVED, the St Louis County Board of Commissioners approves the cancellation of contract C22060001 for the repurchase of State tax forfeited land according to the provisions of Minn. Stat. § 282.01, Subd. 5, and Minn. Stat. § 282.40, and according to the procedures of Minn. Stat. § 559.21.

RESOLVED FURTHER, the County Auditor is authorized to dispose of abandoned personal property from the above described State tax forfeited property.

Adopted February 23, 2010. No. 86

WHEREAS, St. Louis County is committed to maintaining and expanding its recycling and waste reduction programs; and

WHEREAS, the county supports efforts by schools to provide recycling and waste reduction opportunities and to encourage its staff and students to recycle and practice other waste reduction measures; and

WHEREAS, the Environmental Services Department has funding available to assist schools within the North Solid Waste Service Area with recycling and waste reduction programs; and

WHEREAS, the Department will fund local grants up to \$3.00 per student based on the 2008 Minnesota Department of Education enrollment data plus \$20 per classroom and \$300 per campus; and

WHEREAS, the Department will partner with Iron Range Youth in Action to assist schools within the North Solid Waste Service Area with recycling and waste reduction programs.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes establishment of the St. Louis County 2010 Recycling and Waste Reduction Grant for schools within the County's North Solid Waste Service Area.

RESOLVED FURTHER, that the amount of grant funds available for the 2010 funding cycle will not exceed \$53,000 and will be payable from Fund 600, Agency 600001, Administration.

Adopted February 23, 2010. No. 87

RESOLVED, that the St. Louis County Board authorizes an agreement, and any amendments approved by the County Attorney, with the City of Eveleth for the reconstruction of County State Aid Highway No. 142 (Grant Ave.) from County State Aid Highway No. 101 (Fayal Rd.) to Trunk Highway 53 in Eveleth; whereby the City of Eveleth will pay the "City of Eveleth Non-Participating" local share items listed in the Estimated Quantities in the Plan.

RESOLVED FURTHER, that the funds from the City of Eveleth for project SAP 69-742-002, CP 67044, be receipted into Fund 220, Agency 220207, Object 551519, with the amount budgeted for expense and determined at the time of opening of bids.

Adopted February 23, 2010. No. 88

RESOLVED, that the St. Louis County Board authorizes an agreement, and any amendments approved by the County Attorney, with the City of Ely for the reconstruction of County State Aid Highway No. 21 from the south city limits of Ely to Trunk Highway 169 in Ely; whereby the City of Ely will pay the "City of Ely Non-Participating" local share items listed in the Estimated Quantities in the Plan.

RESOLVED FURTHER, that the funds from the City of Ely for project SAP 69-621-032, CP 9327, be receipted into Fund 220, Agency 220238, Object 551538, with the amount budgeted for expense and determined at the time of opening of bids.

Adopted February 23, 2010. No. 89

RESOLVED, that the Public Works Department is authorized to enter into an agreement with

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the City of Tower and authorize the appropriate county officials to sign the agreement and any amendments approved by the County Attorney's office for SP 69-596-005, County Project 3723, whereby the city will pay the local dollar match of the actual project costs, and other costs including any expenses billed to the county by an outside entity, federal and local funds from the city will be receipted into Fund 220, Agency 220215, Object 551535.
Adopted February 23, 2010. No. 90

WHEREAS, the State of Minnesota, Department of Transportation MnDOT, will provide payment under the terms of Agreement No. 96113 for the use of County State Aid Highway No. 14 as a detour route during the construction of State Project No. 6939-18 (T.H. 2 = 203), and;

WHEREAS, MnDOT is willing to pay for road life consumed by the detours on County State Aid Highway No. 14 based on the income determined by the "Gas Tax Method".

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the appropriate county officials to enter into Agreement No. 96113 with the State of Minnesota, Department of Transportation and approve any amendments approved by the County Attorney's Office.

RESOLVED FURTHER, that the compensation, estimated in the amount of \$5,831.10, shall be receipted into Fund 200, Agency 205003, Object 583100.

Adopted February 23, 2010. No. 91

WHEREAS, a request to purchase county fee land was submitted by Mr. Edward Wojtysiak in April of 2009 and the County Property Acquisition Team deems the property to be non-conforming surplus property described as follows:

Beginning at the north quarter corner of Section Nine (9), in Township Fifty-one (51), North, of Range Seventeen (17), West, thence west on the north line of said Section 9, a distance of seven hundred fifty (750) feet; thence south at right angles to said section line a distance of thirty-three (33) feet to a point as a point of beginning; thence south on the last named line produced, a distance of seventy-one (71) feet; thence west at right angles to the last named line a distance of two hundred eight (208) feet; thence north at right angles to the last named line a distance of seventy one (71) feet; thence east on the south line of the right of way of the Culver Road, also known as State Rural Highway Number Four, a distance of two hundred eight (208) feet to the point of beginning, and containing approximately thirty-four one-hundredths (.34) of an acre more or less, all in said Section Nine (9), Township Fifty-one (51) North, Seventeen (17) West, according to the government survey thereof.

WHEREAS, an appraisal was performed by the Property Management Department's licensed staff appraiser, with a resulting property value of \$400; and

WHEREAS, Mr. Wojtysiak submitted a bid amount of \$400, which covers 100% of the appraised value and Mr. Wojtysiak is responsible for all property transaction recording fees and associated filing fees.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the requirements and procedures of Minn. Stat. § 373.01, Subdivision (h), the Chair of the County Board and County Auditor are authorized to execute and deliver a quit claim deed, conveying the above listed property to Edward L. Wojtysiak for the appraised value of \$400.

Adopted February 23, 2010. No. 92

RESOLVED, that a public hearing will be held at 9:40 a.m. on Tuesday, March 16, 2010, 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 February 23, 2010. No. 93

PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS 59
ST. LOUIS COUNTY, MINNESOTA

RESOLVED, that a public hearing will be held at 9:35 a.m. on March 23, 2010, in the Ely Recreation Center, Ely, Minnesota, for the purpose of considering the granting of an Off-Sale Intoxicating Liquor License to Vaughn, Inc., d/b/a Junction Bar & Grill, Unorganized Township 61-13.

Adopted February 23, 2010. No. 94

WHEREAS, the county operates a roll-off program to provide an opportunity for county residents to recycle; and

WHEREAS, the county supports city recycling programs by processing and marketing recyclables collected in those programs; and

WHEREAS, the county operates a county-owned recyclable materials processing facility in Virginia to facilitate the processing and marketing of recyclable materials generated in the St. Louis County Solid Waste Management Area; and

WHEREAS, the Environmental Services Department has negotiated an agreement with Northern Minnesota Recycling, Inc., to secure roll-off haulage and recyclables processing and marketing services for the period April 1, 2010 through September 30, 2011, with the possibility of four 2-year extensions; and

WHEREAS, the Solid Waste Subcommittee discussed and approved the negotiation of an agreement with Northern Minnesota Recycling, Inc., at its December 28, 2009, meeting.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes an eighteen-month agreement, with the possibility of four 2-year extensions, with Northern Minnesota Recycling, Inc., for the transportation, processing, and marketing of recyclable materials at the rates contained in Board File No. 59045, payable from Fund 600, Agency 601004.

Adopted February 23, 2010. No. 95

WHEREAS, St. Louis County Ordinance 55 allows the county to subdivide and develop property with the use of performance systems and operating permits; and

WHEREAS, St. Louis County has demonstrated that it has the ability to monitor the maintenance and operation of performance-based systems; and

WHEREAS, St. Louis County wishes to continue to offer performance systems as an option for the safe development of property.

NOW, THEREFORE, BE IT BE RESOLVED, that the St. Louis County Board authorizes the Environmental Services Department to submit a variance request from Minnesota Rule 7082.0100 3 F to the Commissioner of the Minnesota Pollution Control Agency to permit the development of new lots with system and replacement areas based upon the use of alternative performance-based systems.

Adopted February 23, 2010. No. 96

WHEREAS, the St. Louis County Board appoints citizens to serve on the Arrowhead Library System Governing Board; and

WHEREAS, the Arrowhead Library System Governing Board currently has two individuals whose terms expire June 30, 2010, and who wish to be reappointed; and

WHEREAS, the Arrowhead Library System Governing Board currently has one individual whose third term expires June 30, 2010, and is not eligible for reappointment at this time.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board reappoints the following citizens to the Arrowhead Library System Governing Board for a three (3) year term expiring June 30, 2013:

Teresa Dawson

Bette Mattson

RESOLVED FURTHER, that the County Auditor is authorized to advertise and accept applications until March 12, 2010, for the vacant position on the Arrowhead Library System

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

Governing Board.

Adopted February 23, 2010. No. 97

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, dated February 12, 2010, on file in the office of the County Auditor, identified as County Board File No. 59016, is hereby received and ratified as payable from Fund 730, Agency 730001.

Adopted February 23, 2010. No. 98

BY COMMISSIONER O'NEIL:

WHEREAS, there is presently pending a claim for personal injury against St. Louis County made by Debra J. Morris; and

WHEREAS, Debra J. Morris suffered injuries as the result of a dog bite while attending a LETS (Law Enforcement Training Specialists) International, Inc., Canine Tracking/Trailing Seminar held September 17-21, 2007, in Duluth, Minnesota, which was sponsored by the St. Louis County Rescue Squad; and

WHEREAS, after investigation of the facts relevant to this matter the St. Louis County Attorney has recommended that the matter be settled as to any and all claims against St. Louis County on the terms set forth hereunder hereinafter; and

WHEREAS, St. Louis County makes no admission of liability.

NOW, THEREFORE, IT IS HEREBY RESOLVED, that the matter be settled upon the following terms:

1. That the sum of Twenty Thousand Dollars (\$20,000.00) is authorized in full and final settlement of any and all claims arising out of, in consequence of, or on account of the injuries and incidents alleged by plaintiff to have been caused by or related to actions of St. Louis County.
2. That total payment of the aforementioned Twenty Thousand Dollars (\$20,000.00), payable from Fund 720, be made pursuant to a Settlement Agreement and Release once executed by the parties and approved by the St. Louis County Attorney.
3. That St. Louis County makes no admissions of liability.
4. That each party shall be responsible for her/its own costs and attorney fees.

Yeas – Commissioners O'Neil, Dahlberg, Forsman, Sweeney, and Chair Raukar – 5

Nays – Commissioners Fink and Nelson - 2

Adopted February 23, 2010. No. 99

At 10:30 a.m., February 23, 2010, Commissioner Sweeney, supported by Commissioner O'Neil, moved to adjourn the County Board meeting; seven yeas, zero nays.

Steve Raukar, Chair of the Board
of County Commissioners

Attest:

Donald Dicklich, 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, 2010

OFFICIAL PROCEEDINGS OF THE MEETING
OF THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF ST. LOUIS, MINNESOTA,
HELD ON MARCH 2, 2010

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 2nd day of March, 2010, at 9:32 a.m., in the County Board Room, Duluth, Minnesota, with the following members present: Commissioners Dennis Fink, Steve O'Neil, Chris Dahlberg, Mike Forsman, Peg Sweeney, Keith Nelson, and Steve Raukar – 7. Absent: None

Chair Raukar asked for a moment of silence to honor U.S. troops serving throughout the world and their families at home as well as all persons whose lives are adversely affected by war.

Commissioner Sweeney presented the following Words of Wisdom:

“The test of our progress is not whether we add more to the abundance of those who have much, it is whether we provide enough for those who have too little.” – President Franklin D. Roosevelt.

“Politics is not about observations or predictions. Politics is what we create by what we do, what we hope for, and what we dare to imagine.” Senator Paul Wellstone

At 9:35 a.m., a public hearing was convened pursuant to County Board Resolution No. 64, adopted February 2, 2010, to consider a Class B land exchange between St. Louis County and Dale and Verra Johnson for properties located in Colvin Township. The following persons addressed the issue:

Kevin Gray, County Administrator, summarized the proposed exchange.
 Kristin Fogard, Land Department Forest Manager, described the exchange and detailed the request, title opinion, required public notices and response from the Minnesota Department of Natural Resources.

No one else chose to address the issue.

At 9:45 a.m., Commissioner O'Neil, supported by Commissioner Dahlberg, moved to close the public hearing; seven yeas, zero nays. Commissioner Forsman, supported by Commissioner Nelson, moved to approve the land exchange; seven yeas, zero nays. Resolution No. 110.

At 9:46 a.m., a public hearing was convened pursuant to County Board Resolution No. 81, adopted February 9, 2010, to receive public comment on the established priorities and funding recommendations included in the 2010-2014 Consolidated Plan and the FY (fiscal year) 2010 Action Plan for the Community Development Block Grant (CDBG), Home Investment Program (HOME), and Emergency Shelter Grant (ESG) programs. The following persons addressed the issue:

Kevin Gray, County Administrator, described the process for submission of the plan.

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ST. LOUIS COUNTY, MINNESOTA

Barbara Hayden, Planning Director, said the Department of Housing and Urban Development (HUD) requires this hearing as part of the application process for CDBG, HOME and ESG programs. Director Hayden said funding is for projects outside the City of Duluth and leverages \$5 for every \$1 of grant funding. The CDBG Advisory Board has reviewed and approved the recommendations.

No one else chose to address the issue.

At 10:00 a.m., Commissioner Sweeney, supported by Commissioner Nelson, moved to close the hearing; seven yeas, zero nays. Commissioner Sweeney, supported by Commissioner Nelson, moved to approve submission of the Consolidated Plan and FY 2010 Action Plan. Commissioner Forsman thanked previous County Boards and Representative Oberstar for their hard work getting the County designated as an "urban county" which has allowed the influx of millions of dollars in CDBG funding for areas outside the City of Duluth. Chair Raukar said CDBG funding has amounted to more than \$65 million over the years; seven yeas, zero nays. Resolution No. 111.

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

Denise Anderson, North Star Township, wanted the Board to be aware of the closing of numerous ATV trails under the new Department of Natural Resources "managed" trail plan. Ms. Anderson has collected signatures for a petition which will be presented to the DNR requesting reopening of trails. Commissioner Fink said he has a copy of the petition and the topic will be included in a future Board Workshop.

Jay Cole, Duluth, said the County has done fine work becoming more "green." Mr. Cole said he will be producing a video entitled "Solar-Is the Better Way" to help educate elected officials and the public about the solar industry.

At the request of Chair Raukar, Item #1 (sale of tax forfeited land located in Brevator Township to the Fond du Lac Band of Lake Superior Chippewa) was removed from the Consent Agenda for separate consideration under Environment and Natural Resources Committee. Commissioner Sweeney, supported by Commissioner O'Neil, moved to approve the remainder of the Consent Agenda; seven yeas, zero nays.

Commissioner Forsman, supported by Commissioner Sweeney, moved to authorize an appropriation of up to \$200,000 from the Unreserved Designated for Emergency Contingency Fund for emergency repairs to Bridge No. 808 located in Industrial Township. Administrator Gray said the damage occurred when a County vehicle transporting a backhoe struck the bridge. The bridge is used by more than 800 vehicles per day so repairs must be completed quickly; seven yeas, zero nays. Resolution No. 112.

At 10:20 a.m., Chair Raukar recessed the Board meeting for ten minutes.

At 10:30 a.m., the County Board reconvened in the County Boardroom, 2nd Floor, Courthouse, Duluth, MN, with all members present.

Commissioner Nelson, supported by Commissioner O'Neil, moved to authorize a purchase agreement with Jail Holding Company, LLC, for sale of the historic old St. Louis County Jail. The following persons addressed the issue:

Kevin Gray, County Administrator, described the purchase agreement proposal of \$54,000 and presented a brief history of County efforts to sell the jail. The County has agreed to pay the purchaser \$50,000 for utility hookups and contribute \$2,500 toward closing costs. Once the due diligence period is over for the purchaser and the Board

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ST. LOUIS COUNTY, MINNESOTA

grants final approval, closing will occur on April 16, according to Administrator Gray. In the meantime, the demolition permit process will continue in the event the purchase is not completed.

Grant Carlson, Blue Limit LLC, Minneapolis, MN, briefly described preliminary plans for the building, adding a key component will be retention of a jail display area for historical purposes.

Gary Kalligher, REMAX 1, said he received great cooperation from the County during the marketing and sale process.

Peggy Marrin, Duluth, said she was excited about the jail sale and she foresaw good things happening in Duluth.

Penny Clark, Duluth, Chair of the Heritage Preservation Commission, urged the Board to accept the purchase agreement proposal and said she was looking forward to the refurbishing of the old jail.

Carolyn Sundquist, Duluth, Vice-chair of the Heritage Preservation Commission, said many communities are successfully adapting historic old structures for productive use and she also urged the Board to support the purchase agreement.

Jay Cole, Duluth, said he supports the proposal by Jail Holding Company, LLC.

After further discussion, the resolution was approved; seven yeas, zero nays. Resolution No. 113.

Commissioner Nelson, supported by Commissioner Sweeney, moved to suspend the rules to consider granting a permit to Elephant Lake Lodge to sell/serve alcohol outside their designated serving area; seven yeas, zero nays. Commissioner Nelson said the permit is in conjunction with the annual Radar Run and Show to be held March 13 where antique and collectible snowmobiles will race and/or be on display. Commissioner Nelson, supported by Commissioner Forsman, moved to approve the permit; seven yeas, zero nays. Resolution No. 114.

Commissioner Fink, supported by Commissioner O'Neil, moved to approve sale of forfeited land located in the Town of Brevator to the Fond du Lac Band of Lake Superior Chippewa (Consent Agenda Item #1). Kevin Skwira-Brown, Duluth, said he was representing the group We Are Watching and expressed support for the sale to the Band. Mr. Skwira-Brown also said he supports transfer of the property to federal trust land and he criticized Commissioner Fink for not supporting the sale initially. Commissioner Nelson asked for a membership list for We Are Watching to verify that Mr. Skwira-Brown was speaking for the group. Commissioner Fink said he takes issue with the sale of fee lands when the property is then taken off the tax rolls. After further discussion, the sale was approved; seven yeas, zero nays. Resolution No. 100.

At 11:20 a.m., Chair Raukar recessed the Board until 11:30 a.m.

At 12:06 p.m., the County Board reconvened in the County Boardroom, 2nd Floor, Courthouse, Duluth, MN, with all members present.

Commissioner Nelson, supported by Commissioner Sweeney, move to approve a second consent agenda consisting of all items passed unanimously at the 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:

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ST. LOUIS COUNTY, MINNESOTA

Kevin Gray, County Administrator, and Ted Troolin, Environmental Services Director, submitting Board Letter No. 10-64, Landfill Gas Management Options Feasibility Study for the Regional Landfill in Virginia, MN. Agreement with R. W. Beck Group, Inc.—[59048](#)

County Auditor submitting applications for permits authorizing the consumption of and display of intoxicating liquors for the year 2010.—[59049](#)

Kevin Gray, County Administrator, submitting Board Letter No. 10-67, Purchase Agreement for Historic County Jail.—[59050](#)

Memorandum submitted by Gary Eckenberg, Deputy County Administrator, regarding Commissioners' Questions on Historic County Jail Sale; Blue Limit Real Estate's proposal summary for the Purchase and Redevelopment of the Old St. Louis County Jail on behalf of Jail Holding, LLC.; Carolyn Sundquist, Vice-chair of the Heritage Preservation Commission, submitting photos of the refurbished Suffolk County Jail — [59050D](#)

County Auditor submitting applications for Lawful Gambling Licenses for the year 2010.—[59051](#)

Kevin Gray, County Administrator, and Robert Krepps, Land Commissioner, submitting Board Letter No. 10-69, Public Hearing for a St. Louis County Class "B" Land Exchange with Dale and Vera Johnson.—[59052](#)

St. Louis County Land Department submitting documents regarding the St. Louis County Class "B" Land Exchange with Dale and Vera Johnson.—[59052D](#)

Kevin Gray, County Administrator, and Barbara Hayden, Planning and Development Director, submitting Board Letter No. 10-70, Public Hearing for Submission of 2010-2014 Consolidated Plan and FY 2010 Action Plan CDBG, HOME and ESG Funds.—[59053](#)

Commissioner Sweeney's "Words of Wisdom" quotes presented at the County Board meeting held March 2, 2010.—[59054](#)

Jay Cole submitting information regarding "Solar-Is the Better Way".—[59055](#)

St. Louis County On-Line Software Subscriber Agreement between the County of St. Louis and West Title, LLC.—[10-145](#)

St. Louis County On-Line Software Subscriber Agreement between the County of St. Louis and Bryce Martin Holstad.—[10-146](#)

Public Health and Human Services Grant Approval Form for the Safe Havens: Supervised Visitation and Safe Exchange Program Grant from the Office of Violence Against Women (OVW).—[10-147](#)

Public Health and Human Services Grant Approval Form for Northland Fetal Alcohol Syndrome Disorders grant from the Minnesota Organization on Fetal Alcohol Syndrome.—[10-148](#)

Agreement for Professional Services between St. Louis County and Ratwik, Roszan & Maloney, P.A., to provide training to the Planning Commission and Board of Adjustment entitled "*Making Solid Land Use Decisions*" on February 11, 2010.—[10-149](#)

Professional Services Agreement between St. Louis County and Pro-West & Associates,

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Inc., for GIS Professional Services from January 1, 2010 through December 31, 2010.—
10-150

State of Minnesota County-State Aid Highway Project Contract between the County of St. Louis and Ulland Brothers, Inc., for SAP 69-677-008, CP 9276 (Grading, Aggregate Base, Curb & Gutter, and Bituminous Surfacing on CSAH 77 (Angus Road), Greenwood Township.—10-151

Purchase of Service Agreement, Contract No. 14763, between the St. Louis County Board of Commissioners and Northwood Children's Services for Child Residential Services.—10-152

Purchase of Service Agreement, Contract No. 14766, between the St. Louis County Board of Commissioners and Kidspace Mesabi Academy, Inc., for Children's Residential Treatment Services.—10-153

Cooperative Agreement between St. Louis County and the City of Duluth for Shared Use of Internet Bandwidth.—10-154

Emphasys Treasury Desktop Lease Agreement between St. Louis County and Emphasys Software.—10-155

Upon motion of Commissioner Sweeney, supported by Commissioner O'Neil, Resolutions No. 101 through 109, as submitted to this Board on the Consent Agenda were unanimously adopted as follows:

BY COMMISSIONER SWEENEY:

WHEREAS, St. Louis County desires to offer for sale certain parcels of land located within the Reservation boundary of the Fond du Lac Band of Lake Superior Chippewa that have forfeited to the State of Minnesota for non-payment of taxes described as:

1. LOT 5 EX RY R OF WAY 3 15/100 AC, Section 2, T50N, R18W (23.35 acres)
Parcel Code: 535-0010-00210
2. LOT 7 EX RY R OF W 3 90/100 AC, Section 2, T50N, R18W (30.1 acres)
Parcel Code: 535-0010-00300

WHEREAS, the 1985 legislature passed into law Chapter 138, Section 5, which gives the Fond du Lac Band of Lake Superior Chippewa the first opportunity to purchase tax forfeited land to be sold within the Reservation boundary; and

WHEREAS, Minnesota Session Laws 2008, Chapter 368, Article 1, Section 57, authorizes St. Louis County to sell by private sale the described State tax forfeited parcels which border public waters.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board approves the sale of the described State tax forfeited parcels to the Fond du Lac Band of Lake Superior Chippewa for the appraised value of \$74,822 plus administration fees of \$150, 3% assurance fee of \$2,244.66, deed fee of \$25, deed tax of \$246.91, and recording fee of \$46; for a total of \$77,534.57 to be deposited into Fund 240 (forfeited tax fund).

Adopted March 2, 2010. No. 101

WHEREAS, alcohol and other drug use among women of child bearing age continues to be a significant problem in St. Louis County; and

WHEREAS, Resolution No. 05-505, dated October 11, 2005, authorized the Department of Public Health & Human Services to apply for a five-year grant from the Minnesota Organization on Fetal Alcohol Syndrome (MOFAS) aimed at preventing fetal alcohol spectrum disorders and improving intervention and support services for children who are already exposed; and

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WHEREAS, MOFAS wishes to award a grant to the Public Health and Human Services Department in the amount of \$100,800 for the period of January 1, 2010 through December 31, 2010; and

WHEREAS, a match requirement in this grant of \$13,830 is met through \$4,965 from Arc Northland and \$8,865 from the St. Louis County Public Health Grant.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the appropriate county officials to sign an agreement to accept \$100,800 from the Community Grant Program with the Minnesota Organization on Fetal Alcohol Syndrome for the period January 1, 2010 through December 31, 2010, payable to Fund 230, Agency 233999, Grant Number 23318 North FASD, and to increase budgeted revenue and expenditures by \$100,800.

RESOLVED FURTHER, that the appropriate county officials are authorized to sign agreements with Arc Northland, Arrowhead Center, Dennis Falk & Associates, and Range Mental Health Center to utilize grant funds to address issues related to Fetal Alcohol Spectrum Disorders.

Adopted March 2, 2010. No. 102

WHEREAS, Resolution No. 07-557, dated October 16, 2007, authorized the Public Health and Human Services Department (PHHS) to accept a Safe Havens: Supervised Visitation and Safe Exchange Program grant from the Office of Violence Against Women (OVW) to support the work of the Duluth Family Visitation Center for 3 years in the amount of \$398,750; and

WHEREAS, OVW has distributed a Request for Proposals for a continuation grant for the same program in the amount of \$350,000 over a 3 year period, and Duluth Family Visitation Center has asked PHHS to serve again as the "eligible applicant" which must be a governmental agency; and

WHEREAS, PHHS is willing and able to act as the eligible applicant for the grant and partner with the Duluth Family Visitation Center in meeting the goals of the grant.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the Public Health and Human Services Department to submit a grant request to the Office on Violence Against Women (OVW) "Safe Havens" grant in the amount of \$350,000; authorize the Public Health and Human Services Department to act as fiscal agent for this grant with a 5% fee for fiscal administration services, with funds to be deposited in Fund 230, Agency 232008, Grant 23209, Object 540512, Project 9999999, Year 2010, and paid from Fund 230, Agency 232008, Grant 23209, Object 602000, Project 9999999, Year 2010.

RESOLVED FURTHER, that the St. Louis County Board authorizes the appropriate county officials to execute a Memorandum of Understanding with the Duluth Family Visitation Center in accordance with the grant requirements.

RESOLVED FURTHER, that the St. Louis County Board authorizes the Director of Public Health and Human Services to coordinate with the County Administrator to ensure appropriate entries are made in the Department's 2010, 2011 and 2012 budget as are required to account for such grant funds.

Adopted March 2, 2010. No. 103

WHEREAS, St. Louis County owns and operates the Regional Landfill in Virginia, Minnesota, to provide mixed municipal solid waste disposal services for the county's Solid Waste Service Area; and

WHEREAS, the Environmental Services Department issued a Request for Proposals to conduct a landfill gas management options feasibility study to determine the preferred course of action for minimizing the emission of greenhouse gases and maximizing the recovery and utilization of those gases, receiving eleven proposals; and

WHEREAS, after an extensive review process, R. W. Beck Group, Inc., was selected as the firm that best met the county's need.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes an agreement with R. W. Beck Group, Inc., to conduct a landfill gas management options

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feasibility study for the Regional Landfill at the rates contained in Board File No. 59048, payable from Fund 600, Agency 607001, not to exceed \$59,863.

Adopted March 2, 2010. No. 104

RESOLVED, that the St. Louis County Board authorizes an agreement, and any amendments approved by the County Attorney, with the City of Meadowlands for the paving of Cole Avenue in the City of Meadowlands; whereby the City of Meadowlands will pay the "City of Meadowlands Non-Participating" local share items listed in the Estimated Quantities in the Plan. The funds from the City of Meadowlands for project CP 3782 will be receipted into Fund 200, Agency 203223, Object 551571, with the amount budgeted for expense and determined at the time of opening of bids.

Adopted March 2, 2010. No. 105

RESOLVED, that the St. Louis County Board authorizes the appropriate county officials to execute a contract addendum with Lakeland Pathology, P.A., for Medical Examiner services as defined in the original agreement and addenda, but reflecting updated costs for those services, payable from General Fund 100, Sheriff's Office, Medical Examiner 131001.

Adopted March 2, 2010. No. 106

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 liquors are hereby approved, on file in the office of the County Auditor, identified as County Board File No. 59049;

- Hi Banks Resort, Inc., d/b/a Hi Banks Resort, Fredenberg Township, Permit No. S1116;
- James Saugestad d/b/a Melrude Pub, Ellsburg Township, Permit No. S1113;
- Thirsty Moose Bar and Grill, Inc., d/b/a Thirsty Moose Bar & Grill, Cherry Township, Permit No. S1119.

Adopted March 2, 2010. No. 107

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. 59024, are hereby approved and the County Auditor shall issue checks in the following amounts:

JANUARY 2010		
<u>FUND</u>		<u>TOTAL</u>
100	General Fund	\$5,537,113.73
148	Volunteer Fire Departments	205,614.32
149	Personnel Service Fund	35.00
150	Sheriff's Nemesis Fund Group	13,472.50
160	MN Trail Assistance	77,699.78
166	Sheriff Fine Contingency	17,293.00
167	Attorney's Forfeitures	220.42
168	Sheriff's State Forfeitures	355.90
173	Emergency Shelter Grant	14,356.13
179	Enhanced 9-1-1	11,716.81
180	Law Library	11,649.29
183	City/County Communications	1,366.94
184	Extension Service	29,340.67
200	PublicWorks	2,358,988.34
210	Road Maint – Unorg Township	106.94

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220	State Road Aid	371,773.07
230	Public Health & Human Services	5,615,578.00
240	Forfeited Tax	416,505.70
260	CDBG Grant	420,712.36
270	Home Grant	46,013.17
290	Forest Resources	10,975.50
400	County Facility	78,018.12
405	Road & Bridge Building Const.	2,214.11
407	Road & Bridge – Equipment	6,211.93
438	2008 Capital Improvement Bond	492,787.46
500	Shoreline Sales	23,745.00
600	Environmental Services	557,777.07
616	On-Site Waste Water Division	44,210.59
625	Chris Jensen Health & Rehab	141,601.49
670	Supervised Living	1,521.32
700	Printing	10,430.14
705	Postage Office Supplies	24,060.96
715	County Garage	50,807.85
720	Property Casualty Liability	6,954.89
730	Workers Compensation	318,413.68
750	Management Info Systems	329,320.29
760	Telecommunications	136,135.77
770	Retired Employees Health Ins	5,402.49
826	Taconite Production Tax	423,483.62
900	State of Minnesota	1,297,686.20
902	Courts	283,437.40
908	City and Towns Taxes	1,444,469.02
909	Tax Refunds	132,758.25
910	School Districts Taxes	946,628.50
911	Taxes and Penalties	262,404.70
918	Canceled Checks	609.72
925	Arrowhead Regional Corrections	1,743,521.03
955	Community Health Board	109,568.39
985	Collective Local Collaborative	114,172.15
989	Regional Railroad Authority	109,323.11
990	Northern Cities Land Use	720.90
992	Permits to Carry-Firearms	1,790.00
995	Region 3 Adult Mental Health I	8,000.00
998	MPL-DUL Train Alliance	86,413.78
		<u>\$24,355,487.50</u>

Adopted March 2, 2010. No. 108

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of February 9, 2010, are hereby approved.

Adopted March 2, 2010. No. 109

BY COMMISSIONER FORSMAN:

WHEREAS, pursuant to Minn. Stat. §94.341 to 94.349, inclusive, a land exchange proposal has been submitted to the St. Louis County Board for certain lands owned by Dale and Vera Johnson; and

WHEREAS, this proposed exchange has been reviewed to determine the suitability of lands for exchange, and the Land Department has completed an appraisal of the lands to be exchanged; and

WHEREAS, a public hearing was held on March 2, 2010, at the St. Louis County Courthouse in Duluth, Minnesota, pursuant to proper notice as required by Minn. Stat. §

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94.344, Subdivision 7.

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

1. The 40 acre parcel of State tax forfeited land (CLASS "B") property that is the subject of the proposed exchange is described as follows:
SW 1/4 of SE 1/4, SECTION 27, TOWNSHIP 56N, RANGE 15W
2. The 66 acre parcel as offered by Dale and Vera Johnson that is the subject of the proposed exchange is described as follows:

NE 1/4 OF SW 1/4 EX A STRIP OF LAND 2 ACRES WIDE ON S. SIDE OF WATER HEN RIVER GOING S 7 ACRES ON E BOUNDARY LINE ON E 1/2 OF SW 1/4 AND SE 1/4 OF SW 1/4 EX THAT PART OF A STRIP OF LAND 2 ACRES WIDE ON S SIDE OF WATER HEN RIVER GOING S 7 ACRES ON E BOUNDARY LINE OF E 1/2 OF SW 1/4, SECTION 17, TOWNSHIP 56N, RANGE 15W.
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, §94.344, Subdivision 2.
4. The private land offered to the State of Minnesota to be held in trust, in favor of taxing districts, and under the control of St. Louis County is suitable for land management purposes.
5. The Land Department has appraised the properties proposed for exchange. The appraisals indicated that the parcel to be transferred from the State of Minnesota is valued at \$56,000, and the parcels to be transferred from Dale and Vera Johnson to the State of Minnesota are valued at \$49,500, resulting in a difference of \$6,500. The appraisals are accepted and adopted by the Board of Commissioners.
6. Dale and Vera Johnson have agreed to pay the difference of \$6,500 at the time of closing, pursuant to the Minnesota Statutes, Section 94.344, Subdivision 3. Funds are to be deposited into Fund 240 (Forfeited Tax Fund).
7. The County Auditor posted notice of hearing in the County Auditor's Office on February 10, 2010, and the notice contained a description of the lands affected, and a copy of the notice was published in the official newspaper of St. Louis County at least two weeks prior to March 2, 2010, the date of the hearing.
8. The timber appraisal reports have been prepared by the Land Department pursuant to the Department of Natural Resources Operational Order #63.
9. The land acquired from this exchange would consolidate tax-forfeited ownership in the area and increase the timber management potential on county managed land for the benefit of the taxpayers of St. Louis County.
10. The land received by Dale and Vera Johnson in this exchange is more suitable for private ownership.
11. The land offered to the State of Minnesota by Dale and Vera Johnson is more suitable for land management purposes than the lands presently held.

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12. The St. Louis County Board of Commissioners approves and recommends the proposed exchange.

RESOLVED FURTHER, that the County Auditor is directed to submit this proposal for the exchange of the above described parcels of land to the Commissioner of Revenue as required by Minnesota Statutes, §94.344, Subdivision 10.
Unanimously adopted March 2, 2010. No. 110

BY COMMISSIONER SWEENEY:

WHEREAS, Title I of the Housing and Community Development Act of 1974, as amended, establishes a Community Development Block Grant Program (CDBG) for the purpose of developing viable 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 the HOME Investment Partnership 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 an 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 carry out the 2010-2014 Consolidated Plan HUD entitlement programs, including CDBG, HOME, and ESG.

NOW, THEREFORE, BE IT RESOLVED, that the Planning and Development Director is authorized to prepare and submit the 2010-2014 Consolidated Plan including the FY 2010 Action Plan and amendments thereto, and all assurances and understanding contained therein, to the United States Department of Housing and Urban Development for those projects and corresponding funding levels as set forth in the plan on file with the clerk of the board, and to act in connection with its submission and subsequent activity, and to provide such additional information as may be required.

Unanimously adopted March 2, 2010. No. 111

BY COMMISSIONER FORSMAN:

WHEREAS, the Public Works Department is required to fund an additional project in the 2010 construction program due to an emergency situation; and

WHEREAS, the funds needed for the emergency repair of St. Louis County Bridge No. 808 were not identified in the 2010 budget; and

WHEREAS, the Public Works Department is requesting that up to \$200,000 be appropriated from the Road and Bridge Unreserved Designated for Emergency Contingency Fund to repair St. Louis County Bridge No. 808.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes an appropriation of up to \$200,000 from the Road and Bridge Unreserved Designated for Emergency Contingency Fund balance within Fund 200, Object 311108, to repair St. Louis County Bridge No. 808, payable from project MP 7-98789, Fund 200, Agency 203222, Object 652800.

RESOLVED FURTHER, that any unused funds be returned to the Road and Bridge Unreserved Designated for Emergency Contingency Fund.

Unanimously adopted March 2, 2010. No. 112

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BY COMMISSIONER NELSON:

WHEREAS, St. Louis County entered into an Agreement for Professional Services with RE/MAX 1 on August 24, 2009, whereby the real estate firm would provide broker services and serve as the marketing agent for the sale of the historic St. Louis County jail; and

WHEREAS, RE/MAX1 has provided the county with an offer from Jail Holding Company LLC, represented by Blue Limit LLC of Minneapolis, MN, to purchase the historic county jail, which is consistent with the direction provided by the St. Louis County Board of Commissioners and Minn. Stat. 373.01, which stipulates requirements for the sale of surplus government property; and

WHEREAS, Jail Holding Company LLC wishes to conduct its due diligence investigation and approval of the property to be completed by midnight on April 15, 2010; and

WHEREAS, should the buyer find its investigation of the property to be satisfactory, the closing date for the sale of the historic county jail property is proposed for April 16, 2010.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board approves the Purchase Agreement for the sale of the historic St. Louis County jail to Jail Holding Company LLC, Minneapolis, MN, for the purchase price of \$54,000, and agrees to the terms of the Purchase Agreement, County Board File No. 59050, with the understanding that the buyer will begin its own due diligence investigation and approval of the property to be completed by midnight on April 15, 2010.

RESOLVED FURTHER, that should this investigation prove satisfactory, the closing date for the sale of the property is established for April 16, 2010.

RESOLVED FURTHER, that should the inspection prove unsatisfactory to the buyer, the county will be notified in writing of the buyer's intent to cancel the purchase under this contingency, and earnest money will be refunded.

Unanimously adopted March 2, 2010. No. 113

BY COMMISSIONER NELSON:

RESOLVED, that pursuant to Ordinance No. 28, Section 11, Subdivision 11.06, authorization is hereby granted to Elephant Lake Lodge, Inc. d/b/a Melgeorge's Elephant Lake Lodge, Camp 5 Township, to sell/serve outside the designated serving area of the County Liquor License for the date of March 13, 2010, as per application on file in the office of the County Auditor, identified as County Board File No. 59021.

Unanimously adopted March 2, 2010. No. 114

BY COMMISSIONER FINK:

WHEREAS, St. Louis County desires to offer for sale a certain parcel of land located within the Reservation boundary of the Fond du Lac Band of Lake Superior Chippewa that has forfeited to the State of Minnesota for non-payment of taxes described as:

SE 1/4 OF SE 1/4, SECTION 30, T50N, R17W, Parcel Code: 275-0022-00170

WHEREAS, the 1985 legislature passed into law Chapter 138, Section 5, which gives the Fond du Lac Band of Lake Superior Chippewa the first opportunity to purchase tax forfeited land to be sold within the Reservation boundary; and

WHEREAS, the parcel of land has been classified as non-conservation land as provided for in Minn. Stat. Chapter 282.01; and

WHEREAS, the parcel of land is not withdrawn from sale pursuant to Minn. Stat. §§ 85.012, 92.461, 282.01, subdivision 8; and 282.018, and other statutes that require the withholding of State tax forfeited lands from sale; and

WHEREAS, the Commissioner of Natural Resources has approved the sale of the parcel, as required by Minn. Stat. Chapter 282.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners approves the sale of State tax forfeited land to the Fond du Lac Band of

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Lake Superior Chippewa for the appraised value of \$70,000 plus administration fees of \$150, 3% assurance fee of \$2,100, deed fee of \$25, deed tax of \$231, and recording fee of \$46; for a total of \$72,552 to be deposited into Fund 240 (forfeited tax fund).
Unanimously adopted March 2, 2010. No. 100

Upon motion of Commissioner Nelson, supported by Commissioner Sweeney, Resolutions No. 115 through 118, 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 NELSON:

RESOLVED, that the St. Louis County Board approves the applications for abatements, correction of assessed valuations and taxes plus penalty and interest, and any additional accrual, identified in County Board File No. 59036.
Adopted March 2, 2010. No. 115

RESOLVED, that pursuant to Minn. Stat. § 349.213, Subd. 2, the St. Louis County Board of Commissioners approves the following Lawful Gambling License Application (Pull-tabs with dispensing device and Tipboards) on file in the office of the County Auditor, identified as County Board File No. 59051, for the following organization:

VFW 8510 Auxiliary to operate out of Hwy 5 Bar and Grill, Unorganized Township 59-21, 6304 Hwy. 5, Hibbing, MN 55746, new.
Adopted March 2, 2010. No. 116

WHEREAS, the American Recovery and Reinvestment Act of 2009 provided \$400,000 to the Superior National Forest, which specifically included \$180,000 for reducing the threat of wildfires in high-risk areas as identified in the St. Louis County Community Wildfire Protection Plan; and

WHEREAS, on August 12, 2008, by Resolution No. 08-443, the County Board approved the St. Louis County Community Wildfire Protection Plan, and this funding is a mechanism to carry out the Plan.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes acceptance of the 2009 American Recovery and Reinvestment Act funding on behalf of the Superior National Forest in the amount of \$180,000.

RESOLVED FURTHER, that St. Louis County will act as the fiscal agent, with funds to be accounted for in Fund 290, Agency 290999, Grant 29002 (year 2010).
Adopted March 2, 2010. No. 117

WHEREAS, the city of Virginia is requesting \$320,000 in Community Development Block Grant (CDBG) funding to undertake community revitalization addressing blight; and

WHEREAS, the city is requesting CDBG funds to serve as leverage for both community and Iron Range Resources Demolition Program resources; and

WHEREAS, funding is available through the FY 2009 CDBG Neighborhood Revitalization Program set-aside approved by County Board Resolution No. 583; and

WHEREAS, the CDBG citizen advisory physical improvement subcommittee has reviewed the requests and recommends funding for the project.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners approves \$320,000 in FY 2009 Community Development Block Grant funds for the City of Virginia Redevelopment Program and authorizes the funding agreement payable from CDBG Fund 260.

Adopted March 2, 2010. No. 118

At 12:07 p.m., March 2, 2010, Commissioner Sweeney, supported by Commissioner Nelson, moved to adjourn the County Board meeting; seven yeas, zero nays.

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Steve Raukar, Chair of the Board
of County Commissioners

Attest:

Donald Dicklich, County Auditor
and Ex-Officio Clerk of the Board
of County Commissioners

(Seal of the County Auditor)

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ST. LOUIS COUNTY, MINNESOTA**

**OFFICIAL PROCEEDINGS OF THE MEETING
OF THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF ST. LOUIS, MINNESOTA,
HELD ON MARCH 16, 2010**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 16th day of March, 2010, at 9:32 a.m., in the County Board Room, Duluth, Minnesota, with the following members present: Commissioners Dennis Fink, Steve O'Neil, Mike Forsman, Keith Nelson, and Steve Raukar – 5. Absent: Commissioners Chris Dahlberg and Peg Sweeney – 2.

Chair Raukar asked for a moment of silence to honor U.S. troops serving throughout the world and their families at home as well as all persons whose lives are adversely affected by war.

Chair Raukar, inspired by a recent trip to Washington DC, gave the following words of wisdom: "Knowledge comes but wisdom lingers", "Wisdom is the principle...therefore get wisdom and with all thy getting get understanding"

At 9:35 a.m., a public hearing was convened pursuant to County Board Resolution No. 74, adopted February 9, 2010, to consider public sale of approximately 40 acres of county fee land described as the NW ¼ of the SE ¼, Section 4, Township 61 North, Range 16 West (Vermilion Township).

Administrator Gray discussed the benefits of county fee land sales to the citizens and the county. The county tax base is increased and citizens have an opportunity to acquire desired land. There was only one bid for \$68,800; \$4,800 above the appraised value of \$64,000.

Tony Mancuso, Property Manager for St. Louis County, described the process for fee land sale. Mr. Mancuso, responding to a question from Commissioner Fink, said the property was land-locked and out of courtesy notices were sent to surrounding landowners. Property Manager Mancuso informed commissioners that previous fee land sales have been conducted by sealed bids and a process hasn't yet been worked out to combine fee land sales with forfeited land auctions.

At 9:42 Commissioner Nelson, supported by Commissioner O'Neil, moved to close the public hearing: five yeas, zero nays. Administrator Gray recommended adding the following to the resolution: "whereas, notice of sale of county fee land pursuant to the provisions of MN Statutes § 373.01, has been duly followed." Commissioner Nelson, supported by Commissioner Forsman, moved to approve the land sale, with the additional language suggested by Administrator Gray; five yeas, zero nays. Resolution No. 123.

At 9:50 a.m., a public hearing was convened pursuant to County Board Resolution No. 93, adopted February 23, 2010, to consider the suspension of liquor licenses for failure to pay real or personal property taxes when due, pursuant to St. Louis County Ordinance No. 28.

County Attorney Melanie Ford presented the case. Two establishments, The Blue Max, Inc., d/b/a The Blue Max, Fredenberg Township, and Richard Huth d/b/a/ Red Pine Lodge, Kabetogama Township, are subject to liquor license suspension for failure to pay property taxes, in accordance with St. Louis County Ordinance No. 28. All required notices were sent to each establishment and required legal notice was published in the Duluth News Tribune.

Shelly Hill, representative from The Blue Max, acknowledged property taxes were past

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due. She said that they are preparing to sell the business and was concerned that the liquor license suspension would devalue the business. Ms. Hill responded to questions from Commissioner Fink and said that she thought she could pay the taxes within a month because business should be picking up this spring.

No one else choose to address the issue.

At 10:00 a.m., Commissioner O'Neil, support by Commissioner Forsman, moved to close the hearing: five yeas, zero nays.

Commissioner Nelson, supported by Commissioner Forsman, moved to approve the resolution, with an amendment to include the effective time of midnight on March 16, 2010.

Commissioner Fink asked for a division of the question and Chair Rauker accepted.

After some discussion, Commissioner Fink moved to amend the resolution to change the suspension date for The Blue Max to April 15, 2010. Commissioner Nelson did not accept as a friendly amendment and the motion died.

For clarification, County Attorney Ford said she didn't see any problems transferring The Blue Max license to a new owner. After further deliberations, Ms. Hill came to the podium to clarify that the business was not currently for sale as the decision had just made the day before. Vote to suspend the Blue Max liquor license: four yeas; one nay, Commissioner Fink.

Vote to suspend the Red Pine Lodge liquor license; five yeas; zero nays. Resolution No. 124.

Chair Raukar 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 Tammen, Soudan, MN, spoke on the recent publicity and concerns about changing the Lake Vermilion park plan. Mr. Tammen and his wife oppose changing the plan. Mr. Tammen said that he thinks a state park will be more valuable to the people and asked the board to support the state park.

At 10:36 am, Commissioner Forsman left the board meeting.

Commissioner Nelson, supported by Commissioner O'Neil, moved to approve a resolution authorizing the apportionment of 2009 Land Department net proceeds to the 2010 budget, (net proceeds in 2009 were \$2,132,875.92). The resolution was approved; four yeas, zero nays. Resolution No. 125.

Commissioner O'Neil, supported by Commissioner Fink, moved for a closed session at 11:00 am for labor negotiations; four yeas, zero nays.

At 10:40 am, Commissioner Forsman rejoined the meeting.

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

Kevin Gray, County Administrator, Donald Dicklich, County Auditor, and Robert Krepps, Land Commissioner, submitting Board Letter No. 10-74 regarding the 2009 Land Apportionment.—59056

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Melanie Ford, County Attorney, submitting information regarding the public hearing to consider the suspension of liquor licenses due to failure to pay taxes when due.—[59057](#)

Agreement for Professional Services between St. Louis County and Ely TV, Inc., to video produce county board meetings, county workshop meetings, and create dubs and DVDs of each meeting for the period of January 1, 2010 through December 31, 2010.—[10-156](#)

Agreement for Professional Services between St. Louis County and Duluth Public Access Community Television, Inc., to video produce county board meetings, and create dubs and DVDs of each meeting for the period of January 1, 2010 through December 31, 2010.—[10-157](#)

Amendment No. 1, Transfer Trailer Haulage Contract #4844, between the County of St. Louis and Mahkahta Trucking correcting the term of the contract to read “from January 2, 2010 to December 31, 2012, inclusive.”—[10-158](#)

County Veterans Service Office Enhancement Grant from the Minnesota Department of Veterans Affairs.—[10-159](#)

Amendment to Professional Services Agreement, County Attorney Contract No. 2010-005557, between the County of St. Louis and MacNeil Environmental, Inc., for Duluth Courthouse HVAC Phase III Asbestos Inspection.—[10-160](#)

Amendment to Professional Services Agreement, County Attorney Contract No. 2010-005558, between the County of St. Louis and Architecture Advantage, LLP, for Government Services Center First Floor Space Analysis and Space Use Plan.—[10-161](#)

Agreement for Professional Services between the County of St. Louis and N.G. Engineering, for the Downtown Duluth Parking Lot Repair Project.—[10-162](#)

Home and Community-Based Waiver Services Contract, Contract No. 14632, between the St. Louis County Board of Commissioners and MSOCS-Northeast (NE).—[10-163](#)

Home and Community-Based Waiver Services Contract, Contract No. 14636, between the St. Louis County Board of Commissioners and Minnesota Department of Human Services Extended Treatment Options, d/b/a Community Support Services.—[10-164](#)

Addendum to Standard Agreement, Contract No. 30121C, between the County of St. Louis and Ron Michaels Consulting, Inc. for Electronic Document Management Project.—[10-165](#)

Agreement between the County of St. Louis and the City of Eveleth for improvements to a portion of County State Aid Highway 142 (Grant & Park Ave.), SAP 69-742-02, CP 67044.—[10-166](#)

Public Health Emergency Response (PHER III) Grant Agreement Amendment between the Carlton-Cook-Lake-St. Louis Community Health Board (CHB) and St. Louis County for the period November 25, 2009 – July 31, 2012.—[10-167](#)

Amendment No. 2 to Professional Services Agreement, County Attorney’s Contract #2010-005587, between the County of St. Louis and Architectural Resources, Inc., for the Hibbing Courthouse Security Renovation project.—[10-168](#)

Purchase of Service Agreement, Contract No. 14765, between the St. Louis County Board of Commissioners and Fond du Lac Foster Care Licensing and Placement

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Agency.—10-169

Purchase of Service Agreement, Contract No. 14799, between St. Louis County Board of Commissioners and Lutheran Social Services of Minnesota (Bethany Family Resource Center – Supervised Visitation Program).—10-170

Purchase of Service Agreement, Contract No. 14798, between St. Louis County Board of Commissioners and Lutheran Social Services of Minnesota (Bethany Shelter – Supervised Visitation Program).—10-171

Home and Community-Based Waiver Services Contract, Contract No. 14681, between the St. Louis County Board of Commissioners and New Life Horizons, Inc.—10-172

Home and Community-Based Waiver Services Contract, Contract No. 14667, between the St. Louis County Board of Commissioners and KC Companies of Tower, Inc., d/b/a Golden Horizons.—10-173

Home and Community-Based Waiver Services Contract, Contract No. 14772, between the St. Louis County Board of Commissioners and Debra Lenzen, d/b/a Deb-Bees Adult Foster Care.—10-174

Home and Community-Based Waiver Services Contract, Contract No. 14708, between the St. Louis County Board of Commissioners and Cheryl Stauty, d/b/a Cotton Country Manor.—10-175

Addendum to Grant Agreement, Contract No. 20710B, between the St. Louis County Board of Commissioners and Center for Alcohol and Drug Treatment, Inc., for Sub-acute Detoxification and Hold Services.—10-176

Addendum to Purchase Agreement, Contract No. 14473A, between the St. Louis County Board of Commissioners and Center for Alcohol and Drug Treatment, Inc., for Assertive Community Treatment Team South Services.—10-177

Home and Community-Based Waiver Services Contract, Contract No. 14625, between the St. Louis County Board of Commissioners and The Lamb House, Inc.—10-178

Home and Community-Based Waiver Services Contract, Contract No. 14666, between the St. Louis County Board of Commissioners and Expanding Horizons, Inc.—10-179

Addendum to Purchase Agreement, Contract No. 14338B, between the St. Louis County Board of Commissioners and Goodwill Industries Vocational Enterprises, Inc. extending the termination date from December 31, 2009, to December 31, 2010.—10-180

Title IV-D Cooperative Agreement with the Minnesota Department of Human Services and the St. Louis County Office of Public Health and Human Services, County Sheriff, and County Attorney for administering the Child Support Enforcement Program.—10-181

Upon motion of Commissioner O'Neil, supported by Commissioner Fink, Resolutions No. 119 through 122, as submitted to this Board on the Consent Agenda, were unanimously adopted as follows:

BY COMMISSIONER O'NEIL:

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of February 23, 2010, are hereby approved.

Adopted March 16, 2010. No. 119

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RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of March 2, 2010, are hereby approved.
Adopted March 16, 2010. No. 120

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, dated February 26, 2010, on file in the office of the County Auditor, identified as County Board File No. 59016, is hereby received and ratified as payable from Fund 730, Agency 730001.
Adopted March 16, 2010. No. 121

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. 59015, is hereby approved and the County Auditor is authorized to issue the license as follows:

RESOLVED FURTHER, that if named license holder 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 license holder:

Brook Saloon, Inc., d/b/a Brook Saloon, Inc., City of Brookston,
Tobacco Products License No. T10250, transfer.

Adopted March 16, 2010. No. 122

BY COMMISSION NELSON:

WHEREAS, a request to purchase county fee land was submitted by David Oxford and Kari C. Oxford in May of 2008 and the County Property Acquisition Team deems the property as conforming surplus property described as follows:

NW ¼ of SE ¼, Section 4, Township 61 North, Range 16 West

WHEREAS, an appraisal was performed by a licensed Appraiser, with a resulting property value of \$64,000; and

WHEREAS, notice of sale of county fee land pursuant to the provisions of Minnesota Statute § 373.01 has been duly followed; and

WHEREAS, Mr. David Oxford submitted a bid amount of \$68,800, that is above 100% of the appraised value. Mr. Oxford is responsible for all property transaction recording fees and associated filing fees.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the requirements and procedures of Minnesota Statute § 373.01, the appropriate county officials are authorized to execute and deliver a quit claim deed, conveying the above listed property to David Oxford and Kari C. Oxford for their bid amount of \$68,800.

Unanimously adopted March 16, 2010. No. 123

BY COMMISSIONER NELSON:

WHEREAS, St. Louis County Ordinance No. 28 (Liquor Ordinance), Section 4.15, requires all licensed establishments to pay all real and personal property taxes when due; and

WHEREAS, the Blue Max, Inc., d/b/a The Blue Max, Fredenberg Township, and Richard Huth, d/b/a Red Pine Lodge, Kabetogama Township, were issued combination on/off-sale and Sunday on-sale intoxicating liquor licenses for the period July 1, 2009 through June 30, 2010; and

WHEREAS, each establishment has past due or delinquent real or personal property taxes for 2009; and

WHEREAS, a public hearing was held on March 16, 2010, to consider suspension of the intoxicating liquor licenses for the two establishments for failure to pay real or personal property taxes when due.

NOW, THEREFORE, BE IT RESOLVED, that the combination on/off-sale and Sunday on-sale intoxicating liquor licenses for the Blue Max and Red Pine Lodge are hereby suspended effective midnight, March 16, 2010; and

RESOLVED FURTHER, said licenses will remain suspended until such time as the taxes

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are paid in full or the licenses expire or are revoked.

Division of the question:

The Blue Max

Yeas – Commissioners O’Neil, Forsman, Nelson, and Chair Raukar – 4

Nays – Commissioner Fink – 1

Red Pine Lodge

Yeas – Commissioners Fink, O’Neil, Forsman, Nelson, and Chair Raukar – 5

Nays – None

Adopted March 16, 2010. No. 124

BY COMMISSIONER NELSON:

WHEREAS, the St. Louis County Land Department generates revenue by sales of land, timber stumpage, gravel, peat and lease fees from recreational cabin sites; and

WHEREAS, there are net proceeds available from this revenue, after the allowable expenditures of the Land Department in carrying out its activities;

WHEREAS, Minn. Stat. § 282.08 specifies the apportionment formula the county is to use in determining the allowable use and transfer of these remaining funds (net proceeds), which in 2009 total \$2,132,875.92; and

WHEREAS, the St. Louis County Board approved \$515,475 of land use planning and economic development expenditures in 2009 to be paid out of these proceeds.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the following apportionment of the \$2,132,875.92 of net proceeds:

Net Proceeds of the Forfeited Tax Sale Fund	\$2,132,875.92	Accounting Detail
30% to Memorial Forest Management, Fund 290, Agency 290001 (Minnesota Law [2002], Chapter Sec. 390, 39, Subd. 2)	\$639,862.78	290-290001
20% to Economic Development Fund, Fund 178, Agency 178001 (Minnesota Law [2002], Chapter 390, Sec. 39, Subd. 3)	\$426,575.18	178-178001
40% St. Louis County General Fund	\$88,899.82	178-178001
	\$337,675.37	100-100001
40% Schools Fund	\$426,575.18	910
20% Cities and Towns Fund	\$213,287.59	908
Total	\$2,132,875.92	

Unanimously adopted March 16, 2010. No. 125

Commissioner Fink, supported by Commissioner O’Neil, moved to adjourn the board meeting at 10:40 a.m., March 16, 2010; five yeas, zero nays.

Steve Raukar, Chair of the Board
of County Commissioners

Attest:

Donald Dicklich, County Auditor
and Ex-Officio Clerk of the Board

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of County Commissioners

(Seal of the County Auditor)

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ST. LOUIS COUNTY, MINNESOTA

**OFFICIAL PROCEEDINGS OF THE MEETING
OF THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF ST. LOUIS, MINNESOTA,
HELD ON MARCH 23, 2010**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 23rd day of March, 2010, at 9:46 a.m., in the Ely Recreation Center, Ely, Minnesota, with the following members present: Commissioners Dennis Fink, Steve O'Neil, Chris Dahlberg, Mike Forsman, Keith Nelson, and Steve Raukar – 6. Absent: Commissioner Peg Sweeney – 1.

Chair Raukar asked for a moment of silence to honor U.S. troops serving throughout the world and their families at home as well as all persons whose lives are adversely affected by war.

Commissioner Forsman presented the words of wisdom "Who Are Our Combat Soldiers?", a poem describing the lives of our young soldiers.

Chair Raukar welcomed Commissioner Dahlberg back from military duty in Germany. Commissioner Dahlberg thanked Commissioner Forsman for his words of wisdom as he serves with many young people in the military.

Chair Raukar said that St. Louis County received the "Friend of Land Records" award from the Wisconsin Land Information Association (WLIA). This award is given to an individual or organization that is not a WLIA member, but has contributed to the success or advancement of land records modernization in the state of Wisconsin. St. Louis County was recognized for cooperative efforts with the City of Superior and Douglas County.

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

Heidi Omerza, Ely City Councilor, welcomed commissioners to the Ely Recreation Center (ERC). She said this building would not be possible without the Iron Range Youth in Action, who worked hard to make it happen. Ms. Omerza thanked the St. Louis County Board for the grant to help build the ERC.

Roger Skraba, Mayor of Ely, thanked commissioners for coming to Ely. He encouraged all to go out and shop, eat and visit the sights. Mayor Skraba noted that "Lily the Bear" was one of the top Google hits and that Ely is planning a picnic this summer in honor of "Lily". The Bear Center has been become an asset to Ely. Mayor Skraba said there are a lot of good things happening in Ely and thanked the County Board for their support.

Anne Swenson from Greenstone, Ely, MN, gave commissioners a handout and talked about the transformation of Miner's Dry into an art complex which has the potential of attracting people to Ely. They will be creating a Miner's Memorial to recognize those that died in the mines. Ms. Swenson asked for a statement from the board supporting the restoration of Captain's Dry where classrooms, offices, and art studios will be constructed.

Commissioner Forsman, supported by Commissioner Nelson, made a directive motion to have administration create a resolution supporting the Captain's Dry Project; six years, zero nays.

At 10:13 a.m., a public hearing was convened pursuant to County Board Resolution No. 94, adopted February 23, 2010, to consider the granting an off-sale intoxicating liquor

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license to Vaughn, Inc., d/b/a Junction Bar and Grill, Unorganized Township 61-13.

County Attorney Melanie Ford advised the Board that: all required county departments reviewed the application and recommended approval; the Liquor Licensing Committee met with the applicant and after discussing the location and propriety of the establishment recommended approval; the establishment is located in an unorganized area and therefore the County Board is the town board; and all required notice was given, including notice to the City of Babbitt, MN. Commissioner Forsman asked Gary Burrow, owner of Vaughn, Inc., if he read all liquor license requirements and if he will abide by them. Mr. Burrow said yes. No one else choose to address the issue.

At 10:19 a.m., Commissioner Forsman, supported by Commissioner O'Neil, moved to close the hearing, six yeas, zero nays. Commissioner Forsman, supported by Commissioner O'Neil, moved to approve the issuance of the off-sale liquor license. Commissioner Fink offered a friendly amendment to make approval contingent upon proof of liquor liability insurance. Makers agreed to accept the friendly amendment and the license was approved; six yeas, zero nays. Resolution No. 153.

Commissioner O'Neil, supported by Commissioner Nelson, moved to transfer a St. Louis County Housing and Redevelopment Employee into St. Louis County employment within the Planner II job classification. Commissioner Fink noted this isn't the first time an employee of another entity has been transferred to the county and he doesn't support the practice. Commissioner Nelson said that since there is only one employee at the St. Louis County HRA, this transfer will save money; five yeas, one nay (Commissioner Fink). Resolution No. 154.

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

Land Commissioner submitting applications for repurchase of tax forfeit land for 2010.—59058

Kevin Gray, County Administrator, and Robert Krepps, Land Commissioner, submitting Board Letter No. 10-82, Utility Easement for the City of Proctor (Kirkus Street).—59059

Commissioner Forsman's "Words of Wisdom" poem as presented at the Board meeting March 23, 2010.—59060

Anne Swenson, Ely Greenstone Public Art Committee, Ely, MN, submitting information regarding the Pioneer Mine Complex and the committee's goals and accomplishments.—59061

Melanie Ford, County Attorney, submitting documents regarding the public hearing to consider the Off-Sale Intoxicating Liquor License to Vaughn, Inc., d/b/a Junction Bar & Grill, Unorg. 61-13—59062

Kevin Gray, County Administrator, and Ann M. Busche, Director of Public Health & Human Services, submitting Board Letter No. 10-98, Appointments of PHHS Advisory Committee Members.—59063

St. Louis County On-Line Software Subscriber Agreement between the County of St. Louis, Auditor's Office, and Gerlach, Beaumier & Trogdon Attorneys at Law, LLP.—10-182

Group Residential Housing Rate Agreement, Contract No. 50813, between the St. Louis County Board of Commissioners and Northland AFC, Inc., (Almac).—10-183

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Group Residential Housing Rate Agreement, Contract No. 50814, between the St. Louis County Board of Commissioners and Northland AFC, Inc., (Arrowhead).—[10-184](#)

Group Residential Housing Rate Agreement, Contract No. 50815, between the St. Louis County Board of Commissioners and Northland AFC, Inc., (Decker).—[10-185](#)

Group Residential Housing Rate Agreement, Contract No. 50816, between the St. Louis County Board of Commissioners and Northland AFC, Inc., (East).—[10-186](#)

Group Residential Housing Rate Agreement, Contract No. 50817, between the St. Louis County Board of Commissioners and Northland AFC, Inc., (Midway).—[10-187](#)

Group Residential Housing Rate Agreement, Contract No. 50818, between the St. Louis County Board of Commissioners and Northland AFC, Inc., (Proctor).—[10-188](#)

Group Residential Housing Rate Agreement, Contract No. 50819, between the St. Louis County Board of Commissioners and Northland AFC, Inc., (Saginaw).—[10-189](#)

Group Residential Housing Rate Agreement, Contract No. 50820, between the St. Louis County Board of Commissioners and Northland AFC, Inc., (Solway).—[10-190](#)

Group Residential Housing Rate Agreement, Contract No. 50821, between the St. Louis County Board of Commissioners and Northland AFC, Inc., (Springvale).—[10-191](#)

Group Residential Housing Rate Agreement, Contract No. 50822, between the St. Louis County Board of Commissioners and Northland AFC, Inc., (Ugstad).—[10-192](#)

Group Residential Housing Rate Agreement, Contract No. 50823, between the St. Louis County Board of Commissioners and Northland AFC, Inc., (West).—[10-193](#)

Group Residential Housing Rate Agreement, Contract No. 50824, between the St. Louis County Board of Commissioners and Northland AFC, Inc., (Woodbridge).—[10-194](#)

Group Residential Housing Rate Agreement, Contract No. 50800, between the St. Louis County Board of Commissioners and Heartland Homes of Duluth – Faribault.—[10-195](#)

Group Residential Housing Rate Agreement, Contract No. 50799, between the St. Louis County Board of Commissioners and Heartland Homes of Duluth – Morris.—[10-196](#)

Group Residential Housing Rate Agreement, Contract No. 50798, between the St. Louis County Board of Commissioners and Heartland Homes of Duluth – Peabody.—[10-197](#)

Group Residential Housing Rate Agreement, Contract No. 50801, between the St. Louis County Board of Commissioners and Mesabi Property Management.—[10-198](#)

Group Residential Housing Rate Agreement, Contract No. 50825, between the St. Louis County Board of Commissioners and Larry and Jodie Rudd (Rudd Adult Foster Home).—[10-199](#)

Purchase of Services, Contract No. 20863, between St. Louis County and Duluth Family Visitation Center – Minnesota Program Development, Public Service Grant.—[10-200](#)

Purchase of Services, Contract No. 20872, between St. Louis County and Legal Aid Service of Northeastern Minnesota, Public Service Grant.—[10-201](#)

Purchase of Service Agreement, Contract No. 14754, between the St. Louis County

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Board of Commissioners and Arrowhead Center, Inc., for Chemical Dependency Treatment Services.—[10-202](#)

Purchase of Service Agreement, Contract No. 14755, between the St. Louis County Board of Commissioners and Center for Alcohol and Drug Treatment, Inc., for Chemical Dependency Treatment Services.—[10-203](#)

Purchase of Service Agreement, Contract No. 14757, between the St. Louis County Board of Commissioners and Colonial Management Group, LP, d/b/a Metro Treatment of Minnesota, LP, d/b/a Lake Superior Treatment Center, for Chemical Dependency Treatment Services.—[10-204](#)

Purchase of Service Agreement, Contract No. 14758, between the St. Louis County Board of Commissioners and Pioneer Recovery Center, LLC, for Chemical Dependency Treatment Services.—[10-205](#)

Agreement for Services, Contract No. 14767, between the County of St. Louis and Lake Superior Community Health Center, for STD Treatment Services.—[10-206](#)

Purchase of Service Agreement, Contract No. 14769, between the St. Louis County Board of Commissioners and SMDC Medical Center, for Chemical Dependency Treatment Services.—[10-207](#)

Purchase of Service Agreement, Contract No. 14771, between the St. Louis County Board of Commissioners and Range Mental Health Center, for Chemical Dependency Treatment Services.—[10-208](#)

Professional Service Agreement, Contract No. 30123, between St. Louis County Public Health and Human Services Department and the Human Development Center, for Forensic Psychological Services.—[10-209](#)

Addendum to Purchase Agreement, Contract No. 14489A, between the St. Louis County Board of Commissioners and Human Development Center, for Mental Health – Targeted Case Management (MH-TCM) Services for Adults.—[10-210](#)

Addendum to Purchase Agreement, Contract No. 14491A, between the St. Louis County Board of Commissioners and Range Mental Health Center, for Mental Health – Targeted Case Management (MH-TCM) Services for Adults.—[10-211](#)

Home and Community-Based Waiver Services Contract, Contract No. 14550, between the St. Louis County Board of Commissioners and Care at Home, Inc.—[10-212](#)

Home and Community-Based Waiver Services Contract, Contract No. 14696, between the St. Louis County Board of Commissioners and Janis Arola and David Arola, d/b/a Autumn Adult Foster Care Home. —[10-213](#)

Home and Community-Based Waiver Services Contract, Contract No. 14752, between the St. Louis County Board of Commissioners and Freddie M. Davis and Patricia S. Davis.—[10-214](#)

Home and Community-Based Waiver Services Contract, Contract No. 14751, between the St. Louis County Board of Commissioners and Donald Olesiak, Jr. and Maeve Olesiak.—[10-215](#)

Home and Community-Based Waiver Services Contract, Contract No. 14800, between the St. Louis County Board of Commissioners and Bachinski & Sons Builders, Inc., d/b/a

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Cover-All Construction.—[10-216](#)

Home and Community-Based Waiver Services Contract, Contract No. 14549, between the St. Louis County Board of Commissioners and Home Health Inc. of Hibbing, d/b/a HomeCare Specialists.—[10-217](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14653A, between the Public Health and Human Services Department and Northland AFC, Inc.—[10-218](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14680A, between the Public Health and Human Services Department and Fairview Range Regional Health Services d/b/a University Medical Center-Mesabi.—[10-219](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14566A, between the Public Health and Human Services Department and Heartland Homes of Duluth, LLC.—[10-220](#)

Grant Agreement, Contract No. 20890, between the St. Louis County Board of Commissioners and Human Development Center, for Adolescent Services Grant, “Strong Families Program”.—[10-221](#)

Grant Agreement, Contract No. 20900, between the St. Louis County Board of Commissioners and the Northeast Minnesota Office of Job Training for Statewide Minnesota Family Investment Program (MFIP) Employment Services and Diversionary Work Program Services (DWP).—[10-222](#)

Grant Agreement, Contract No. 20894, between the St. Louis County Board of Commissioners and the Northeast Minnesota Office of Job Training for Minnesota Innovation Fund 2010 Transportation and Short-term Training.—[10-223](#)

Agreement for Medical Examiner Services between the County of St. Louis and Lakeland Pathology, P.A. for January 1, 2010, through January 1, 2012.—[10-224](#)

Cooperative Agreement between the County of St. Louis and the City of Ely for project SAP 69-621-032, CP 9327, reconstruction of County State Aid Highway No. 21 (Central Ave.).—[10-225](#)

State of Minnesota, Department of Transportation, Detour Agreement, Mn/DOT Agreement No. 96113, for SP 6939-18, SP 6982-285, Fed. Proj. No. IM -356 (293) for the use of County State Aid Highway No. 14.—[10-226](#)

Cooperative Agreement between the County of St. Louis and the City of Meadowlands for CP 3782, bituminous paving of Cole Avenue.—[10-227](#)

Cooperative Agreement between the County of St. Louis and the City of Tower for SP 69-596-05, CP 3723, SP 6903-15 & SP 6913-33, Trunk Highway 169 and Trunk Highway 135 Realignment Project.—[10-228](#)

Memorandum of Understanding, Contract No. 90108, between the St. Louis County Jail and Arrowhead Economic Opportunity Agency, for Discharge Planning Pilot Program.—[10-229](#)

Memorandum of Understanding, Contract No. 90109, between the St. Louis County Jail and St. Louis County Public Health and Human Services, for Discharge Planning Pilot Program.—[10-230](#)

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Child and Teen Checkup (C&TC) Administrative Outreach Services Contract CFDA #93.778 between the Carlton-Cook-Lake-St. Louis Community Health Board and St. Louis County for January 1, 2010 through December 31, 2011.—10-231

Memorandum of Understanding between St. Louis County d/b/a Public Health and Human Services Department and the Office of Violence Against Women/Duluth Family Visitation Center for the Safe Havens Grant.—10-232

Grant Agreement, Agreement No. 2009-MNJAC-00514, between the Minnesota Department of Public Safety Homeland Security and Emergency Management Division and the St. Louis County Sheriff's Office.—10-233

Upon motion of Commissioner O'Neil, supported by Commissioner Forsman, Resolutions No. 126 through 152, as submitted to the Board on the Consent Agenda, were unanimously adopted as follows:

BY COMMISISONER O'NEIL:

WHEREAS, the City of Chisholm has requested to purchase the following described State tax forfeited land for the appraised value of \$2,900 plus fees for the purpose of a power line and selling a portion to the adjoining business:

Legal : N 8 FT OF N1/2 OF E1/2 OF W1/2 OF E1/2 OF SE1/4 OF NW1/4 OF NW1/4
Twp 58N Rng 20W Sec 28
City of Chisholm
Parcel Codes : 20-210-720
0.02 Acres
LDKEY : 34027

WHEREAS, Minn. Stat. § 282.01, subd. 1(a), authorizes the sale of State tax forfeited land to an organized governmental subdivision for any public purpose for which the subdivision is authorized to acquire property; and

WHEREAS, this land has not been withdrawn from sale pursuant to Minn. Stat. §§ 85.012, 92.461, 282.01, subd 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 State tax forfeited land as described to the City of Chisholm for the appraised value of \$2,900 plus the following fees: 3% assurance fee of \$87, deed fee of \$25, deed tax of \$9.57, recording fee of \$46 and appraisal fee of \$150, for a total of \$3,217.57 to be deposited into Fund 240 (Forfeited Tax Fund).

RESOLVED FURTHER, that the County Auditor shall offer for sale at public auction the described State tax forfeited land if the City of Chisholm does not purchase the land by June 1, 2010.

Adopted March 23, 2010. No. 126

WHEREAS, Grand Lake Township has requested to purchase State tax forfeited land described as:

PART OF NW1/4 OF SE1/4 LYING NLY OF CENTER LINE OF TAFT RD
CSAH NO 48 & ELY OF CENTER LINE OF MUNGER SHAW RD CSAH
NO 15 SECTION 14, TOWNSHIP 52 NORTH, RANGE 16 WEST

WHEREAS, the parcel is not withdrawn from sale pursuant to Minn. Stat. §§ 85.012, 92.461, 282.01, Subd. 8; and 282.018, and other statutes that require the withholding of State tax forfeited lands from sale; 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 Minn. Stat. § 282.01, Subd. 1; and

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WHEREAS, Minn. Stat. § 282.01, provides that classification or reclassification and sale of lands situated within a municipality or organized town must be approved by the governing body of the municipality or town; and

WHEREAS, the reclassification and sale of the parcel will be deemed approved if the County Board does not receive notice of the municipality's or town's disapproval of the reclassification and sale within 60 days of the date on which this resolution is delivered to the clerk; and

WHEREAS, the Land Commissioner recommends that the parcel be reclassified as non-conservation and offered for sale having considered, 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 is currently included in an established Memorial Forest; however, it is more suitable for purposes other than forest management; and

WHEREAS, pursuant to Minn. Stat. § 459.06, Subd. 3, any State tax forfeited land which has been included in a Memorial Forest and found more suitable for other purposes, may be withdrawn from the forest for disposal, if the Commissioner of Natural Resources approves the sale of such land.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board approves the release from Memorial Forest, reclassification to non-conservation and sale of the described State tax forfeited parcel to Grand Lake Township for its appraised value of \$16,560 plus a 3% assurance fee of \$496.80, deed fee of \$25, deed tax of \$54.65, recording fee of \$46, and administration fee of \$250, for a total of \$17,432.45; to be deposited into Fund 240 (Forfeited Tax Fund).

RESOLVED FURTHER, approval for the sale of said parcel shall be requested from the Commissioner of Natural Resources.

RESOLVED FURTHER, the request for approval of the reclassification will be transmitted by the Land Department to the Clerk of the Town of Grand Lake.

RESOLVED FURTHER, the County Auditor shall offer for public sale the described State tax forfeited parcel if Grand Lake Township does not purchase the parcel within six months from the date of the Commissioner of Natural Resources' approval.

Adopted March 23, 2010. No. 127

WHEREAS, the contract with Michael Torgerson, of Duluth, MN, for the purchase of State tax forfeited land is in default for nonpayment of taxes and/or installments; and WHEREAS, the purchaser was properly served with Notice of Cancellation of Contract by civil process and/or publication and has failed to cure the default for lands legally described as:

TOWN OF MCDAVITT

NE1/4 OF NE1/4 EX RY R/W 3.19 AC AND EX S1/2 OF S1/2

and S1/2 OF S1/2 OF NE1/4 OF NE1/4 EX 1.06 AC FOR RR R/W

Sec/twp/rge : 15 56.0 18

Parcel Code: 435-10-2530, 2535

NOW, THEREFORE, BE IT RESOLVED, that the St Louis County Board approves the cancellation of contract C22070146 for the purchase of State tax forfeited land described above, according to the provisions of Minn. Stat. § 282.01, Subd. 5, and Minn. Stat. § 282.40, and according to the procedures of Minn. Stat. § 559.21.

Adopted March 23, 2010. No. 128

WHEREAS, the City of Proctor has requested to purchase the following described State tax forfeited land for the appraised value of \$7,666 plus fees for the purpose of a road construction project:

Legal: All that part of Lot 11, Hillside Garden Tracts to Proctor, St. Louis County, Minnesota, lying southerly of the following described line:

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Beginning at the Southeast Corner of Lot 11, Hillside Garden Tracts to Proctor; thence North 00 degrees 09 minutes 13 seconds West along the east line of said Lot 11, a distance of 50.20 feet; thence North 18 degrees 30 minutes 39 seconds West, a distance of 40.58 feet; thence South 89 degrees 04 minutes 09 seconds West, a distance of 75.00 feet; thence North 14 degrees 58 minutes 02 seconds West, a distance of 20.62 feet; thence South 89 degrees 04 minutes 09 seconds West, a distance of 6.56 feet to the west line of said Lot 11 and said line there terminating.

Parcel Code: 185-90-110 (part of)
Acres +-0.20
LDKEY: 36075 (part of), also;

Legal: All that part of Lot 12, Hillside Garden Tracts to Proctor, St. Louis County, Minnesota, lying southerly and easterly of the following described line:

Beginning at the Southeast Corner of Lot 12, Hillside Garden Tracts to Proctor; thence North 00 degrees 09 minutes 13 seconds West along the east line of said Lot 12, a distance of 108.73 feet; thence South 89 degrees 04 minutes 09 seconds west, a distance of 29.32 feet; thence South 20 degrees 30 minutes 58 seconds West, a distance of 105.61 feet to a point 10.00 feet northerly of, measured at right angles to and parallel with the south line of said Lot 12; thence South 00 degrees 55 minutes 51 seconds East, a distance of 10.00 feet to the south line of said Lot 12 and said line there terminating.

Parcel Code: 185-90-120 (part of)
Acres +-0.01
LDKEY: 36076 (part of), also;

Legal: All that part of the South Three-Hundred and Twenty (320.00) Feet of the Southeast Quarter of the Southwest Quarter (SE1/4 of SW1/4) of Section Ten (10), Township Forty-Nine (49) North, Range Fifteen (15) West of the Fourth (4th) Principal Meridian lying westerly of the Duluth Missabe and Iron Range Railway Company Right of Way.

Parcel Code: 185-240-539 (part of)
Acres +-2.72
LDKEY: 36415 (part of), also;

Legal: All that part of the East 250.00 feet of the West Half (W1/2) of the Northeast Quarter of the Northeast Quarter (NE1/4 of NE1/4) of Section Fifteen (15), Township Forty-Nine (49) North, Range Fifteen (15) West of the Fourth (4th) Principal Meridian, lying northerly of the following described line:

Commencing at the Northeast Corner of the NE1/4 of NE1/4 of said Section Fifteen (15); thence South 89 degrees 09 minutes 45 seconds West along the north line of said NE1/4 of NE1/4, a distance of 659.27 feet to a point on the east line of the W1/2 of said NE1/4 of NE1/4; thence South 00 degrees 09 minutes 48 seconds East along said east line of said W1/2 of said NE1/4 of NE1/4, a distance of 58.08 feet to the beginning of the line to be described; thence South 89 degrees 04 minutes 09 seconds West, a distance of 250.02 feet to the west line of the East 250.00 feet of said W1/2 of said NE1/4 of NE1/4 and said line there terminating.

Parcel Code: 185-240-652 (part of)
Acres +-0.34
LDKEY: 36416 (part of), also;

WHEREAS, Minn. Stat. § 282.01, subd. 1(a), authorizes the sale of State tax forfeited land to an organized governmental subdivision for any public purpose for which the subdivision is authorized to acquire property; and

WHEREAS, the parcels of land have been classified as non-conservation land pursuant to Minn. Stat. § 282.01; and

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WHEREAS, the parcels of land have not been withdrawn from sale pursuant to Minn. Stat. §§ 85.012, 92.461, 282.01, subd 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 State tax forfeited land as described to the City of Proctor for the appraised value of \$7,666 plus the following fees: 3% assurance fee of \$229.98, deed fee of \$25, deed tax of \$25.29, recording fee of \$112 and appraisal fee of \$400, for a total of \$8,458.27 to be deposited into Fund 240 (Forfeited Tax Fund).

RESOLVED FURTHER, that the County Auditor shall offer for sale at public auction the described State tax forfeited land if the City of Proctor does not purchase the land by June 30, 2010.

Adopted March 23, 2010. No. 129

WHEREAS, the City of Proctor will be constructing a connector street and extending municipal utilities for the Kirkus Street construction project; and

WHEREAS, the City of Proctor has requested that the St. Louis County Board grant permanent and temporary utility and drainage easements across State tax forfeited land; and

WHEREAS, Minn. Stat. § 282.04, Subd. 4, authorizes the County Auditor to grant easements for such purposes.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board authorizes the County Auditor to grant the following easements to the City of Proctor:

A Ten foot (10') wide utility and drainage easement over, under and across that part of the West Half (W1/2) of the Northeast Quarter of the Northeast Quarter (NE1/4 of NE1/4) of Section Fifteen (15), Township Forty-Nine (49) North, Range Fifteen (15) West of the Fourth (4th) Principal Meridian, lying southerly of and adjacent to the following described line:

Commencing at the Northeast Corner of the NE1/4 of NE1/4 of said Section Fifteen (15); thence South 89 degrees 09 minutes 45 seconds West along the north line of said NE1/4 of NE1/4, a distance of 659.27 feet to a point on the east line of the W1/2 of said NE1/4 of NE1/4; thence South 00 degrees 09 minutes 48 seconds East along said east line of said W1/2 of said NE1/4 of NE1/4, a distance of 58.08 feet to the beginning of the line to be described; thence South 89 degrees 04 minutes 09 seconds West, a distance of 250.02 feet to the west line of the East 250.00 feet of said W1/2 of said NE1/4 of NE1/4 and said line there terminating. The side lines of said easement are prolonged or shortened to terminate on the west line of said East 250.00 feet of said W1/2 of said NE1/4 of NE1/4 and the east line of said W1/2 of said NE1/4 of NE1/4. Containing 0.06 acres more or less.

A Ten foot (10') wide temporary easement for construction purposes over, under and across that part of the West Half (W1/2) of the Northeast Quarter of the Northeast Quarter (NE1/4 of NE1/4) of Section Fifteen (15), Township Forty-Nine (49) North, Range Fifteen (15) West of the Fourth (4th) Principal Meridian, lying between two lines ten (10) feet southerly of and twenty (20) feet southerly of and adjacent to the following described line:

Commencing at the Northeast Corner of the NE1/4 of NE1/4 of said Section Fifteen (15); thence South 89 degrees 09 minutes 45 seconds West along the north line of said NE1/4 of NE1/4, a distance of 659.27 feet to a point on the east line of the W1/2 of said NE1/4 of NE1/4; thence South 00 degrees 09 minutes 48 seconds East along said east line of said W1/2 of said NE1/4 of NE1/4, a distance of 58.08 feet; thence South 89 degrees 04 minutes 09 seconds West, a distance of 76.18 feet to the beginning of the line to be described; thence continuing South 89 degrees 04 minutes 09 seconds West, a distance of 45.00 feet and said line there terminating. Containing 0.01 acres more or less.

A Ten foot (10') wide temporary easement for construction purposes over, under and across that part of the south ten (10) feet of Lot 12, Hillside Garden Tracts to Proctor,

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lying westerly of and adjacent to the following described line:

Commencing at the Southeast Corner of Lot 12, Hillside Garden Tracts to Proctor; thence North 00 degrees 09 minutes 13 seconds West along the east line of said Lot 12, a distance of 108.73 feet; thence South 89 degrees 04 minutes 09 seconds West, a distance of 29.32 feet; thence South 20 degrees 30 minutes 58 seconds West, a distance of 105.61 feet to a point 10.00 feet northerly of, measured at right angles to and parallel with the south line of said Lot 12 and the Beginning of the Line to be described; thence South 00 degrees 55 minutes 51 seconds East, a distance of 10.00 feet to the south line of said Lot 12 and said line there terminating. Containing 0.01 acres more or less.

RESOLVED FURTHER, the granting of these easements is conditioned upon payment of \$261 land use fee and \$46 recording fee, for a total of \$307 to be deposited into Fund 240 (Forfeited Tax Fund).

Adopted March 23, 2010. No. 130

WHEREAS, Minn. Stat. § 282.241 provides that State tax forfeited land may be repurchased by the previous owners subject to payment of delinquent taxes and assessments with penalties, interest and costs; and

WHEREAS, the applicants, Carol Rossini and the Estate of Yvonne A. Wolfe, have applied to repurchase State tax forfeited land; and

WHEREAS, the applicants were the owners of record at the time of forfeiture, and are eligible to repurchase the properties; and

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

NOW, THEREFORE, BE IT RESOLVED, that the St Louis County Board approves the repurchase application by the Estate of Yvonne Wolfe on file in County Board File No. 59058, subject to payment including total taxes and assessments of \$8,407.44, a repurchase application fee of \$114, a deed tax of \$24.48, a deed fee of \$25, and a recording fee of \$46; for a total of \$8,616.92 to be deposited into Fund 240 (Forfeited Tax Fund); and

RESOLVED FURTHER, that the repurchase application by Carol Rossini on file in County Board File No. 59058, is approved subject to payment including total taxes and assessments of \$61,002.13, a repurchase application fee of \$114, a deed tax of \$122.59, a deed fee of \$25, and a recording fee of \$46; for a total of \$61,309.72 to be deposited into Fund 240 (Forfeited Tax Fund).

Adopted March 23, 2010. No. 131

RESOLVED FURTHER, that State Aid funds are being used to participate in the cost of the bridge; that grant monies as matching funds shall be transferred directly to the agency account (Fund 220, Agency 220225, Object 652700), and that the records of the county shall so state.

\$158,262.50	SLC State Aid funds
\$368,038.20	Fund 29 (Grant)
\$526,300.70	SAP 69-668-004

Adopted March 23, 2010. No. 132

WHEREAS, it has been determined that the Rice Lake Road/Arrowhead Road convergence is considered a highly congested traffic area due to the existing road design; and

WHEREAS, the Public Works Department in conjunction with the City of Duluth is planning to rebuild a segment of Arrowhead Road between Arlington Avenue/Rice Lake Road and "South" Rice Lake Road including the road intersections; and

WHEREAS, road easements conveyed to the city as document numbers 45655 and 45656 dated 1964 are inadequate in width to encompass this new project; and

WHEREAS, the project is considered a vital "connection" between the upper and lower segments of CSAH No. 4 (Rice Lake Road) and therefore it is in the interest of St. Louis

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County to dedicate permanent highway right of way to the City of Duluth for adequate project road widths; and

WHEREAS, additional public road right of way is required by the City of Duluth for highway and construction purposes along the northerly portion of a tract of county fee land adjacent to CSAH No. 32 (Arrowhead Road) described as part of the NW ¼ of Section 16, Township 50N, Range 14W.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board dedicates permanent highway right of way to the City of Duluth in trust for the general public, described and shown within "Exhibits A , B and C" attached hereto and made a part hereof.

RESOLVED FURTHER, that the St. Louis County Board dedicates permanent highway right of way to the City of Duluth in trust for the general public that also incorporates easement areas conveyed by St. Louis County to the City of Duluth as filed in the Office of the County Recorder as Document Number 45655 and 45656 recorded December 16, 1964.

RESOLVED FURTHER, that the St. Louis County Board authorizes a temporary right to construct for highway construction and utility relocation purposes to the City of Duluth over, under, and across the Northwest Quarter (NW ¼), Section 16, Township 50 North of Range 14 West of the Fourth Principal Meridian described as follows, expiring December 31, 2013:

The southerly fifty feet (50') of the northerly one-hundred feet (100').

EXHIBIT A

A DEDICATION FOR PERMANENT HIGHWAY RIGHT OF WAY to the City of Duluth in trust for the general public for highway purposes over, under, and across the Northwest Quarter (NW ¼), Section 16, Township 50 North of Range 14 West of the Fourth Principal Meridian described within the following line:

Commencing at the northeast corner of the Northwest Quarter of the Northwest Quarter (NW ¼ of NW ¼), Section 16, Township 50 North of Range 14 West of the Fourth Principal Meridian, thence south along the easterly line of NW ¼ of NW ¼ a distance of 50.00 feet, thence westerly 150.00 feet along a line parallel to and 50.00 feet distant from the northerly line of NW ¼ of NW ¼ to the point of beginning, thence westerly along said line a distance of 156.01, thence southerly along a line parallel to and 306.01 feet distant from the east line of said NW ¼ of NW ¼ a distance of 12.00 feet, thence easterly along a line parallel to and 62.00 feet distant from the north line of said NW ¼ of NW ¼ a distance of 20.53 feet, thence southerly along a line parallel to and 285.48 feet distant from the east line of said NW ¼ of NW ¼ a distance of 28.00 feet, thence easterly along a line parallel to and 90.00 feet distant from the north line of said NW ¼ of NW ¼ a distance of 30.00 feet, thence northerly along a line parallel to and 255.48 feet distant from the east line of said NW ¼ of NW ¼ a distance of 28.00 feet, thence easterly along a line parallel to and 62.00 feet distant from the north line of said NW ¼ of NW ¼ a distance of 117.49 feet, thence North 45 degrees West along the existing right of way as described and shown in easement document #45655 filed for record 12/22/64 a distance of 17.34 feet to the point of beginning, and there terminating.

Said description shown as "Exhibit B" attached hereto and made a part hereof.

Together with a DEDICATION FOR PERMANENT HIGHWAY RIGHT OF WAY to the City of Duluth in trust for the general public for highway purposes over, under, and across the Northwest Quarter (NW ¼), Section 16, Township 50 North of Range 14 West of the Fourth Principal Meridian described within the following line:

Commencing at the northwest corner of the Northeast Quarter of the Northwest Quarter (NE ¼ of NW ¼), Section 16, Township 50 North of Range 14 West of the Fourth

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ST. LOUIS COUNTY, MINNESOTA

Principal Meridian, thence south along the westerly line of NE ¼ of NW ¼ a distance of 50.00 feet, thence easterly along a line parallel to and 50.00 feet distant from the northerly line of NE ¼ of NW ¼ a distance of 314.59 feet, to the point of beginning, thence easterly along said line a distance of 30.00 feet, thence southerly on a line parallel to and 344.59 feet distant from the west line of NE ¼ of NW ¼ a distance of 40.00 feet, thence westerly along a line parallel to and 90.00 feet distant from the north line of said NE ¼ of NW ¼ a distance of 30.00 feet, thence northerly along a line parallel to and 314.59 feet distant from the west line of NE ¼ of NW ¼ a distance of 40.00 feet, to the point of beginning, and there terminating.
Said description shown as "Exhibit C" attached hereto and made a part hereof.

Together with a temporary right to construct for highway construction purposes to the City of Duluth over, under, and across the Northwest Quarter (NW ¼), Section 16, Township 50 North of Range 14 West of the Fourth Principal Meridian described as follows:

The southerly fifty feet (50') of the northerly one-hundred feet (100').

Said temporary right to construct expires December 31, 2013.

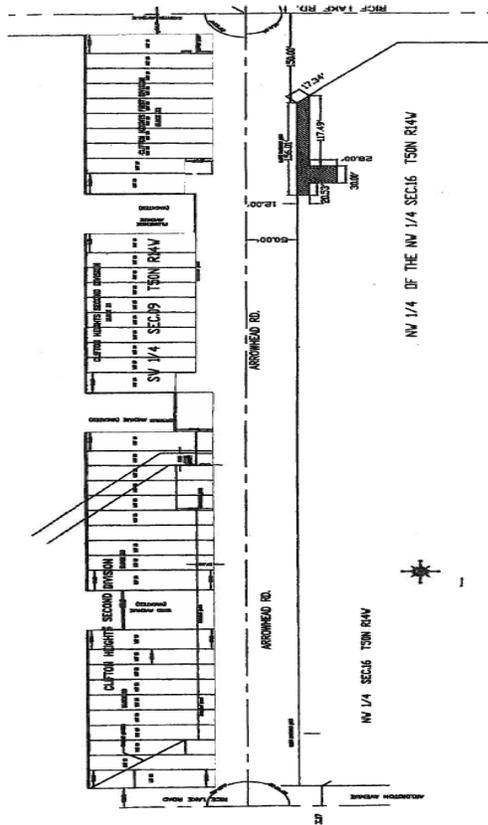
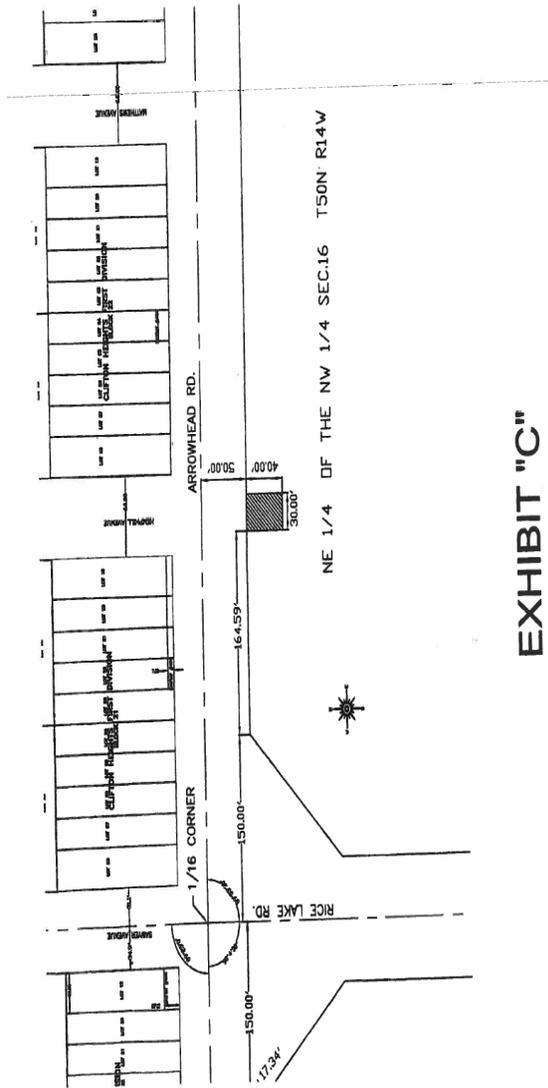


EXHIBIT "B"



Adopted March 23, 2010. No. 133

WHEREAS, it has been determined that the Rice Lake Road/Arrowhead Road convergence is considered a highly congested traffic area due to the existing road design; and
WHEREAS, the City of Duluth in conjunction with St. Louis County is planning to rebuild a segment of Arrowhead Road between Arlington Avenue/Rice Lake Road and "South" Rice Lake Road including the road intersections; and

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WHEREAS, the project is considered a vital "connection" between the upper and lower segments of County State Aid Highway No. 4 (Rice Lake Road) and therefore it is in the interest of St. Louis County to assist/facilitate a successful completion of this project; and WHEREAS, a conveyance of an easement to Minnesota Power for utility purposes across a portion of the NW ¼ of Section 16, Township 50 North, Range 14 West, is a necessary action in order for a like exchange of a highway easement granted by Minnesota Power to the City of Duluth to occur.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the conveyance of necessary easements to complete the above described project and the appropriate county officials are authorized to execute such documents, conveying to Minnesota Power a utility easement for electrical transmission purposes, described and shown within "Exhibits A, B and C".

EXHIBIT A

A PERMANENT EASEMENT for electrical utility purposes over, under, and across the Northwest Quarter (NW ¼), Section 16, Township 50 North of Range 14 West of the Fourth Principal Meridian described within the following line:

Commencing at the northwest corner of the Northwest Quarter of the Northwest Quarter (NW ¼ of NW ¼), Section 16, Township 50 North of Range 14 West of the Fourth Principal Meridian, thence south along the westerly line of NW ¼ of NW ¼ a distance of 50.00 feet, thence easterly 33.00 feet along a line parallel to and 50.00 feet distant from the northerly line of NW ¼ of NW ¼ to the point of beginning, thence easterly along said line a distance 987.12 feet, thence southerly along a line parallel to and 306.02 feet distant of the east line of said NW ¼ of NW ¼ a distance of 12.00 feet, thence easterly along a line parallel to and 62.00 feet distant from the north line of said NW ¼ of NW ¼ a distance of 168.02 feet, thence South 45 degrees East along the existing right of way as described and shown in easement document #45655 filed for record 12/22/64 a distance of 25.47 feet, thence westerly on a line parallel to and 80.00 feet distant of the north line of the NW ¼ of NW ¼ a distance of 334.17 feet, thence northerly along a line parallel to and 871.88 feet distant from the west line of NW ¼ of NW ¼ a distance of 10.00 feet, thence westerly on a line parallel to and 70.00 feet distant of the north line of the NW ¼ of NW ¼ a distance of 838.88 feet, thence northerly along a line parallel to and 33.00 feet distant from the west line of NW ¼ of NW ¼ a distance of 20.00 feet more or less to the point of beginning, and there terminating. Said permanent easement is subject to any and all public road dedications or easements as of record on or before May 1st, 2010.

Said description is shown as "Exhibit B" attached hereto and made a part hereof.

Together with a PERMANENT EASEMENT for electrical utility purposes over, under, and across the Northwest Quarter (NW ¼), Section 16, Township 50 North of Range 14 West of the Fourth Principal Meridian described within the following line:

Commencing at the northwest corner of the Northeast Quarter of the Northwest Quarter (NE ¼ of NW ¼), Section 16, Township 50 North of Range 14 West of the Fourth Principal Meridian, thence southerly along the westerly line of NE ¼ of NW ¼ a distance of 50.00 feet, thence easterly 150.00 feet along a line parallel to and 50.00 feet distant from the northerly line of NE ¼ of NW ¼ to the point of beginning, thence easterly along said line a distance of 482.67 feet, thence southerly on a line parallel to and 632.67 feet distant from the west line of NE ¼ of NW ¼ a distance of 30.00 feet, thence westerly along a line parallel to and 80.00 feet distant from the north line of said NE ¼ of NW ¼ a distance of 512.63 feet, thence North 45 degrees East along the existing right of way as described and shown in easement document #45655 filed for record 12/22/64 a distance of 42.40 feet more or less to the point of beginning, and there terminating. Said permanent easement is subject to any and all public road dedications or easements as of

record on or before May 1st, 2010.

Said description shown as "Exhibit C" attached hereto and made a part hereof.

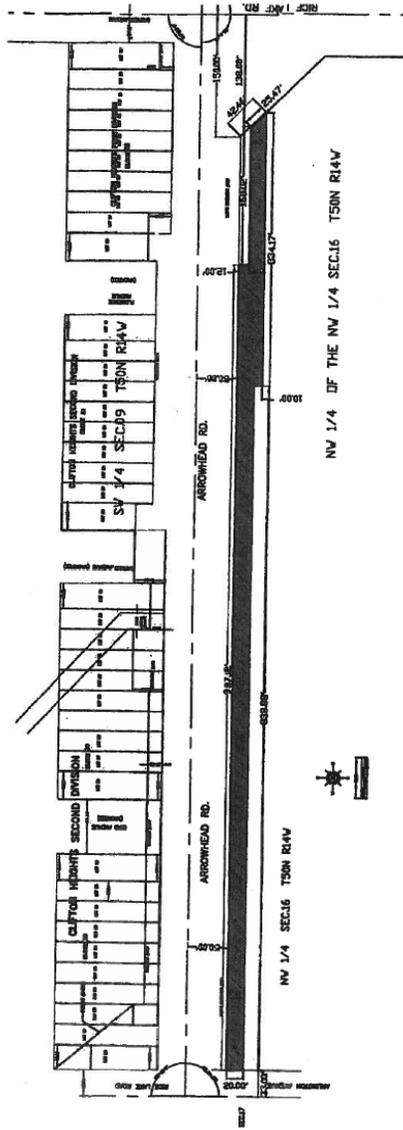


EXHIBIT "B"

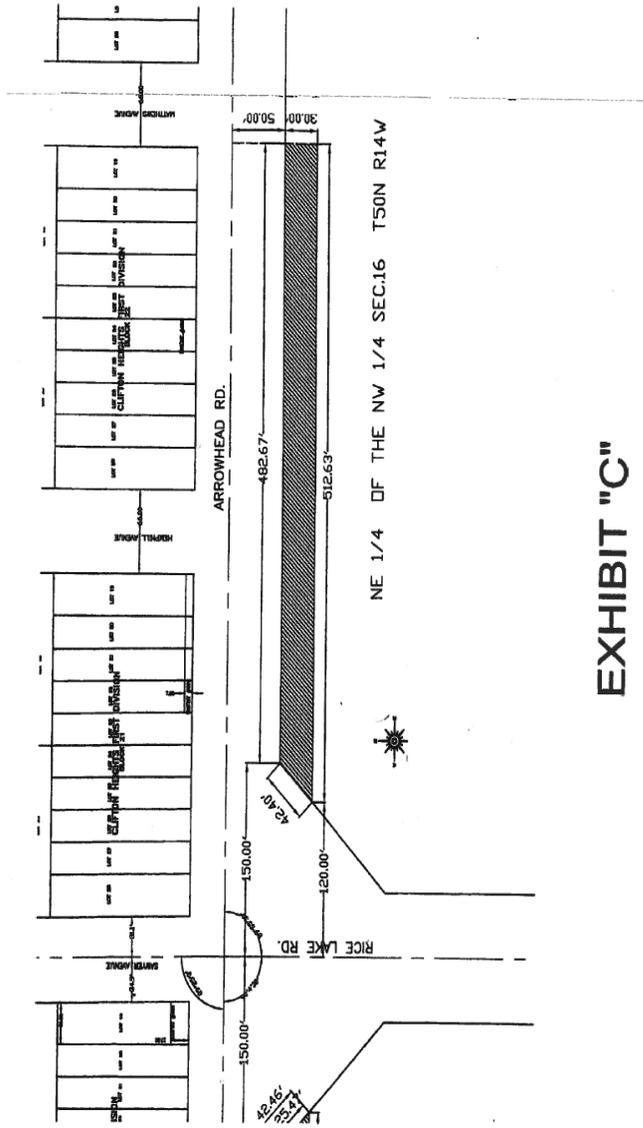


EXHIBIT "C"

PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS 96
ST. LOUIS COUNTY, MINNESOTA

RESOLVED, that the St. Louis County Board authorizes an agreement, and any amendments approved by the County Attorney, with the City of Chisholm where the City will pay its local share for items listed in the Schedule of Prices in the Proposal/Plan Package and Plan described as MP 10022, Crack Sealing 2010, with the funds to be received into Fund 200, Agency 201062, Object 551530.
Adopted March 23, 2010. No. 135

RESOLVED, that the St. Louis County Board authorizes an agreement, and any amendments approved by the County Attorney, with the Town of Gnesen where the Township will pay its local share for items listed in the Schedule of Prices in the Proposal/Plan Package and Plan described as MP 10022, Crack Sealing 2010, with the funds to be received into Fund 200, Agency 201062, Object 551551.
Adopted March 23, 2010. No. 136

WHEREAS, the State of Minnesota, Department of Transportation (MnDOT), will provide payment under the terms of Agreement No. 96162 for the use of County State Aid Highway No. 13 and County State Aid Highway No. 14 as a detour route during the construction of State Project No. 6982-290 (T.H. 35 = 390), and;

WHEREAS, the state is willing to pay for road life consumed by the detours on County State Aid Highway No. 13 and County State Aid Highway No. 14 based on the income determined by the "Gas Tax Method".

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the appropriate county officials to sign Agreement No. 96162 with the State of Minnesota, Department of Transportation, and approve any amendments approved by the County Attorney's Office.

RESOLVED FURTHER, that the compensation shall be estimated in the amount of \$15,504.56, received into Fund 200, Agency 205003, Object 583100.
Adopted March 23, 2010. No. 137

RESOLVED, that the St. Louis County Board authorizes the appropriate county officials to enter into an agreement, and any amendments approved by the County Attorney, with Lake County whereby Lake County will pay its local share items listed in the Schedule of Prices in the Proposal/Plan Package and Plan described as MP 10025, Striping 2010. The funds received from Lake County will be received into Fund 200, Agency 207001, Rev. 551508.
Adopted March 23, 2010. No. 138

RESOLVED, that the St. Louis County Board authorizes the appropriate county officials to enter into an agreement, and any amendments approved by the County Attorney, with the City of Virginia whereby the City will pay its local share items listed in the Schedule of Prices in the Proposal/Plan Package and Plan described as MP 10025, Striping 2010. The funds received from the City of Virginia will be received into Fund 200, Agency 207001, Rev. 551505.
Adopted March 23, 2010. No. 139

RESOLVED, that the St. Louis County Board authorizes the appropriate county officials to enter into an agreement, and any amendments approved by the County Attorney, with the City of Eveleth whereby the city will pay its local share items listed in the Schedule of Prices in the Proposal/Plan Package and Plan described as MP 10025, Striping 2010. The funds received from the City of Eveleth will be received into Fund 200, Agency 207001, Rev. 551519.
Adopted March 23, 2010. No. 140

RESOLVED, that the St. Louis County Board authorizes the appropriate county officials to enter into an agreement with the Town of Fayal, and any amendments approved by the County Attorney's office, whereby the Township will pay the project costs and

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engineering and administrative fees for the project listed as MP 6705-99999, and other costs detailed in the agreement or incurred by the County. The funds from the Township for project MP 6705-99999 will be receipted into Fund 200, Agency 200224, Object 551537, with the amount budgeted for expense and determined at the time of opening of bids.

Adopted March 23, 2010. No. 141

RESOLVED, that the St. Louis County Board authorizes the appropriate county officials to sign Minnesota Department of Transportation Agreement No. 95980 for SP 69-596-005, County Project 3723 , and any amendments approved by the County Attorney's Office, with the State of Minnesota, Department of Transportation, and the City of Tower, for the following purposes:

To provide for payment by the county to the state of the county's share of the costs for the state to perform periodic construction inspection, Federal Compliance Reviews, bridge materials inspection and environmental mitigation monitoring of the grading, bituminous surfacing, drainage, signing and Bridge No. 69682 construction and other associated construction to be performed upon, along and adjacent to Trunk Highway N. 1/169 from 700 feet southwest of Trunk Highway No. 135 to the Junction of Cedar Street in Tower and upon, along and adjacent to Trunk Highway No. 135 from Trunk Highway No. 169 to 2100 feet southeast of Trunk Highway No. 169 within the corporate limits of the City of Tower under State Project No. 6903-15 and State Project No. 6913-33; and

RESOLVED FURTHER, that costs to the state to be paid from Fund 220, Agency 220215, Object 626600, will be reimbursed by the City of Tower.

Adopted March 23, 2010. No. 142

WHEREAS, the Public Works Department budgets for the purchase of lubricating oils, greases, coolants and fluids; and

WHEREAS, the Public Works Department prepared specifications and the Purchasing Department issued Bid 4869 for lubricating oils, greases, coolants and fluids; and

WHEREAS, Anderson Lubricants of Superior, Wisconsin, submitted the lowest bid meeting specifications to supply these products in the amount of \$107,671.25.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board authorizes the appropriate county officials to enter into an agreement for one year with Anderson Lubricants of Superior, Wisconsin, for the purchase of lubricating oils, greases, coolants and fluids at the prices submitted with Bid 4869 estimated at \$107,671.25 annually, with the option to extend for two additional one-year periods upon mutual agreement of both parties, payable from Fund 200, Agency 207001, Object 653500.

Adopted March 23, 2010. No. 143

RESOLVED, that the St. Louis County Board approves the applications for abatements, correction of assessed valuations and taxes plus penalty and interest, and any additional accrual, identified in County Board File No. 59036.

Adopted March 23, 2010. No. 144

WHEREAS, there have been changes in state statutes that require the purchasing of "Made in the USA" products for uniforms, safety equipment, and/or protection accessories; and

WHEREAS, the Purchasing Department has researched the state for local vendors to rent similar and/or same items; and

WHEREAS, the Purchasing Department has confirmed with the State Materials Management Division that there are no local vendors that provide the same or similar items.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board accepts a (3) three-year agreement with (2) two (1) one-year extensions commencing April 1, 2010,

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ST. LOUIS COUNTY, MINNESOTA

through March 31, 2013, with Ameripride Linen and Apparel Services.
Adopted March 23, 2010. No. 145

WHEREAS, Minnesota Elevator Incorporated (MEI) has provided elevator maintenance to St. Louis County since 2005; and
WHEREAS, the current contract expires March 31, 2010, with no further extension options; and

WHEREAS, the Purchasing Department issued a Request for Bids which opened on February 22, 2010, with Minnesota Elevator Incorporated being the lowest responsible bidder.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board authorizes the appropriate county officials to enter into a three year agreement with Minnesota Elevator, Inc., 802 Garfield Avenue, Duluth, MN, 55802, for elevator maintenance in the amount of \$115,290.00, the option to extend for two additional one-year periods upon mutual agreement of both parties, and authorization to add or delete elevators from the contract as may be required.

FUNDING: (annual)

<u>Fund</u>	<u>Agency</u>	<u>Object</u>
200	202002	630900
100	128002	630900
100	128003	630900
100	128004	630900
100	128006	630900
100	128008	630900
100	128009	630900
100	128013	630900
100	128001	629900

Adopted March 23, 2010. No. 146

RESOLVED, the St. Louis County Board authorizes the appropriate county officials to execute an agreement for Inter-Agency Mutual Assistance with Superior, Wisconsin, and that such requests for assistance must be for emergency or specific public safety concerns and not for routine law enforcement duties or to substitute for active personnel of the requesting entity.

RESOLVED FURTHER, that said agreement shall be approved as to form and execution by the County Attorney's Office.

Adopted March 23, 2010. No. 147

WHEREAS, the St. Louis County Public Health and Human Services Advisory Committee was established to make recommendations relative to the public health and human service needs of St. Louis County communities; and

WHEREAS, members of the Public Health and Human Services Advisory Committee are appointed by the St. Louis County Board to serve 3-year staggered terms of membership.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board reappoint the following five citizens to serve as members of the St. Louis County Public Health and Human Services Advisory Committee:

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ST. LOUIS COUNTY, MINNESOTA**

<u>Member Name</u>	<u>Commissioner District</u>	<u>Term Expires</u>
Kathy Heltzer	#2	January 1, 2013
Rudy Semeja	#6	January 1, 2013
Tony Kuznik	#7	January 1, 2013
Sue Bratulich	#7	January 1, 2013
Jim Taray	At Large	January 1, 2013

RESOLVED FURTHER, that the St. Louis County Board appoint two new members to serve as members of the St. Louis County Public Health and Human Services Advisory Committee as follows:

<u>Member Name</u>	<u>Commissioner District</u>	<u>Term Expires</u>
Beth Ronning	#5	January 1, 2011
Rocci Lucarelli	#6	January 1, 2012

Adopted March 23, 2010. No. 148

WHEREAS, quotes have been received by the St. Louis County Public Works Department for the following project:

MP 7-98789 Bridge repair project for Bridge 808 on County State Aid Highway 7 (Industrial Road) in Industrial Twp, MN.

WHEREAS, said quotes were opened in the Public Works Facility at 4787 Midway Rd, Duluth, MN, 55811, at 10:00 a.m., March 15, 2010, and the lowest responsible quote has been determined.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the award on the above project to the lowest quote.

<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
Northland Constructors of Duluth, LLC	4843 Rice Lake Rd. Duluth, MN 55803	\$99,250.00

RESOLVED FURTHER, that the appropriate county officials are authorized to approve the Contractor's Performance Bonds and to execute the bonds and contract for the above listed project payable from Fund 200, Agency 203222, Object 652800.

Adopted March 23, 2010. No. 149

RESOLVED, that the St. Louis County Board appoints Commissioner Peg Sweeney and Management Analyst Erik Birkeland as its representatives to the Duluth International Airport Joint Zoning Board for two (2) year terms expiring on December 31, 2011.

Adopted March 23, 2010. No. 150

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, dated March 12, 2010, on file in the office of the County Auditor, identified as County Board File No. 59016, is hereby received and ratified as payable from Fund 730, Agency 730001.

Adopted March 23, 2010. No. 151

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 liquors are hereby approved, on file in the office of the County Auditor, identified as County Board File No. 59049;

PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS 100
ST. LOUIS COUNTY, MINNESOTA

Ely Golf Club Corp., Inc., d/b/a Ely Golf Club, Morse Township, Permit No. BC111;
Michael Grubb d/b/a Hitching Post, Gnesen Township, Permit No. S116;
Back Country Bar, Inc., d/b/a Hugo's, Ault Township, Permit No. S1121;
Kathryn Brown d/b/a K.T.'s Floodwood Lake Resort & Campground, Cedar Valley Township, Permit No. S1117;
Wilkins Pine Aire Resort, Inc., d/b/a Pine Aire Resort, Kabetogama Township, Permit No. S1115;
Vernon Skoglund d/b/a Silver Fox Lodge, Gnesen Township, Permit No. S1111.
Adopted March 23, 2010. No. 152

BY COMMISSIONER FORSMAN:

WHEREAS, Vaughn, Inc., d/b/a Junction Bar & Grill, Unorganized Township 61-13, St. Louis County, Minnesota, has applied for an off-sale intoxicating liquor license; and
WHEREAS, Minn. Stat. 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 March 23, 2010, at or about 9:35 A.M. in the Ely Recreation Center, Ely, Minnesota, for the purpose of considering the granting of the off-sale intoxicating liquor license; and
WHEREAS, with regard to the application for the license, Junction Bar & Grill 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 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 CMB10131) shall be issued to Vaughn, Inc., d/b/a Junction Bar & Grill, located in Area 2, for an annual fee of \$200.
RESOLVED FURTHER, that the liquor license shall be effective through June 30, 2010.
RESOLVED FURTHER, that this liquor license is contingent upon applicant Vaughn, Inc., complying in all respects with the controlling building, construction, zoning, liquor, health, environmental and sanitary laws, rules and regulations for the liquor license and in the construction of the licensed premises.
RESOLVED FURTHER, that the license is approved contingent upon payment of real estate taxes when due.
RESOLVED FURTHER, that if named license holder sells the licensed place of business, the County Board, after an investigation, may transfer the license to a new owner but without pro-rated refund of license fee to the license holder.
RESOLVED FURTHER, that issuance of the off-sale intoxicating liquor license is contingent on submission of proof of liquor liability insurance to the County Auditor.
Unanimously adopted March 23, 2010. No. 153

BY COMMISSIONER O'NEIL:

WHEREAS, St. Louis County Board Resolution 08-643, dated December 2, 2008, authorized county staff to enter into negotiations with the St. Louis County Housing and Redevelopment Authority (HRA) to transfer all staff responsibilities from the HRA to the Planning and Development Department; and
WHEREAS, on July 14, 2009, the HRA Board authorized the HRA Executive Director to execute a contract with St. Louis County to transfer all staff responsibilities from the HRA to the Planning and Development Department.
NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the appropriate county officials to complete the work necessary to bring the St. Louis County Housing and Redevelopment Authority employee into St. Louis County employment in a manner that will provide a compensation and benefits package that is comparable to what the employee is currently receiving from the Housing and Redevelopment Authority within the Planner II classification.

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ST. LOUIS COUNTY, MINNESOTA

Yeas – Commissioners O’Neil, Dahlberg, Forsman, Nelson, and Chair Raukar – 5

Nays – Commissioner Fink – 1

Absent – Commissioner Sweeney – 1

Adopted March 23, 2010. No. 154

At 10:25 a.m., March 23, 2010, Commissioner Dahlberg, supported by Commissioner Nelson, moved to adjourn the meeting, six yeas, zero nays.

Steve Raukar, Chair of the Board
of County Commissioners

Attest:

Donald Dicklich, 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, 2010

**OFFICIAL PROCEEDINGS OF THE MEETING
OF THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF ST. LOUIS, MINNESOTA,
HELD ON APRIL 6, 2010**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 6th day of April, 2010, at 9:35 a.m., in the County Board Room, Duluth, Minnesota, with the following members present: Commissioners Dennis Fink, Steve O'Neil, Chris Dahlberg, Mike Forsman, Peg Sweeney, Keith Nelson, and Chair Steve Raukar – 7. Absent: None.

Chair Raukar asked for a moment of silence to honor U.S. troops serving throughout the world and their families at home as well as all persons whose lives are adversely affected by war.

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

Commissioner O'Neil, supported by Commissioner Nelson, moved to approve the consent agenda. At the request of Commissioner Sweeney, item no. 7 (Grant from Office of Justice Programs for Juvenile Detention Alternatives Initiative) from the Consent Agenda was removed for separate consideration under Public Safety and Corrections; seven yeas, zero nays.

Commissioner Nelson, supported by Commissioner Sweeney, moved to approve a resolution authorizing purchase of Computer Sciences Corporation RISKMASTER General Claims Module. Administrator Kevin Gray said the license fee of \$5,750 is a one-time fee only. Administrator Gray said the module is to help insure legal compliance with all claims, not just worker's compensation; seven yeas, zero nays. Resolution No. 170.

Commissioner Nelson, supported by Commissioner Forsman, moved to approve a resolution directing appropriate county officials to secure \$750,000 in 2009 state bond funding through the Minnesota Department of Employment and Economic Development (DEED). Administrator Gray presented the background and said it is for design and construction of three restroom/shower structures at the North St. Louis County Agricultural Fair site. In order to receive the grant the county must enter into three agreements: 1) the grant application with DEED, 2) a twenty year building lease agreement with St. Louis County Agricultural Fair Association and, 3) a land lease agreement up to 50 years with Iron Range Resources (IRR). Commissioner Fink expressed concerns with some ambiguous language in the resolution, potential liability to the county and the length of the agreements. Administrator Gray clarified the language and said he would be responsible for negotiating the terms of the agreements. County Attorney Ford said IRR is a state agency and a 20 year agreement could be negotiated. Commissioner Dahlberg also expressed concerns with the 50 year lease and liability to the county, and asked if another week would allow time to get an opinion on this.

Administrator Gray said he and Planning Director Barb Hayden have been diligent on this and doesn't think waiting a week will bring forth any different information. Chair Raukar said this is virtually risk-free and a good example of intergovernmental cooperation. In response to a question from Commissioner O'Neil, Administrator Gray said the Fair Association is responsible for insuring the structures. Commissioner Nelson, supported by Commissioner Forsman, moved to amend the motion by adding language specifically transferring ownership to the St. Louis County Fair Association. County Attorney Ford suggested – and the makers agreed – to add language transferring ownership at the end of the 20 year building lease agreement. Commissioner Forsman said the grant benefits the public, the Agriculture Society, and the county and is relatively risk-free. Commissioner Dahlberg offered a friendly amendment – not accepted by the makers – changing the land lease agreement from up to 50 years to up to 20 years. Commissioner Dahlberg, supported by Commissioner Fink, moved to formally amend the motion changing the land lease agreement to up to 20 years. After brief discussion the amendment failed; two yeas, five nays, Commissioners O'Neil, Forsman, Sweeney, Nelson, and Chair Raukar. Commissioner Sweeney, supported by Commissioner Nelson, moved to call the question; seven yeas, zero nays. The original motion, as amended, was approved; six yeas, one nay, Commissioner Fink. Resolution No. 171.

Commissioner Sweeney, supported by Commissioner O'Neil, moved to approve consent item No. 7 (Grant from Office of Justice Programs for Juvenile Detention Alternatives Initiative), amended to reflect a higher grant award. Administrator Gray said the county resolution must be amended to reflect additional grant money up to \$90,000. In response to a question from Commissioner Fink, County Attorney Ford said this is a recurring grant; seven yeas, zero nays. Resolution No. 161.

Commissioner Nelson said the 2009 Annual Report from the Inspector of Mines was recently distributed and noted it was a safe year, although overall shipping was down.

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

Kevin Gray, County Administrator, and Barbara Hayden, Planning and Development Director, submitting Board Letter No. 10-102, Amend Ordinance 46, County Zoning Maps, S ½ of N ½ of NW ¼, Section 13, Township 55 North, Range 17 West (Ellsburg Township).—59064

Agreement for Professional Services between the County of St. Louis and DSGW Architects, Inc., for the Ely Lease Remodeling Project – Construction Phase.—10-234

Agreement for Professional Services between the County of St. Louis and Twin Ports Testing for the Downtown Duluth Parking Lot Repair Project – Soil Boring.—10-235

Grant Approval Form from the MN Office of Justice Programs thru the St. Louis County Attorney for the Juvenile Detention Alternatives Initiative OJP Grant.—10-236

Grant Approval Form from the MN Office of Justice Programs thru the St. Louis County Attorney for the Annie E. Casey Foundation Grant.—10-237

Grant Approval Form from the MN Department of Emergency Communications Network (DECN) thru the St. Louis County Sheriff for the Allied Radio Matrix for Emergency Response (ARMER) Grant.—10-238

Grant Approval Form from the Minnesota DEED thru the North St. Louis County Bond

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS 104
ST. LOUIS COUNTY, MINNESOTA

Fund for the N. SLC Fair Infrastructure Grant.—[10-239](#)

Agreement for Purchase of Services between St. Louis County and the Duluth Seaway Port Authority for economic development activities.—[10-240](#)

Lease Agreement between St. Louis County and the City of Duluth regarding the Duluth Police Department garage and storage facilities at the St. Louis County Government Services Center and outside parking spaces.—[10-241](#)

Home and Community-Based Waiver Services Contract, Contract No. 14719, between the St. Louis County Board of Commissioners and Donna Rowan and Ernest Rowan.—[10-242](#)

Home and Community-Based Waiver Services Contract, Contract No. 14747, between the St. Louis County Board of Commissioners and Cindy K. Turnquist, RN.—[10-243](#)

Home and Community-Based Waiver Services Contract, Contract No. 14598, between the St. Louis County Board of Commissioners and Vallie Adult Foster Care Home. —[10-244](#)

Home and Community-Based Waiver Services Contract, Contract No. 14599, between the St. Louis County Board of Commissioners and Woodsview Home. —[10-245](#)

Home and Community-Based Waiver Services Contract, Contract No. 14586, between the St. Louis County Board of Commissioners and Brandt Adult Foster Home. —[10-246](#)

Home and Community-Based Waiver Services Contract, Contract No. 14584, between the St. Louis County Board of Commissioners and Balmer Adult Foster Home (Amity House). —[10-247](#)

Home and Community-Based Waiver Services Contract, Contract No. 14596, between the St. Louis County Board of Commissioners and Donna Tracy Adult Foster Home. —[10-248](#)

Home and Community-Based Waiver of Services Contract, Contract No. 14544, between the St. Louis County Board of Commissioners and Cook Hospital, d/b/a Daybreak Adult Day Services. —[10-249](#)

Addendum to Home and Community-Based Waiver of Services Contract, Contract No. 14606A, between the St. Louis County Board of Commissioners and St. Ann's Residence. —[10-250](#)

Addendum to Home and Community-Based Waiver of Services Contract, Contract No. 14607A, between the St. Louis County Board of Commissioners and The Hummingbird, Inc. —[10-251](#)

Addendum to Home and Community-Based Waiver of Services Contract, Contract No. 14627A, between the St. Louis County Board of Commissioners and Keystone Five Star, LLC, d/b/a Keystone Bluffs Assisted Living, LLC. —[10-252](#)

Addendum to Home and Community-Based Waiver of Services Contract, Contract No. 14628A, between the St. Louis County Board of Commissioners and Diamond Willow Living, LLC, d/b/a Diamond Willow Assisted Living Services, LLC. —[10-253](#)

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ST. LOUIS COUNTY, MINNESOTA

Addendum to Home and Community-Based Waiver of Services Contract, Contract No. 14629A, between the St. Louis County Board of Commissioners and Five Star Living of Mountain Iron, LLC, d/b/a Diamond Willow Assisted Living of Mountain Iron. —10-254

Addendum to Home and Community-Based Waiver of Services Contract, Contract No. 14677A, between the St. Louis County Board of Commissioners and McCarthy Manor, Inc. —10-255

Addendum to Home and Community-Based Waiver of Services Contract, Contract No. 14542A, between the St. Louis County Board of Commissioners and Interim Healthcare of Lake Superior, Inc. —10-256

Addendum to Home and Community-Based Waiver of Services Contract, Contract No. 14530A, between the St. Louis County Board of Commissioners and Andersons Pine Grove Home, Inc. —10-257

Addendum to Home and Community-Based Waiver of Services Contract, Contract No. 14618A, between the St. Louis County Board of Commissioners and Spirit Valley Assisted Living, LLC. —10-258

Addendum to Home and Community-Based Waiver of Services Contract, Contract No. 14688A, between the St. Louis County Board of Commissioners and River Hill Assisted Living, Inc. —10-259

Addendum to Home and Community-Based Waiver of Services Contract, Contract No. 14612A, between the St. Louis County Board of Commissioners and Serving Hands, Inc. —10-260

Addendum to Home and Community-Based Waiver of Services Contract, Contract No. 14562A, between the St. Louis County Board of Commissioners and Garden House Estates, Ltd. —10-261

Addendum to Home and Community-Based Waiver of Services Contract, Contract No. 14519A, between the St. Louis County Board of Commissioners and Accessible Space, Inc. —10-262

Addendum to Home and Community-Based Waiver of Services Contract, Contract No. 14673A, between the St. Louis County Board of Commissioners and Hillside Homes of Duluth, Inc. —10-263

Addendum to Home and Community-Based Waiver of Services Contract, Contract No. 14313A, between the St. Louis County Board of Commissioners and Arrowhead Senior Living Community d/b/a St. Raphael's Health and Rehabilitation Center. —10-264

Addendum to Home and Community-Based Waiver of Services Contract, Contract No. 14670A, between the St. Louis County Board of Commissioners and Salmi Homes, Inc. —10-265

Addendum to Home and Community-Based Waiver of Services Contract, Contract No. 14630A, between the St. Louis County Board of Commissioners and Ecumen, d/b/a Lakeshore. —10-266

Addendum to Home and Community-Based Waiver of Services Contract, Contract No.

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ST. LOUIS COUNTY, MINNESOTA

14615A, between the St. Louis County Board of Commissioners and Edgewood Hermantown II Senior Living, LLC. —[10-267](#)

Addendum to Home and Community-Based Waiver of Services Contract, Contract No. 14616A, between the St. Louis County Board of Commissioners and Edgewood Virginia I Senior Living, LLC. —[10-268](#)

Addendum to Home and Community-Based Waiver of Services Contract, Contract No. 14614A, between the St. Louis County Board of Commissioners and Edgewood Hermantown I Senior Living, LLC. —[10-269](#)

Addendum to Home and Community-Based Waiver of Services Contract, Contract No. 14676A, between the St. Louis County Board of Commissioners and Golden Oaks – Proctor, Inc., d/b/a Golden Oaks Advanced Assisted Living Plus – Proctor. —[10-270](#)

Addendum to Home and Community-Based Waiver of Services Contract, Contract No. 14668A, between the St. Louis County Board of Commissioners and Golden Oaks, Inc. —[10-271](#)

Addendum to Purchase Agreement, Contract No. 10986A, between the St. Louis County Board of Commissioners and Cook Community Hospital, for Respite Care Services. —[10-272](#)

Group Residential Housing Rate Agreement, Contract No. 50802, between the St. Louis County Board of Commissioners and TBI Residential and Community Services - #37. —[10-273](#)

Group Residential Housing Rate Agreement, Contract No. 50826, between the St. Louis County Board of Commissioners and Sherry L. Gillis (Adult Foster Home). —[10-274](#)

Purchase of Services Agreement, Contract No. 14768, between the St. Louis County Board of Commissioners and Ridgewood Recovery, Inc., d/b/a The Superior Treatment Center, for Chemical Dependency Treatment Services. —[10-275](#)

Purchase of Services Agreement, Contract No. 20864, between St. Louis County and Arrowhead Center, for Social Services. —[10-276](#)

Purchase of Services Agreement, Contract No. 20873, between St. Louis County and Indian Legal Assistance Program, for Social Services. —[10-277](#)

Purchase of Service Agreement, Contract No. 20881, between St. Louis County and United Way of Greater Duluth, for Information and Referral. —[10-278](#)

Grant Agreement, Contract No. 20888, between St. Louis County and United Way of Greater Duluth, for Disaster Preparedness. —[10-279](#)

Grant Agreement, Contract No. 20893, between St. Louis County and Community Action Duluth, for Minnesota Innovation Fund 2010 Transportation and Short-term Training. —[10-280](#)

Addendum to Grant Agreement, Contract No. 20708B, between the St. Louis County Board of Commissioners and Range Mental Health Center, Inc., for Sub-acute Detoxification and Hold Services. —[10-281](#)

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ST. LOUIS COUNTY, MINNESOTA

Agreement for Professional Services between the County of St. Louis and Architectural Resources Incorporated, for the Hibbing Racetrack Repair Project.—[10-282](#)

Grant Agreement, Contract No. 20892, between the St. Louis County Board of Commissioners and the Arrowhead Economic Opportunity Agency for Minnesota Innovation Fund 2010 Transportation and Short-Term Training. —[10-283](#)

Grant Agreement, Contract No. 20897, between the St. Louis County Board of Commissioners and the Arrowhead Economic Opportunity Agency for Statewide Minnesota Family Investment Program (MFIP) Employment Services and Diversionary Work Program Services (DWP). —[10-284](#)

Easement Grant between the County of St. Louis and Minnesota Power across a portion of the NW ¼ of Section 16, Township 50 North, Range 14 West (Arrowhead Road). —[10-285](#)

Lease Agreement between St. Louis County and the City of Duluth for the Duluth Police Department Headquarters Facility at the St. Louis County Public Safety Building in Duluth, MN. —[10-286](#)

County-State Aid Highway Project Contract between the County of St. Louis and Northland Constructors of Duluth, LLC, for MP 7-98789, Structural Steel Repairs on St. Louis County Bridge No. 808 (State Bridge No. 7649). —[10-287](#)

Cooperative Construction Agreement, Mn/DOT Agreement No. 95980-R, between the State of Minnesota Department of Transportation, St. Louis County and the City of Tower, for SP 6903-015, SP 6913-33, SP 69-596-005, Fed. Proj. HPPH H185 (001) (inspection and monitoring of Bridge No. 69682 construction). —[10-288](#)

Detour Agreement, Mn/DOT Agreement No. 96162, between the State of Minnesota Department of Transportation and St. Louis County for SP 6982-290, Fed Proj. No. IM-BHIM-NH-BHNN 6910(123) (Trunk Hwy 35 & Trunk Hwy 2 detours). —[10-289](#)

Service Contract, Contract No. 4854, between the County of St. Louis and AmeriPride Linen & Apparel Services. —[10-290](#)

Agreement between the County of St. Louis and the Iron Range Resources to purchase State tax forfeited land for Giants Ridge. —[10-291](#)

Employee Development Training Contract between St. Louis County and Ward Melenich for *Excel Functions 2003*, *Excel Functions 2007*, *Excel Formulas 2003*, and *Excel Formulas 2007*. —[10-292](#)

Employee Development Training Contract between St. Louis County and Clark Bennett for *Defensive Driving*. —[10-293](#)

Employee Development Training Contract between St. Louis County and Gary Boelhower for *Respectful Workplace*. —[10-294](#)

Employee Development Training Contract between St. Louis County and Maria Stalzer Wyant Cuzzo for *Respectful Workplace*. —[10-295](#)

Employee Development Training Contract between St. Louis County and Ann Harrington Training & Consulting for *Compassionate Communications: "How to Talk So*

Others Will Listen & How to Listen So Others Will Talk” and Compassionate Communication Practice Session. —10-296

Employee Development Training Contract between St. Louis County and Rod Raymond Seminars for *It’s My Life: Where do I go from Here?* —10-297

Employee Development Training Contract between St. Louis County and Advance Training & Consulting, LLC, for *Word Mail Merge 2003, Word Mail Merge 2007, Word Tables 2003, Word Tables 2007, Access Imports, & Access Consultant.* —10-298

Employee Development Training Contract between St. Louis County and Patricia Merrier for *Plain English.* —10-299

Agreement between the County of St. Louis, Donald Dicklich, St. Louis County Auditor, and the Carlton-Cook-Lake-St. Louis Community Health Board for fiscal accounting services from January 1, 2010 through December 31, 2010. —10-300

Amendment to Contract, DAMION #07-3979, Agreement for Collection of Residential and Commercial Recyclable Materials, between St. Louis County and the City of Hibbing. —10-301

Upon motion of Commissioner O’Neil, supported by Commissioner Nelson, Resolutions numbered 155 through 160, and 162 through 169, as submitted to this Board on the Consent Agenda, were unanimously adopted as follows:

BY COMMISSIONER O’NEIL:

WHEREAS, on March 11, 2010, the St. Louis County Planning Commission held a public hearing regarding a request to rezone portions of the S 1/2 of the N 1/2 of the NW 1/4, Section 13, Township 55 North, Range 17 West; and

WHEREAS, the St. Louis County Planning Commission recommends approval of the rezoning.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves rezoning for the S 1/2 of the N 1/2 of the NW 1/4, Section 13, Township 55 North, Range 17 West (Ellsburg), from RES-5 to FAM-3, effective April 30, 2010.

Adopted April 6, 2010. No. 155

WHEREAS, the St. Louis County Public Works Department plans to replace County Bridge 232 and to reconstruct approximately 325 feet of the adjacent County Road 965 located approximately 2 miles west of County State Aid Highway No. 5 in Toivola Township (T54-R20); and

WHEREAS, these improvements consist of widening and reconstructing the roadway and bridge replacement as determined necessary for the safety and convenience of the public; and

WHEREAS, in addition to the existing highway right of way, certain lands are required for this construction (together with temporary construction easements) which include State of Minnesota tax forfeited land.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the acquisition of the necessary lands and temporary easements for this project, payable from Fund 200, Agency 2003001, Objects 636500 and 636600.

RESOLVED FURTHER, that pursuant to Minn. Stat. § 282.04, subdivision 4, the St. Louis County Board hereby authorizes the County Auditor to grant the necessary right of way easements for highway purposes over, under, and across the following Tax Forfeited parcels (shown on Exhibit A, attached):

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

Parcel 1 - South Half (S 1/2) EXCEPT the Northeast Quarter of the Southeast Quarter (NE 1/4 of SE 1/4), Section 3, Township 54 North, Range 20 West of the Fourth Principal Meridian (P.I.N. # 550-0020-00440)

Parcel 2 - Southwest Quarter of the Southwest Quarter (SW 1/4 of SW 1/4), Section 2, Township 54 North of Range 20 West of the Fourth Principal Meridian (P.I.N. # 550-0020-00280).

EXHIBIT A

CR 965
Parcel 1 – Tax Forfeit

MP 69-
County Project 3726

Legal Description:

South Half (S1/2) EXCEPT the Northeast Quarter of the Southeast Quarter (NE 1/4 of SE 1/4), Section 3, Township 54 North, Range 20 West of the Fourth Principal Meridian.

Rights to be Acquired:

A PERMANENT EASEMENT for highway purposes over, under and across that part of the above property described as follows:

Commencing at the Southeast corner of Section 3, Township 54 North, Range 20 West and assuming the east line of said Section 3 to bear N 0 deg 49' 11" E; thence northerly along said east section line 1329.34 feet to the northeast corner of said SE 1/4 of SE 1/4, the point of beginning of the parcel to be herein described; thence S 0 deg 49' 11" W a distance of 88.57 feet to a point; thence N 30 deg 31' 05" W a distance of 103.62 feet to a point on the north line of said SE 1/4 of SE 1/4 ; thence S 89 deg 10' 49" E along said north line a distance of 53.93 feet more or less to the point of beginning.

Said Permanent Easement contains approximately 0.05 acres

EXHIBIT A

CR 965
Parcel 2 – Tax Forfeit

MP 69-
County Project 3726

Legal Description:

Southwest Quarter of the Southwest Quarter (SW 1/4 of SW 1/4), Section 2, Township 54 North, Range 20 West of the Fourth Principal Meridian

Rights to be Acquired:

An 80.0 foot PERMANENT EASEMENT for highway purposes over, under and across the above described property. The centerline of said easement is described as follows:

Commencing at the Southwest corner of Section 2, Township 54 North, Range 20 West and assuming the west line of said Section 2 to bear N 0 deg 49' 11" E; thence northerly along said west section line 1163.08 feet to a point; thence

deflect right 90 deg 00' 00" for a distance of 117.56 feet to a point on the centerline of County Road 965; thence N 30 deg 31' 05" W a distance of 50.0 feet to Engineer's station 3+00 and the point of beginning of the centerline to be herein described; thence continue N 30 deg 31' 05" W a distance of 145.1 feet more or less to the north boundary line of said SW 1/4 of SW 1/4 and there terminating.

The side lines of said easement are to be shortened to terminate at the west and north lines of said SW 1/4 of SW 1/4.

Said Permanent Easement contains approximately 0.25 acre

Together with a TEMPORARY CONSTRUCTION EASEMENT across a strip of land 15.0 feet in width southwesterly of and adjoining the above described strip and lying between the west line of said SW 1/4 of SW 1/4 and a line drawn at a right angle from centerline at Engineer's station 3+40

Said Temporary Easement contains approximately 870 square feet and shall expire 31 December 2015.

Adopted April 6, 2010. No. 156

RESOLVED, that the St. Louis County Board authorizes the appropriate county officials to sign an agreement with the City of Proctor and any amendments approved by the County Attorney's office for SP 69-597-005, County Project 3700, whereby the city will pay its local dollar match of twenty percent (20%) of the actual project costs, and other costs including any expenses billed to the County by an outside entity. Funds from the city will be receipted into Fund 220, Agency 220196, Object 551502.

Adopted April 6, 2010. No. 157

RESOLVED, that the St. Louis County Board authorizes the appropriate county officials to sign an agreement with the St. Louis and Lake Counties Regional Railroad Authority and any amendments approved by the County Attorney's office for SP 69-090-018, County Project 3623, whereby the Railroad Authority will pay its local dollar match of twenty percent (20%) of the actual project costs, and other costs including any expenses billed to the County by an outside entity. Funds from the Railroad Authority will be receipted into Fund 220, Agency 220134, Object 583101.

Adopted April 6, 2010. No. 158

RESOLVED, that the St. Louis County Board authorizes the appropriate county officials to sign an agreement with the St. Louis and Lake Counties Regional Railroad Authority and any amendments approved by the County Attorney's office for SP 69-090-024, County Project 3721, whereby the Railroad Authority will pay its local dollar match of twenty percent (20%) of the actual project costs, and other costs including any expenses billed to the county by an outside entity. Funds from the Railroad Authority will be receipted into Fund 220, Agency 220239, Object 583101.

Adopted April 6, 2010. No. 159

RESOLVED, that the St. Louis County Board authorizes the appropriate county officials to sign an agreement with the City of Cook and any amendments approved by the County Attorney's office for SP 69-724-004, County Project 9322, whereby the city will pay its local dollar match of twenty percent (20%) of the actual project costs, and other costs including any expenses billed to the county by an outside entity. Funds from the city will be receipted into Fund 220, Agency 220205, Object 551534.

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

Adopted April 6, 2010. No. 160

WHEREAS, the St. Louis County Sheriff has received authorization from the St. Louis County Board to further investigate the Allied Radio Matrix for Emergency Response (ARMER) radio system as an option for emergency communications; and

WHEREAS, the next step in determining actual costs of the ARMER system in St. Louis County requires an ARMER participation plan, and the Minnesota Department of Emergency Communications Network (DECN) has funding available to complete this plan; and

WHEREAS, it has been determined that GeoComm is best equipped to provide this service.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the appropriate county officials to apply for and accept a grant from the Minnesota Department of Emergency Communications Network (DECN) to fund St. Louis County's Allied Radio Matrix for Emergency Response (ARMER) participation plan, with funds to be accounted for in Fund 100, Agency 129999, Grant 12946, Grant Year 2010.

RESOLVED FURTHER, that the St. Louis County Board authorizes the appropriate county officials to enter into an agreement with GeoComm to complete a participation plan and fire/emergency medical service paging solution for a cost of \$46,610, payable from Fund 100, Agency 129999, Grant 12946, Grant Year 2010.

Adopted April 6, 2010. No. 162

WHEREAS, bids have been received by the County Auditor for the following project:
SAP 69-657-004, CP 72929, located on CSAH 57 from CSAH 16 to Hematite Street in Hibbing, MN.

WHEREAS, bids were opened in the County Board Room at 10:00 a.m., March 22, 2010, and the lowest responsible bidder determined.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the award on the above project to the lowest bidder.

<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
Hardrives, Inc.	14475 Quiram Dr. Rogers, MN 55374	\$723,508.56

RESOLVED FURTHER, that the appropriate county officials are authorized to approve the Contractor's Performance Bonds and to execute the bonds and contract for the above listed project payable from Fund 220, Agency 220241, Object 652700.

Adopted April 6, 2010. No. 163

WHEREAS, bids have been received by the County Auditor for the following project:
MP 5-1304 located on CSAH 5 from CSAH 81 to CSAH 65 South NE of Chisholm, MN.

WHEREAS, the bids were opened in the County Board Room at 10:00 a.m., March 22, 2010, and the lowest responsible bidder determined.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the award 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	\$1,485,410.96

RESOLVED FURTHER, that the appropriate county officials are authorized to approve the Contractor's Performance Bonds and to execute the bonds and contract for the above listed project payable from Fund 200, Agency 203219, Object 652800.

Adopted April 6, 2010. No. 164

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS 112
ST. LOUIS COUNTY, MINNESOTA

WHEREAS, bids have been received by the County Auditor for the following project:
MP 110-9315 located on CSAH 110 from CSAH 100 to CR 666 in Aurora and Hoyt
Lakes, MN.

WHEREAS, bids were opened in the County Board Room at 10:00 a.m., March 22, 2010,
and the lowest responsible bidder determined.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the
award on the above project to the lowest bidder.

<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
KGM Contractors, Inc.	9211 Hwy. 53 Angora, MN 55703	\$1,357,563.81

RESOLVED FURTHER, that the appropriate county officials are authorized to approve
the Contractor's Performance Bonds and to execute the bonds and contract for the above
listed project payable from Fund 200, Agency 203031, Object 652800.

Adopted April 6, 2010. No. 165

RESOLVED, that the official proceedings of the St. Louis County Board of
Commissioners for the meeting of March 16, 2010, are hereby approved.

Adopted April 6, 2010. No. 166

RESOLVED, that the official proceedings of the St. Louis County Board of
Commissioners for the meeting of March 23, 2010, are hereby approved.

Adopted April 6, 2010. No. 167

RESOLVED, that the workers' compensation report of claims by employees for work-
related injuries, dated March 26, 2010, on file in the office of the County Auditor,
identified as County Board File No. 59016, is hereby received and ratified as payable
from Fund 730, Agency 730001.

Adopted April 6, 2010. No. 168

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. 59015, is hereby approved and the County Auditor is
authorized to issue the license as follows;

RESOLVED FURTHER, that if named license holder 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 license holder:

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

Pauline Hill, d/b/a Pauline's Baits & Boats, Bassett Township, Tobacco Products

License No. T10102, December 29, 2003.

Adopted April 6, 2010. No. 169

BY COMMISSIONER NELSON:

WHEREAS, on December 15, 2009, Resolution No. 09-404 was approved by the St.
Louis County Board authorizing the purchase of the RISKMASTER Risk Management
Information System (RIMS) from Computer Sciences Corporation (CSC), Inc., to
facilitate efficient Workers' Compensation claims processing, reporting and related
compliance; and

WHEREAS, some tort and liability claims managed by St. Louis County are subject to
the same Medicare compliance; and

WHEREAS, compliance can be cost effectively achieved via RISKMASTER utilizing

the General Claims Module.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board authorizes the purchase of the Computer Sciences Corporation RISKMASTER General Claims Module at a one time license fee of \$5,750.00, payable from Fund 720, Agency 999999, Object 311122, and authorizes ongoing annual maintenance and support at a rate mutually agreed to by the vendor and the county, payable from Fund 720, Agency 720001, Object 634800 (the first year cost of up to \$1,437.50), and subject to Consumer Price Index through 2013 and then at the appropriate annual rate for subsequent years for the life of the county's use of the software.

RESOLVED FURTHER, that the St. Louis County Board authorizes the appropriate county officials to sign the contract, and that amendments to the licensing, maintenance and support agreements may be executed by the Director of the Safety and Risk Management Division and Auditor, provided the funding for requested changes to the license agreement are included in the appropriate budgets.

Unanimously adopted April 6, 2010. No. 170

BY COMMISSIONER NELSON:

WHEREAS, in 2009, the state bonding legislation Chapter 93, Article 1, Subdivision 2, provided for a \$750,000 grant to St. Louis County to design, construct and install public water and sewer and related infrastructure from the city of Chisholm to North St. Louis County Fair Grounds; and

WHEREAS, the St. Louis County Board of Commissioners desires to secure \$750,000 in state bond funding for improvements to the North St. Louis County Fair Grounds, located in Chisholm, MN, and have the St. Louis County Agricultural Fair Association design, construct, insure and maintain the improvements; and

WHEREAS, St. Louis County has the legal authority to apply for financial assistance, and the institutional, managerial, and financial capability to ensure adequate project administration; and

WHEREAS, St. Louis County has not violated any federal, state or local laws pertaining to fraud, bribery, graft, kickbacks, collusion, conflict of interest or other unlawful or corrupt practice.

NOW, THEREFORE, BE IT RESOLVED, that St. Louis County will act as the legal sponsor for the project contained in the Redevelopment Grant Program to be submitted by May 1, 2010, and that the appropriate county officials are hereby authorized to apply to the Minnesota Department of Employment and Economic Development for \$750,000 in funding of this project on behalf of St. Louis County;

RESOLVED FURTHER, that upon approval of its application by the state, St. Louis County may enter into an agreement with the State of Minnesota for the above-referenced project, and that St. Louis County certifies that it will comply with all applicable laws and regulations as stated in all contract agreements;

RESOLVED FURTHER, that the sources and amounts of the local match identified in the application are committed to the project identified;

RESOLVED FURTHER, that the St. Louis County Board authorizes the appropriate county officials to execute a lease of up to 50 years, or other satisfactory agreement with the State of Minnesota, Iron Range Resources, securing the property to be improved with bond funds;

RESOLVED FURTHER, that the St. Louis County Board authorizes the appropriate county officials to execute a 20 year agreement with St. Louis County Agricultural Fair Association to design, construct, insure and maintain the facilities improved with bond funds;

RESOLVED FURTHER, at the end of the 20 year agreement period, the facilities will be transferred to the St. Louis County Agricultural Fair Association.

NOW, THEREFORE, BE IT FINALLY RESOLVED, that the Board Chair, County Auditor, and County Attorney are hereby authorized to execute such agreements as are

necessary to implement the project on behalf of the applicant.

Yeas – Commissioners O’Neil, Dahlberg, Forsman, Sweeney, Nelson, and Chair Raukar
– 6

Nays – Commissioner Fink – 1
Adopted April 6, 2010. No. 171

BY COMMISSIONER SWEENEY:

WHEREAS, a study commissioned by Arrowhead Regional Corrections concluded that there is a disproportionate representation of minority children confined in its juvenile detention center; and

WHEREAS, in April 2009, the Office of Justice Programs granted to St. Louis County \$90,000, including matching funds from Annie E. Casey Foundation, to implement a Juvenile Detention Alternatives Initiative to reduce the disproportion through reform of admissions to detention, and policies and practices of different agencies which come into contact with alleged delinquent juveniles; and

WHEREAS, collaboration is underway between various county departments, other governmental entities, and community organizations and agencies that work with youth in St. Louis County to address racial and ethnic disparities in the juvenile justice system; and

WHEREAS, the St. Louis County Board desires to support juvenile detention reform in order to more effectively rehabilitate youth and to create a more fair and equitable justice system for juveniles.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the appropriate county officials to apply for and accept a recurring grant from the Office of Justice Programs for FY 2010 in the amount of \$89,306, which includes funds from the Annie E. Casey Foundation, to continue the Juvenile Detention Alternatives Initiative, with funds to be accounted for in Fund 100, Agency 113999, Grant 11304, Grant Year 2010.

RESOLVED FURTHER, that any positions created with the use of these grant funds will be eliminated when the grant expires.

Unanimously adopted April 6, 2010. No. 161

At 10:38 a.m., on April 6, 2010, Commissioner Nelson, supported by Commissioner Sweeney, moved to adjourn the meeting; seven yeas, zero nays.

Steve Raukar, Chair of the Board
of County Commissioners

Attest:

Donald Dicklich, County Auditor
and Ex-Officio Clerk of the Board
of County Commissioners

(Seal of the County Auditor)

**OFFICIAL PROCEEDINGS OF THE MEETING
OF THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF ST. LOUIS, MINNESOTA,
HELD ON APRIL 13, 2010**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 13th day of April, 2010, at 9:34 a.m., in the County Board Room, Duluth, Minnesota, with the following members present: Commissioners Dennis Fink, Steve O'Neil, Chris Dahlberg, Mike Forsman, Peg Sweeney, Keith Nelson, and Chair Steve Raukar – 7. Absent: None.

Chair Raukar asked for a moment of silence to honor U.S. troops serving throughout the world and their families at home as well as all persons whose lives are adversely affected by war.

Commissioner Fink, inspired by this week's IRS tax deadline, presented the words of wisdom with a quote from Margaret Thatcher, "The problem with *more government* is we eventually run out of other people's money".

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

Marsh Stenerson, AFSME representative, said he is retiring after 29 years of service. Mr. Stenerson wanted to leave the board with two thoughts in the struggle to maintain services during difficult political times: 1) listen to the people on the front line as they possess a wealth of wisdom; and 2) expand core service to include programs for people as this is what sets us apart. Chair Raukar thanked Mr. Stenerson for his words, noting St. Louis County is holding a recognition dinner for employees later this month.

Commissioner Sweeney, supported by Commissioner O'Neil, moved to approve the consent agenda; seven yeas, zero nays.

Commissioner Nelson, supported by Commissioner Forsman, moved to approve a lawful gambling license application for Community Charities of MN to operate out of Trails End Resort in Portage Township. Commissioner Fink said he researched the organization and discovered they are based in Mankato, MN, and not all proceeds stay in St. Louis County. Commissioner Sweeney said money is available from charitable organizations and encouraged groups to apply for funds, otherwise the money will go elsewhere; seven yeas, one nay, Commissioner Fink. Resolution No. 194.

Commissioner Sweeney, supported by Commissioner Nelson, moved to approve a resolution permitting property owners with total taxes for multiple parcels exceeding a \$250 threshold to continue to make installment payments. Commissioner Sweeney amended her motion to include legislatively allowable payments. County Attorney Melanie Ford suggested –and makers agreed- to add language to allow payments as permitted by Minnesota Statute 279.01. Commissioner Nelson said the \$250 threshold is still too high and the board needs to send a strong message to the legislature. Commissioner Fink said the legislation allows county boards to lessen the burden for taxpayers. After further discussion on the impact of this legislation, the resolution was approved; seven yeas, zero nays. Resolution No. 195.

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

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Kevin Gray, County Administrator, and Robert Krepps, Land Commissioner, submitting Board Letter No. 10-114, Classification of 2009 Forfeitures (Conservation).—59065

Kevin Gray, County Administrator, and Robert Krepps, Land Commissioner, submitting Board Letter No. 10-115, Classification of 2009 Forfeitures (Non-Conservation).—59066

Kevin Gray, County Administrator, and Robert Krepps, Land Commissioner, submitting Board Letter No. 10-116, Reclassification of State Tax Forfeited Land to Non-Conservation.—59067

Kevin Gray, County Administrator, and Robert Krepps, Land Commissioner, submitting Board Letter No. 10-118, Removal and Cleanup of Abandoned Personal Property on State Tax Forfeited land.—59068

Kevin Gray, County Administrator, submitting Board Letter No. 10-127, Resolution of Support for Pioneer Mine Complex Restoration Project – Ely, MN.—59069

Kevin Gray, County Administrator, submitting Board Letter No. 10-134, Amendment to Minn. Statute §271.01 – Property Tax Collection.—59070

Employee Development Training Contract between St. Louis County and Ted Schick for *Time Management*.—10-302

Supply Contract, Contract No. 4869, between the County of St. Louis and Anderson Lubricants, Inc., for Lubricating Oils, Greases, Coolants and Fluids.—10-303

Agreement for Professional Services between St. Louis County and North St. Louis Soil and Water Conservation District for Wetland Administration.—10-304

Agreement for Professional Services between St. Louis County and South St. Louis Soil and Water Conservation District for Wetland Administration.—10-305

Cooperative Agreement between the County of St. Louis and the Town of Fayal for MP 6705-99999, for Bituminous Surfacing of TR 6705 (Scout Camp Road).—10-306

Cooperative Agreement between the County of St. Louis and the City of Virginia for 2010 Maintenance Striping (MP 10025) as listed in the Schedule of Prices in the Proposal/Plan Package and Plan.—10-307

Agreement for Fiscal Services 2010 between the County of St. Louis; Donald Dicklich, County Auditor; and the Arrowhead Regional Corrections Board.—10-308

Agreement for Property Management Services 2010 between the County of St. Louis and the Arrowhead Regional Corrections Board.—10-309

Lease Agreement between the County of St. Louis and the City of Duluth for the Impound Lot located at 2503 Rice Lake Road, Duluth, Minnesota.—10-310

Grant Approval Form for the State Boat & Water Safety Grant from the Minnesota Department of Natural Resources to the County Sheriff's Department.—10-311

Agreement for Professional Services between St. Louis County and Braun Intertec Corporation for a Geotechnical Exploration Program on County Bridge No. 516 (SAP

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 ST. LOUIS COUNTY, MINNESOTA

69-598-037, CP 83767) and County Bridge No. 642 (SAP 69-598-034, CP 1818).—10-312

Agreement for Professional Services between St. Louis County and LHB Corporation for Bridge Repair Design on County Bridge No. 808 on CSAH 7 (WO 98789).—10-313

Agreement for Safety and Risk Management Services 2010 between the County of St. Louis and the Arrowhead Regional Corrections Board for consulting and testing services, as well as workers compensation claims administration.—10-314

Agreement for Personnel and Training Services 2010 between the County of St. Louis through its Employee Relations Department and the Arrowhead Regional Corrections Board.—10-315

Service Contract, Contract No. 4866, between the County of St. Louis and Minnesota Elevator, Inc., for elevator maintenance services from April 1, 2010 to March 31, 2013, inclusive, with possible two (2) additional one-year extension.—10-316

Upon motion of Commissioner Sweeney, supported by Commissioner O’Neil, Resolutions No. 172 through 193, as submitted to this Board on the Consent Agenda, were unanimously adopted as follows:

BY COMMISSIONER SWEENEY:

WHEREAS, the St. Louis County Director of Purchasing solicited bids for ground applied application of herbicides on state tax forfeited lands for the year 2010; and
WHEREAS, Future Forests, Inc., of Askov, Minnesota, submitted the only bid in the amount of \$100,917.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board authorizes a contract with Future Forests, Inc., of Askov, Minnesota, for the chemical site preparation of 17 sites totaling 471.5 acres and the chemical release of 8 sites totaling 297 acres, in accordance with the specifications of Bid No. 4870, and subject to approval of the County Attorney, at its low specification bid price of \$100,917, payable from Fund 290, Agency 290001.

Adopted April 13, 2010. No. 172

WHEREAS, certain parcels forfeited to the State of Minnesota on December 14, 2009, for nonpayment of real estate 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 ‘nonconservation’ as required by Minn. Stat. § 282.01, Subd. 1; and

WHEREAS, the Land Department has recommended that the parcels be classified as conservation after considering many factors including 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, the peculiar suitability or desirability for particular uses and the suitability of the forest resources on the land for multiple use and sustained yield management; and

WHEREAS, the parcels are located inside the boundaries of a municipality or town, and Minn. Stat. § 282.01 provides that notice of the classification or reclassification and sale of lands situated within a municipality or town must be transmitted to its governing body; and

WHEREAS, classification of the parcels will be deemed approved if the County Board does not receive notice of the municipality’s disapproval within 60 days of the date on which this resolution is delivered to the clerk of the town in which the parcel is located.

NOW, THEREFORE, BE IT RESOLVED, the state tax forfeited parcels described in

County Board File No. 59065, shall be classified as conservation, and notice of the classification shall be transmitted by the Land Department to the clerk of the municipalities in which the parcels are located.

Adopted April 13, 2010. No. 173

WHEREAS, certain parcels forfeited to the State of Minnesota on December 14, 2009, for nonpayment of real estate 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 Minn. Stat. § 282.01, Subd. 1; and

WHEREAS, the Land Department has recommended that certain parcels be classified as non-conservation after considering many factors including 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, the peculiar suitability or desirability for particular uses and the suitability of the forest resources on the land for multiple use and sustained yield management; and

WHEREAS, the forfeited parcels may be located inside the boundaries of a municipality or town, and Minn. Stat. § 282.01 provides that notice of the classification or reclassification and sale of lands situated within a municipality or town must be transmitted to its governing body; and

WHEREAS, classification of the parcels will be deemed approved if the County Board does not receive notice of a municipality's or town's disapproval within 60 days of the date on which this resolution is delivered to the clerks of the municipalities or towns in which the parcels are located.

NOW, THEREFORE, BE IT RESOLVED, that the state tax forfeited parcels described in County Board File No. 59066 are classified as non-conservation and a notice of the classification shall be transmitted by the Land Department to the clerks of the municipalities or towns in which the parcels are located.

Adopted April 13, 2010. No. 174

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 Minn. Stat. § 282.01, Subd. 1; and

WHEREAS, certain parcels forfeited to the State of Minnesota for nonpayment of real estate taxes and were previously classified as conservation; and

WHEREAS, the Land Department has recommended that the parcels 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 their peculiar suitability or desirability for particular uses; and

WHEREAS, the parcels of land may be located inside the boundaries of a municipality or town and Minn. Stat. § 282.01 provides that classification or reclassification and sale of lands situated within a municipality or town must be approved by the governing body of the municipality or town; and

WHEREAS, the reclassification and sale of the parcels will be deemed approved if the County Board does not receive notice of the municipality's or town's disapproval of the reclassification and sale of any parcel within 60 days of the date on which this resolution is delivered to the clerk of the municipality or town in which the parcels are located.

NOW, THEREFORE, BE IT RESOLVED, the State tax forfeited parcels described in County Board File No. 59067 shall be reclassified as non-conservation and offered for sale and the request for approval of the reclassification shall be transmitted by the St. Louis County Land Department to the clerk of the municipality or town in which the parcels are located.

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ST. LOUIS COUNTY, MINNESOTA

Adopted April 13, 2010. No. 175

WHEREAS, Minn. Stat. § 282.241 provides that state tax forfeited land may be repurchased by the previous owners subject to payment of delinquent taxes and assessments with penalties, interest and costs; and

WHEREAS, the applicants, Gary & Edna R Albertson, Jay & Patricia Anderson, Gwendolyn Carroll, and Forrest Norgaard have applied to repurchase State tax forfeited land; and

WHEREAS, the applicants were the owners of record at the time of forfeiture and are eligible to repurchase the properties; and

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

NOW, THEREFORE, BE IT RESOLVED, that the St Louis County Board approves the repurchase application by Gary & Edna R Albertson, on file in County Board File No. 59058, subject to payments including total taxes and assessments of \$6,310.24, service fee of \$114, deed tax of \$17.44, deed fee of \$25, and recording fee of \$46, for a total of \$6,512.68, to be deposited into Fund 240 (Forfeited Tax Fund).

RESOLVED FURTHER, that the St Louis County Board approves the repurchase application by Jay & Patricia Anderson, on file in County Board File No. 59058, subject to payments including total taxes and assessments of \$6,741.99, service fee of \$114, deed tax of \$22.25, deed fee of \$25, and recording fee of \$46, for a total of \$6,949.24, to be deposited into Fund 240 (Forfeited Tax Fund).

RESOLVED FURTHER, that the St Louis County Board approves the repurchase application by Gwendolyn Carroll, on file in County Board File No. 59058, subject to payments including total taxes and assessments of \$8,411.33, service fee of \$114, deed tax of \$27.35, deed fee of \$25, and recording fee of \$46, for a total of \$8,623.68, to be deposited into Fund 240 (Forfeited Tax Fund).

RESOLVED FURTHER, that the St Louis County Board approves the repurchase application of Forrest Norgaard, on file in County Board File No. 59058, subject to payment including total taxes and assessments of \$3,132.49, service fee of \$114, deed tax of \$8.44, deed fee of \$25, and recording fee of \$46, for a total of \$3,325.93, to be deposited into Fund 240 (Forfeited Tax Fund).

Adopted April 13, 2010. No. 176

WHEREAS, the St. Louis County Land Department requests authorization to dispose of abandoned personal property on certain state tax forfeited parcels; and

WHEREAS, Minn. Stat. §§ 282.04, Subd. 2(d) and 504B.271, authorizes the County Auditor to dispose of abandoned personal property; and

WHEREAS, the previous owners of the property were properly notified by posting of property or by mail.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board authorizes the County Auditor to dispose of abandoned personal property on state tax forfeited parcels as described in County Board File No. 59068.

Adopted April 13, 2010. No. 177

WHEREAS, certain state tax forfeited parcels are currently dedicated as Memorial Forest; and

WHEREAS, pursuant to Minn. Stat. § 459.06, Subd. 3, state tax forfeited land which has been included in an established Memorial Forest and found more suitable for other purposes may, by resolution of the County Board, be withdrawn from the forest for disposal if the Commissioner of Natural Resources approves the sale of such land; and

WHEREAS, the state tax forfeited parcels described herein are more suitable for purposes other than forest management.

NOW, THEREFORE, BE IT RESOLVED, the state tax forfeited parcels described in

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ST. LOUIS COUNTY, MINNESOTA

County Board File No. 59022 shall be withdrawn from Memorial Forest, and approval for the sale of said parcels shall be requested from the Commissioner of Natural Resources.

Adopted April 13, 2010. No. 178

WHEREAS, the St. Louis County Board is requested to accept funds donated by Mickman Brothers, Inc., Ham Lake, Minnesota, for planting of seedlings to reinvest in reforestation; and

WHEREAS, the donation would cover 10 acres of the planting site located in Section 17, Township 54 North, Range 12 West, known as the First Strike planting site under Land Department categorization, as follows: Red Pine cost \$1,151; Planting cost \$338; Sign \$150; for a total of \$1,639.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the acceptance of \$1,639 from Mickman Brothers, Inc., Ham Lake, Minnesota, for the purpose of reinvesting in sustainable forestry for 10 acres on the First Strike planting site, to be deposited in Fund 290, 290001 (Memorial Forest).

Adopted April 13, 2010. No. 179

WHEREAS, Thomas Anderson, President, Northern Lights Rev, LLC, has agreed that the contract for the purchase of state tax forfeited lands should be cancelled; and

WHEREAS, the purchaser voluntarily agreed to admission of service and waiver of time to cure default to the State of Minnesota.

NOW, THEREFORE, BE IT RESOLVED, that the St Louis County Board approves the cancellation of contract for purchase of the state tax forfeited lands by Thomas Anderson, President, Northern Lights Rev, LLC, listed in County Board File No. 59038, according to the provisions of Minn. Stat. § 282.01, Subd. 5, and Minn. Stat. § 282.40, and according to the procedures of Minn. Stat. § 559.21.

Adopted April 13, 2010. No. 180

WHEREAS, the St. Louis County Public Works Department plans to reconstruct a portion of County State Aid Highway No. 56 (Morris Thomas Rd), in the City of Hermantown, beginning at the intersection of Midway Road and Morris Thomas Road, and continue west for approximately 0.50 miles, County Project 8291; and

WHEREAS, the improvement consists of widening and reconstructing the roadway as determined necessary to provide for the safety and convenience of the traveling public; and

WHEREAS, in addition to the existing highway right of way, certain lands are required for the construction, together with temporary construction easements.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the Public Works Director to proceed with the acquisition of the necessary lands and temporary easements, payable from Fund 220, Agency 203001.

RESOLVED FURTHER, that pursuant to Minn. Stat. § 282.04, Subdivision 4, the St. Louis County Board authorizes the County Auditor to grant the necessary permanent highway easements across tax forfeited lands and temporary construction easements for the project.

Adopted April 13, 2010. No. 181

WHEREAS, the St. Louis County Public Works Department plans to reconstruct a portion of County Road No. 3 (Becks Road), in Midway Township, beginning just north of the Canadian National Railroad Bridge, continuing north to a completion point approximately 400 feet south of Halie Road, County Project 8175; and

WHEREAS, the improvement consists of widening and reconstructing the roadway as determined necessary to provide for the safety and convenience of the traveling public;

and

WHEREAS, in addition to the existing highway right of way, certain lands are required for the construction, together with temporary construction easements.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the Public Works Director to proceed with the acquisition of the necessary lands and temporary easements, payable from Fund 220, Agency 220168.

RESOLVED FURTHER, the St. Louis County Board authorizes the Public Works Department to prepare a right of way plat for the reconstruction of a portion of County Road No. 3 (Becks Road), as described above, plat to be named "St. Louis County Highway Right of Way Plat No. 31", and record the plat for future reference.

RESOLVED FURTHER, that pursuant to Minn. Stat. § 282.04, Subdivision 4, the St. Louis County Board authorizes the County Auditor to grant the necessary highway easements across tax forfeited lands and temporary construction easements for the project.

Adopted April 13, 2010. No. 182

RESOLVED, that the St. Louis County Board authorizes an agreement with the Duluth, Winnipeg, and Pacific Railway Company for improvements to the above grade railroad crossing on County State Aid Highway No. 56 (Morris Thomas Road) in Solway Township, MN. The work will be the responsibility of the Railway, including any roadway repair work that may be needed as a result of the improvements. The county will review the improvements and terms of the agreement with no direct cost to the county.

Adopted April 13, 2010. No. 183

WHEREAS, a request to purchase county fee land was submitted by Mr. Mark McShane and Mr. James Stebe representing Fish Lake Enterprises, Inc., and the St. Louis County Property Acquisition Team deems the property to be non-conforming surplus property described as follows:

All that part of the Southwest Quarter of Northwest Quarter (SW ¼ of NW ¼), Section Twenty-two (22), Township Fifty-two (52) North, Range Fifteen (15) West, EXCEPT the Easterly 417 feet thereof, lying southerly of a line lying 65.00 feet to the left (southerly) of the following described line 1; and lying southeasterly and southerly of a line 45.00 feet to the left (southeast) of following described line 2.

Line 1: Commencing at the Southeast corner of the SW ¼ of NW ¼, Section 22, Township 52 North, Range 15 West, thence westerly, along the South line of said SW ¼ of NW ¼, a distance of 500.93 feet; thence westerly along a tangential curve concave to the North, having a radius of 818.51 feet and a central angle of 21 degrees 08 minutes 47 seconds, a distance of 302.09 feet to the POINT OF BEGINNING of the line to be described; thence continuing westerly and northwesterly along the last described curve concave to north, having a radius of 818.51 feet and a central angle of 29 degrees 45 minutes 00 seconds, a distance of 425.00 feet and said line there terminating.

Line 2: Beginning at the point of termination of Line 1 described above; thence South 51 degrees 10 minutes 44 seconds West a distance of 74.78 feet; thence continuing southwesterly along a tangential curve concave to the southeast, having a radius of 318.31 feet and a central angle of 50 degrees 31 minutes 47 seconds, a distance of 280.67 feet; thence continuing South 00 degrees 39 minutes 24 seconds West a distance of 9.81 feet to a point on the south line of said SW ¼ of NW ¼ of Section 22, Township 52 North, Range 15 West and said line there

terminating.

Said parcel contains 1.14 acres.

WHEREAS, an appraisal was performed with a resulting property value of \$2,275; and WHEREAS, Fish Lake Enterprises, Inc., submitted a bid amount of \$2,275, which covers 100% of the appraised value and Fish Lake Enterprises, Inc., is responsible for all property transaction recording fees and associated filing fees.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the requirements and procedures of Minn. Stat. § 373.01, Subdivision (h), the Chair of the County Board and County Auditor are authorized to execute and deliver a quit claim deed, conveying the above listed property to Fish Lake Enterprises, Inc., for the appraised value of \$2,275.

RESOLVED FURTHER, the Chair of the County Board and County Auditor are authorized to execute an easement for in place Electric Utility Lines to Lake Country Power over the following described property as listed below.

Legal Description:

All that part of the Southwest Quarter of Northwest Quarter (SW ¼ of NW ¼), Section Twenty-two (22), Township Fifty-two (52) North, Range Fifteen (15) West, EXCEPT the Easterly 417 feet thereof, lying southerly and southwesterly of the following described line. Commencing at the Southeast corner of the SW ¼ of NW ¼, Section 22, Township 52 North, Range 15 West, thence Westerly, along the South line of said SW ¼ of NW ¼, a distance of 500.93 feet; thence westerly along a tangential curve concave to the North, having a radius of 818.51 feet and a central angle of 21 degrees 08 minutes 47 seconds, a distance of 302.09 feet to the POINT OF BEGINNING of the line to be described; thence continuing westerly and northwesterly along the last described curve concave to north, having a radius of 818.51 feet and a central angle of 29 degrees 45 minutes 00 seconds, a distance of 425.00 feet; thence South 51 degrees 10 minutes 44 seconds West a distance of 74.78 feet; thence continuing southwesterly along a tangential curve concave to the southeast, having a radius of 318.31 feet and a central angle of 50 degrees 31 minutes 47 seconds, a distance of 280.67 feet; thence continuing South 00 degrees 39 minutes 24 seconds West a distance of 9.81 feet to a point on the south line of said SW ¼ of NW ¼ of Section 22, Township 52 North, Range 15 West and said line there terminating.

Easement Description:

A 30.00 foot wide easement for overhead utilities over and across the above described property being over the northerly 30.00 feet of the southerly 80.00 feet of the above described property.

Adopted April 13, 2010. No. 184

WHEREAS, representatives of Ely Greenstone have begun a restoration project at the old Pioneer Mine Complex, including a Miners Memorial proposal to erect a sculpture which would recognize the many men who had died in the iron ore mines of Ely, Minnesota; and

WHEREAS, restoration plans for the old mine are designed to utilize space in the facility with minimal impact to the present structure, and enhance the significance of the historical property for the community; and

WHEREAS, representatives for the project have requested that the St. Louis County Board pass a resolution of support for the project.

NOW, THEREFORE BE IT RESOLVED, the St. Louis County Board is in full support

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 ST. LOUIS COUNTY, MINNESOTA

of the restoration project currently underway at the old Pioneer Mine Complex in Ely, including erection of a statue to recognize the men who gave their lives while working in the iron ore mines of Ely, Minnesota.

Adopted April 13, 2010. No. 185

RESOLVED, that the St. Louis County Board authorizes the appropriate county officials to apply for and accept the 2010 State of Minnesota, Emergency Management Performance Grant in the amount of \$81,734, to be accounted for in Fund 100, Agency 132999, Grant 13203, Year 2010.

Adopted April 13, 2010. No. 186

WHEREAS, it is the policy of the State of Minnesota to promote safe and useable waterways within the state; and

WHEREAS, the state provides grants for services to carry out this policy; and

WHEREAS, the St. Louis County Sheriff's Office provides boat and water safety in the county.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the application and acceptance of the Minnesota Department of Natural Resources 2010 Boat and Water Safety Grant in the amount of \$85,947 for the period January 1, 2010 through June 30, 2011, to be accounted for in Fund 100, Agency 130999, Grant 13001, Year 2010.

Adopted April 13, 2010. No. 187

WHEREAS, the Federal Emergency Management Agency (FEMA) has made available a disaster mitigation grant to provide wildfire sprinkler systems; and

WHEREAS, Arrowhead Regional Development Commission has managed a similar program and has the experience and capacity to manage this project; and

WHEREAS, funding is available in the grant to pay for this service.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the Sheriff's Office to enter into a professional services agreement with Arrowhead Regional Development Commission to manage the wildfire sprinkler project as part of the 2009 FEMA Disaster Mitigation Grant.

Adopted April 13, 2010. No. 188

WHEREAS, the St. Louis County Board of Commissioners supports the goals of sharing criminal justice information and communication systems throughout the region; and

WHEREAS, the North East Minnesota Enforcement and Safety Information System (NEMESIS) has been created in support of these goals; and

WHEREAS, adapter enhancements and new adapters are needed between local information management systems and the Minnesota Bureau of Criminal Apprehension (BCA); and

WHEREAS, the BCA, through a Joint Powers Agreement with St. Louis County, is willing to provide \$61,000 to fund the project.

NOW, THEREFORE, BE IT RESOLVED, that the appropriate county officials are authorized to enter into an agreement with Courtview Justice Solutions, Inc., in the amount of \$61,000 to enhance existing adapters from the Damion Prosecutor, Shield RMS applications to the Minnesota Bureau of Criminal Apprehension's eCharging and Name and Event Index Service, Comprehensive Incident Based Reporting System, and to provide statutory services adapters for these applications, payable from NEMESIS, Fund 150, Agency 150001, Project 60201004, contingent upon the county entering into a joint powers agreement with the State of Minnesota to receive \$61,000 in funding for this project, to be deposited in NEMESIS, Fund 150, Agency 150001, Project 60201004.

RESOLVED FURTHER, that the St. Louis County Sheriff is authorized to enter into other non-financial agreements necessary to facilitate this project.

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ST. LOUIS COUNTY, MINNESOTA

Adopted April 13, 2010. No. 189

WHEREAS, the Purchasing Department solicited bids for the purchase of bituminous materials for use throughout St. Louis County; and
 WHEREAS, the Purchasing Department received bids which met specifications from four vendors; and
 WHEREAS, bituminous materials are purchased from the vendor with the lowest net cost for the product required to each project site; the lowest net cost includes price per ton, proximity to the project and transportation costs.
 NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board authorizes the appropriate County officials to enter into contracts for the purchase of bituminous materials from Ulland Brothers, Inc., of Cloquet, MN; Mesabi Bituminous, Inc., of Gilbert, MN; Monarch Paving Company of Turtle Lake, WI; and Northland Constructors of Duluth, LLC, of Duluth, MN, at the prices submitted on Bid 4874, payable from Fund 200, Agencies 201004, 201005, 201006, 201007, and 201013, Object 651100.
 Adopted April 13, 2010. No. 190

WHEREAS, the Public Safety Building was designed as a 911 dispatch center and a law enforcement facility and the original engineering was designed around owner provided dispatch consoles, computer and communication equipment, crime lab equipment, and operational parameters; and
 WHEREAS, from the design phase to the actual building phase the Sheriff's Office Emergency Communications staff and Management Information System staff researched and ordered vastly improved energy efficient equipment; and
 WHEREAS, this project will improve indoor air quality and occupant comfort, create redundancy/reliability for the HVAC systems, and result in significantly lower operating costs; and
 WHEREAS, three (3) bids were received by Property Management as follows:

A. G. O'Brien - Hermantown, MN	\$78,387.00
The Jamar Company - Duluth, MN	\$83,246.00
Belknap Plumbing & Heating - Superior, WI	\$98,342.00

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board awards the project to A. G. O'Brien, 4907 Lightning Drive, Hermantown, Minnesota, for an amount of \$78,387.00, payable from Fund 400, Agency 400015.
 Adopted April 13, 2010. No. 191

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. 59024, are hereby approved and the County Auditor shall issue checks in the following amounts:

FEBRUARY 2010		<u>TOTAL</u>
<u>FUND</u>		
100	General Fund	\$4,846,958.38
149	Personnel Service Fund	1,024.75
150	Sheriff's Nemesis Fund Group	116,666.04
160	MN Trail Assistance	61,021.78
166	Attorney's Forfeitures	72.83
168	Sheriff's State Forfeitures	1,315.50
170	Boundary Waters-Forfeiture	3,291.93
173	Emergency Shelter Grant	27,862.52

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ST. LOUIS COUNTY, MINNESOTA

179	Enhanced 9-1-1	18,687.72
180	Law Library	14,370.31
183	City/County Communications	514.92
184	Extension Service	32,555.45
200	Public Works	2,170,255.15
210	Road Maint – Unorg Townships	2,736.02
220	State Road Aid	231,869.47
230	Public Health & Human Services	5,769,294.18
240	Forfeited Tax	358,811.23
250	St. Louis County HRA	30,312.87
260	CDBG Grant	547,687.36
261	CDBG Program Income	2,909.76
270	Home Grant	179,190.85
400	County Facility	41,987.11
421	Northland Office Bldg Improv.	2,027.77
438	2008 Capital Improvement Bond	460.00
500	Shoreline Sales	8,995.00
600	Environmental Services	411,240.76
616	On-Site Waste Water Division	40,920.76
625	Chris Jensen Health & Rehab	159,476.79
670	Supervised Living	17,594.19
700	Printing	10,441.39
705	Postage Office Supplies	3,888.98
715	County Garage	88,440.42
720	Property Casualty Liability	9,083.62
730	Workers Compensation	401,264.11
750	Management Info Systems	269,704.39
760	Telecommunications	65,281.18
770	Retired Employees Health Ins	865.09
826	Taconite Production Tax	5,500,270.00
900	State of Minnesota	704,434.62
902	Courts	285,743.78
904	Beer License	2,215.00
908	City and Towns Taxes	248,448.66
909	Tax Refunds	87,233.97
925	Arrowhead Regional Corrections	1,575,754.13
955	Community Health Board	239,888.11
985	Collective Local Collaborative	15,942.02
989	Regional Railroad Authority	346,454.09
990	Northern Cities Land Use	214.89
998	MPL-DUL Train Alliance	49,185.81
		<u>49,185.81</u>
		<u>\$25,004,865.66</u>
		=====

Adopted April 13, 2010. No. 192

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. 59021;

FURTHER RESOLVED, that said license is approved contingent upon license holder paying real estate or personal property taxes when due;

FURTHER RESOLVED, license is approved contingent upon license holder complying in all respects with the controlling liquor, health, environmental and sanitary laws, rules

and regulations for the liquor license;

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, 2010:

Vermilion Ventures, LLC, d/b/a Bayview Lodge, Greenwood Township, On-Sale Intoxicating Liquor License No. CMB10132 and Sunday On-Sale Intoxicating Liquor License No. SUN10132, new.

Adopted April 13, 2010. No. 193

BY COMMISSIONER NELSON:

RESOLVED, that pursuant to Minn. Stat. § 349.213, Subd. 2, the St. Louis County Board approves the following Lawful Gambling License Application (Pull-tabs) on file in the office of the County Auditor, identified as County Board File No. 59051 for the following organization:

Community Charities of Minnesota to operate out of Trails End Resort, Portage Township, 6310 Crane Lake Road, Buyck, MN, 55771.

Yeas – Commissioners O’Neil, Dahlberg, Forsman, Sweeney, Nelson, and Chair Raukar – 6

Nays – Commissioner Fink – 1

Adopted April 13, 2010. No. 194

BY COMMISSIONER SWEENEY:

WHEREAS, Minn. Stat. § 279.01, Subd. 1, raises the tax amount on a parcel that provides for a second-half installment of real property taxes from \$50 to \$250; and WHEREAS, this includes the provision allowing counties, by resolution, to permit owners with total taxes from multiple parcels exceeding this threshold to make the two installment payments.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board will permit any property owner who has multiple tracts or parcels with aggregate taxes exceeding \$250, to continue to make installment payments as allowed by Minn. Stat. § 279.01, Subd. 1.

RESOLVED FURTHER, that the St. Louis County Board authorizes the County Auditor to abate any penalty, at his discretion, for property owners not aware of the change in installment payments as per this statute.

Unanimously adopted April 13, 2010. No. 195

At 10:28 a.m., April 13, 2010, Commissioner Fink, supported by Commissioner Nelson, moved to adjourn the meeting; seven yeas, zero nays.

Steve Raukar, Chair of the Board
of County Commissioners

Attest:

Donald Dicklich, County Auditor
and Ex-Officio Clerk of the Board
of County Commissioners

(Seal of the County Auditor)

**OFFICIAL PROCEEDINGS OF THE MEETING
OF THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF ST. LOUIS, MINNESOTA,
HELD ON APRIL 27, 2010**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 27th day of April, 2010, at 9:36 a.m., in the Fayal Town Hall, 4375 Shady Lane, Eveleth, Minnesota, with the following members present: Commissioners Dennis Fink, Steve O'Neil, Chris Dahlberg, Mike Forsman, Peg Sweeney, Keith Nelson, and Chair Steve Raukar – 7. Absent: None.

Chair Raukar asked for a moment of silence to honor U.S. troops serving throughout the world and their families at home as well as all persons whose lives are adversely affected by war.

Commissioner Nelson, inspired by today's meeting held in a township hall, dedicated his words of wisdom to family and the work of St. Louis County to help build community.

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

Commissioner O'Neil, supported by Commissioner Sweeney, moved to approve the consent agenda; seven yeas, zero nays.

Chair Raukar recognized the creativity in the words of wisdom and asked if commissioners had anything else to report. Commissioner Fink noted the Public Oral Timber Auction Brochure distributed in today's packet. Commissioner Sweeney discussed a handout from a recent Arrowhead Regional Development Commission (ARDC) Meeting. Chair Raukar noted the census deadline passed which triggers the door knocking campaign, and said St. Louis County is leading the nation in census response.

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

St. Louis County Union Depot Passenger Rail Terminal Study Executive Summary presented at the April 13, 2010, Committee of the Whole meeting.—59071

Commissioner Sweeney submitting a handout from the April 15, 2010, Arrowhead Regional Development Commission meeting regarding the increase in State sales tax to benefit the arts and outdoors. Public input sessions are scheduled for May 27, 2010, 7:00 p.m. at the Minnesota Interagency Fire Center, Grand Rapids, MN, and June 3, 2010, 7:00 p.m. at the Depot in Duluth.—59072

Grant Agreement between the State of Minnesota - Board of Water & Soil Resources and St. Louis County for the FY 2010 Natural Resources Block Grant.—10-317

Addendum to Purchase Agreement, Contract No. 14474B, between the St. Louis County Board of Commissioners and Life House for Assertive Community Treatment Team South Services.—10-318

Addendum to Purchase Agreement, Contract No. 14475B, between the St. Louis County Board of Commissioners and Human Development Center for Assertive Community Treatment Team South Services.—10-319

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS 128
ST. LOUIS COUNTY, MINNESOTA

Home and Community-Based Waiver Services Contract, Contract No. 14804, between the St. Louis County Board of Commissioners and A-1 Fence Company.—[10-320](#)

Cooperative Agreement between St. Louis County and the City of Eveleth for 2010 Maintenance Striping (MP 10025).—[10-321](#)

Cooperative Agreement between St. Louis County and Duluth, Winnipeg, and Pacific Railway for construction and improvements at County State Aid Highway 56 (Morris Thomas Road) and Rainy Subdivision Main Track, M.P. 17.3.—[10-322](#)

Safety & Risk Management Training Contract between St. Louis County and Schick Corporate Learning for *Conflict Management*.—[10-323](#)

Agreement for Professional Services between the County of St. Louis and Architectural Resources, Inc., for Emergency Air Conditioning Unit Replacement – Hibbing Courthouse.—[10-324](#)

Agreement for Professional Services between the County of St. Louis and Head of the Lakes Counseling Resources to provide an Employee/Family Stress Based Program for the period of January 1, 2010, and terminating December 31, 2011.—[10-325](#)

Service Contract between the County of St. Louis and Northern Minnesota Recycling for Recyclable Materials Haulage and Processing for the period of April 1, 2010 through September 30, 2011.—[10-326](#)

Amendment No. 1 to Contract #2009-5243, St. Louis County Regional Landfill Leachate Spray Irrigation System Upgrade, between the County of St. Louis and Kangas Excavating, Inc., extending the original completion date through May 31, 2010.—[10-327](#)

Contract for County-State Aid Highway Project between the County of St. Louis and Ulland Brothers, for Culvert Replacement, Mill Bituminous Surface, Bituminous Pavement Reclamation, Plant Mixed Bituminous Surface, and Plant Mixed Bituminous Shoulders on County State Aid Highway (CSAH) 5 near Chisholm, Minnesota, (MP 5-1304).—[10-328](#)

Contract for County-State Aid Highway Project between the County of St. Louis and KGM Contractors, Inc., for Bituminous Pavement Reclamation, Mill Bituminous Surface, and Plant Mixed Bituminous Surface on CSAH 110 in Aurora and Hoyt Lakes, Minnesota, (MP 110-9315).—[10-329](#)

Contract for County-State Aid Highway Project between the County of St. Louis and Hardrives, Inc., for Mill Bituminous Surface, Curb & Gutter Maintenance, Storm Sewer Maintenance, Plant Mixed Bituminous Surface, and Aggregate Shouldering on CSAH 57 from CASH 16 to Hematite Street in Hibbing, Minnesota.—[10-330](#)

Cooperative Agreement between the County of St. Louis and the St. Louis and Lake Counties Regional Railroad Authority (RRA) for construction of the Fayal to Eveleth Segment of Mesabi Trail (SP 69-090-024, CP 3721).—[10-331](#)

Cooperative Agreement between the County of St. Louis and the City of Cook for River Street Streetscape (SP 69-724-004, CP 9322).—[10-332](#)

Cooperative Agreement between the County of St. Louis and the St. Louis and Lake

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 ST. LOUIS COUNTY, MINNESOTA

Counties Regional Railroad Authority (RRA) for the McKinley to Biwabik Segment of Mesabi Trail (SP 69-090-018, CP 3623).—[10-333](#)

Municipal Cooperative Agreement between the County of St. Louis, Midway Township, and the City of Proctor, for reconstruction of the Sanitary Sewer and Water Main at portions of County Road 284 and CSAH No. 11 (Stark and Ugstad Roads), (SAP 69-611-016, CP 8282).—[10-334](#)

Minnesota Department of Public Safety, Homeland Security and Emergency Management Grant for interoperable communications planning and equipment for the seven county Northern Boarder Region.—[10-335](#)

Purchase of Service Agreement, Contract No. 14756, between the St. Louis County Board of Commissioners and Duluth Bethel Society for Consolidated Chemical Dependency Treatment.—[10-336](#)

Purchase of Service Agreement, Contract No. 14803, between the St. Louis County Board of Commissioners and Bois Forte Reservation for Family Outreach Services.—[10-337](#)

Purchase of Service Agreement, Contract No. 14774, between the St. Louis County Board of Commissioners and Minnesota Teen Challenge, Inc., d/b/a Minnesota Teen Challenge Northland Campus for Chemical Dependence Treatment.—[10-338](#)

Grant Agreement, Contract No. 20902, between the St. Louis County Board of Commissioners and Lutheran Social Services (Self/One Program).—[10-339](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14545A, between the St. Louis County Public Health and Human Services Department and Range Regional Health Services d/b/a HealthLine HomeCare.—[10-340](#)

Home and Community-Based Waiver Services Contract, Contract No. 14773, between the St. Louis County Board of Commissioners and Range Regional Health Services d/b/a HealthLine Medical Supply.—[10-341](#)

Addendum to Purchase Agreement, Contract No. 14112A, between the St. Louis County Board of Commissioners and Range Mental Health Center, Inc., Arrowhead Center, Inc., and Occupational Development Center, Inc., for Assertive Community Treatment Team North Services.—[10-342](#)

Purchase of Services Contract, Contract No. 20877, between the St. Louis County and The Salvation Army for the purchase of social services.—[10-343](#)

Grant Agreement, Contract No. 20896, between the St. Louis County Board of Commissioners and the Minnesota Chippewa Tribe (MCT) for Minnesota Family Investment Program (MFIP) Disparities Innovation Funds.—[10-344](#)

Purchase of Service Agreement, Contract No. 14770, between the St. Louis County Board of Commissioners and Minnesota Indian Primary Residential Treatment Center, Inc. for Chemical Dependency Treatment.—[10-345](#)

Home and Community-Based Waiver Services Contract, Contract No. 14779, between the St. Louis County Board of Commissioners and Wendigo Pines Assisted Living of Chisholm, Inc.—[10-346](#)

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS 130
ST. LOUIS COUNTY, MINNESOTA

Group Residential Housing Rate Agreement, Contract No. 50804, between the St. Louis County Board of Commissioners and Wendigo Pines Assisted Living of Chisholm.—10-347

Home and Community-Based Waiver Services Contract, Contract No. 14777, between the St. Louis County Board of Commissioners and New Mellenium Health Care.—10-348

Grant Agreement, Contract No. 20898, between the St. Louis County Board of Commissioners and the City of Duluth for Statewide Minnesota Family Investment Program (MFIP) Employment Services and Diversionary Work Program Services (DWP).—10-349

Grant Agreement, Contract No. 20903, between the St. Louis County Board of Commissioners and Arrowhead Regional Corrections.—10-350

Home and Community-Based Waiver Services Contract, Contract No. 14543, between the St. Louis County Board of Commissioners and Benedictine Health Center.—10-351

Home and Community-Based Waiver Services Contract, Contract No. 14780, between the St. Louis County Board of Commissioners and Mary S. Atwood.—10-352

Home and Community-Based Waiver Services Contract, Contract No. 14554, between the St. Louis County Board of Commissioners and Ely-Bloomenson Community Hospital d/b/a Ely Bloomenson Hospital HHA.—10-353

Home and Community-Based Waiver Services Contract, Contract No. 14634, between the St. Louis County Board of Commissioners and Empowerment Services of MN, Inc.—10-354

Addendum to Purchase Agreement, Contract No. 13340I, between the St. Louis County Board of Commissioners and Empowerment Services of Minnesota, Inc. (ESI), extending the termination date to June 30, 2010.—10-355

Home and Community-Based Waiver Services Contract, Contract No. 14585, between the St. Louis County Board of Commissioners and Bethesda Adult Foster Home. —10-356

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14665A, between St. Louis County Public Health and Human Services Department and Lakeside Manor, Inc. —10-357

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14674A, between St. Louis County Public Health and Human Services Department and St. Francis Health Services of Morris, Inc., d/b/a Home Care Services Options of Duluth. —10-358

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14679A, between St. Louis County Public Health and Human Services Department and Fairview Range Regional Health Services d/b/a Greenview Residence. —10-359

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14669A, between St. Louis County Public Health and Human Services Department and

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 ST. LOUIS COUNTY, MINNESOTA

Range Development Company of Chisholm, MN. —[10-360](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14570A, between St. Louis County Public Health and Human Services Department and Wesley Residence, Inc. —[10-361](#)

Amendment to Professional Services Agreement, Contract No. 2007-003694, between the County of St. Louis and Architectural Resources, Inc., for the Duluth Courthouse HVAC Phase III project. —[10-362](#)

Group Residential Housing Rate Agreement, Contract No. 50827, between the St. Louis County Board of Commissioners and REM Arrowhead, Inc., (Bristol Place). —[10-363](#)

Group Residential Housing Rate Agreement, Contract No. 50803, between the St. Louis County Board of Commissioners and TBI Residential and Community Services - #38. —[10-364](#)

Group Residential Housing Rate Agreement, Contract No. 50828, between the St. Louis County Board of Commissioners and Trillium Services, Inc., (Decker Road). —[10-365](#)

Group Residential Housing Rate Agreement, Contract No. 50829, between the St. Louis County Board of Commissioners and Shane Clemens (AFC). —[10-366](#)

Agreement for Professional Services between St. Louis County and R. W. Beck, Inc., for a feasibility study for Landfill Gas Management Options Evaluation for the St. Louis County Regional Landfill in Virginia, MN. —[10-367](#)

Service Agreement between the County of St. Louis and Liberty Tire Recycling, LLC, for Collection and Proper Disposal of Tires. —[10-368](#)

Project Contract, Contract No. 4870, 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. —[10-369](#)

S.J. Kniefel, Right of Way Agent, Public Works Department, submitting two (2) Highway Easements on Tax Forfeited Land in Toivola Township, County Project 3726, replacement of County Bridge 232 on the Hingeley Road. —[10-370](#)

Upon motion of Commissioner O'Neil, supported by Commissioner Sweeney, Resolutions No. 196 through 211, as submitted to this Board on the Consent Agenda, were unanimously adopted as follows:

BY COMMISSIONER O'NEIL:

RESOLVED, that the St. Louis County Board of Commissioners authorizes the appropriate county officials to enter into an agreement with the Town of Toivola, and any amendments approved by the County Attorney's office, whereby the Town of Toivola would accept a revocation/reversion of 1.5 miles of County Road 965 provided a replacement structure for the existing Bridge 232 (State Bridge 7815) can be funded and built within two years of the date of revocation and other provisions as detailed in the agreement.

RESOLVED FURTHER, that, pursuant to Minn. Stats. §163.11, Subdivision 5a, the St. Louis County Board schedules a hearing, concurrent with the meeting of the Toivola Township Board of Supervisors, to consider the revocation/reversion at 7:00 p.m. on Wednesday, May 12, 2010, at the Toivola Township Hall located at 9066 Highway 5,

Toivola Township, MN, and directs the Public Works Department to represent the county at the hearing and report back to the County Board.
Adopted April 27, 2010. No. 196

WHEREAS, the Public Works Department purchases corrugated metal culverts on an annual basis; and
WHEREAS, the State of Minnesota has contracted with Johnston Fargo Culvert, Inc., of St. Paul, MN, and Contech Construction Products of Alexandria, MN; and
WHEREAS, the State of Minnesota contracts have firm pricing for a two year period commencing March 1, 2010.
NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board authorizes the purchase of corrugated metal culverts from Johnston Fargo Culvert, Inc., of St. Paul, MN, and Contech Construction Products of Alexandria, MN, for the two year period commencing March 1, 2010, payable from Fund 200, Agency 207001, Object 650900.
Adopted April 27, 2010. No. 197

WHEREAS, all increases in original governmental funds revenue and expenditure budgets require County Board approval; and
WHEREAS, departments anticipate being notified of additional revenues throughout the year and need approval to increase revenue and expenditure budgets; and
WHEREAS, proposed budget adjustments are levy neutral;
NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners authorizes the following budget changes:

- Authorize use of fund balance that is designated for parking to pay for major repairs to the parking ramps (\$44,317.20).
- Use of Hibbing Raceway Fund Balance for eligible repair expenses by Property Management (\$1,598.00).
- Budget entry to record the pass thru money received and paid for voting machines (Auditor's Office – Elections, \$35,781.78).
- Increase Radio Maintenance budget to represent revenues received and associated expense budget for work done for the State of MN in both St. Louis and Lake Counties (\$15,508.86).
- Increase revenue and expense budget to appropriately record Meth-related overtime paid for by Chisholm, Hibbing and Virginia (\$12,622.59).
- Increase revenue and expense budget in the Sheriff's Office to reflect additional State training grant cost reimbursements for eligible expenses (\$3,148.00).
- Authorize transfer of funds from Administration to cover higher than budgeted actual costs associated with public defender expert witness fees (MN Statute 611.21) (\$507.87).
- Increase the designation for Nursing Homes to cover anticipated cash shortfall in 2010 (\$150,000).
- Create Designation for Central Client Intake from ARRA funds received in 2009 by Public Health and Human Services (\$979,350.00).
- Increase revenue and expense budget to account for additional client expenses reimbursed by Medical Assistance (MA) transportation funds (\$30,000).
- Increase revenue and expense budget to account for additional cost-effective health insurance premiums paid, full cost is reimbursed by the State (\$5,635.00).
- Increase revenue and expense budget to account for additional client expenses reimbursed by GAMC (General Assistance Medical Care) transportation funds (\$1,052.00).
- Increase designated for Unreserved for Emergency Contingency account in Public Works fund balance to \$500,000.

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ST. LOUIS COUNTY, MINNESOTA**

- Transfer from Public Works to cover expenditures in Surveyor's Office (\$17,506.33).
- Create Designation for Future Unallotments of \$2,469,479.00 balance between 3% cuts by all departments in 2009 (\$4,019,769.26) and the actual 2009 unallotment (\$1,550,290).

4
4th - Final

				Expense Budget	Transfer Out	Accumulation of Fund Balance	Revenue Budget	Transfers In	Use of Fund Balance	Total
1	100	128010	637900	\$ 44,317.20					\$ (44,317.20)	
	100	999999	311105							
2	100	102003	629900	\$ 1,598.00					\$ (1,598.00)	
	100	999999								
3	100	127002	583100	\$ 35,781.78						
	100	127002	629900				\$ 35,781.78			
4	100	136001	525200	\$ 15,508.86						
	100	136001	629900				\$ (15,508.86)			
5	100	129999	540515	12943	2009					
	100	129999	629900	12943	2009	\$ 8,304.12				
	100	129999	695100	12943	2009	\$ 4,318.47				
6	100	129999	641100	12942	2009	\$ 3,148.00				
	100	129999	540704	12942	2009		\$ (3,148.00)			
7	100	110001	626100	\$ 507.87						
	100	104005	629900	\$ (507.87)						
8	100	999999	311128			\$ (150,000.00)			\$ 150,000.00	
	100	999999	311107							
9	230	999999	311129			\$ (979,350.00)			\$ 979,350.00	
	230	999999	311107							
10	230	231020	600400	\$ 30,000.00						
	230	231020	526700				\$ (15,000.00)			
	230	231020	527700				\$ (15,000.00)			
11	230	230019	600400	\$ 5,635.00						
	230	230019	530619				\$ (5,635.00)			
12	230	231016	600400	\$ 1,052.00						
	230	231016	530618				\$ (1,052.00)			
13	200	999999	311200						107,674.19	
	200	999999	311108			-107,674.19				
14	100	122001	610000	\$ 17,506.33						
	200	200008	610000	\$ (17,506.33)						
15	100	999999	311109			\$ (2,469,479.00)			\$ 2,469,479.00	
	100	999999	311107							

Adopted April 27, 2010. No. 198

RESOLVED, that the St. Louis County Board approves the applications for abatements, correction of assessed valuations and taxes plus penalty and interest, and any additional accrual, identified in County Board File No. 59036.

Adopted April 27, 2010. No. 199

WHEREAS, the port of Duluth-Superior is a Level II port which has received a direct allocation under the Department of Homeland Security FY 2008 Port Security Grant Program; and

WHEREAS, St. Louis County through its Sheriff's Office provides response to incidents within and surrounding the Harbor and Western Lake Superior Region and is eligible to apply for funds under the Port Security Grant Program.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the appropriate county officials to apply for the FY 2008 Port Security Grant Program, as administered by the State of Minnesota Department of Public Safety, Department of Homeland Security.

RESOLVED FURTHER, that application shall be for projects eligible for funding under this grant, to include funding for two microwave data links (Observation Hill to Public Safety Building, and Public Safety Building to the Emergency Operations Center, Pike Lake) and a command vehicle to be utilized by members of the Rescue Squad,

Emergency Response Team, and Emergency Management.

RESOLVED FURTHER, that the application is authorized for a total project cost amount of no more than \$727,750, and that the required 25% cash match of \$181,937 shall come from MIS Telecommunications, Fund 760, Agency 760001, Object 697600 (Transfer Out) and in Motor Pool, Fund 715, Agency 715001, Object 697600 (Transfer Out) to the General Fund, Sheriff's Grants 129999, Object 590100 (Transfer In).

BUDGET ENTRY

760-760001-697600 Transfer Out
760-999999-311500 Use of Fund Balance
715-715001-697600 Transfer Out
715-999999-311500 Use of Fund Balance
100-129999-590100-12938-99999999-2008 Transfer In

100-129999-665900-12938-99999999-2008 Expense Budget
100-129999-666300-12938-99999999-2008 Expense Budget

ACTUAL ENTRY

760-760001-697600 Transfer Out
715-715001-697600 Transfer Out
100-129999-590100-12938-99999999-2008 Transfer In
Adopted April 27, 2010. No. 200

RESOLVED, that a public hearing will be held at 9:35 a.m. on May 11, 2010, in the St. Louis County Courthouse, Duluth, Minnesota, for the purpose of considering an Off-Sale Intoxicating Liquor License to Vermilion Ventures, LLC, d/b/a Bayview Lodge, Greenwood Township.
Adopted April 27, 2010. No. 201

WHEREAS, bids have been received by the County Auditor for the following combined project:

MP 127-97028 (low) located on CSAH 127 (Merrit Ave.) from CR 452 to CSAH 7, in Iron, MN and,
MP 452-1275 located on CR 452 (Iron Jct. Rd.) from CSAH 137 (Spirit Lake Rd.) to CSAH 7 in Iron, MN.

WHEREAS, bids were opened in the County Board Room at 10:00 a.m., April 12, 2010, and the lowest responsible bidder determined.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the award on the above project to the low bidder.

<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
KGM Contractors, Inc.	P.O. Box 7 Angora, MN 55703	\$927,954.91

RESOLVED FURTHER, that the appropriate county officials are authorized to approve the Contractor's Performance Bonds and to execute the bonds and contract for the above listed project payable from:

MP 127-97028 (low): Fund 200, Agency 203220, Object 652800 \$798,082.90
MP 452-1275: Fund 200, Agency 203089, Object 652800 \$129,872.01
Adopted April 27, 2010. No. 202

WHEREAS, bids have been received by the County Auditor for the following project:

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ST. LOUIS COUNTY, MINNESOTA**

MP 3782 located at the St. Louis County Public Works Facility in Meadowlands, MN, and Cole Ave.

WHEREAS, bids were opened in the County Board Room at 10:00 a.m., April 12, 2010, and the lowest responsible bidder determined.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the award on the above project to the low bidder.

<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
Northland Constructors of Duluth, LLC	4843 Rice Lake Rd. Duluth, MN 55803	\$219,842.40

RESOLVED FURTHER, that the appropriate county officials are authorized to approve the Contractor's Performance Bonds and to execute the bonds and contract for the above listed project payable from:

Fund 438, Agency 438009, Object 660600 – SLC portion	\$210,113.40
Fund 200, Agency 203223, Object 652800 – Meadowlands	\$ 9,729.00

With additional revenue budgeted for expense:

City of Meadowlands Fund 200, Agency 203223, Object 551571	\$ 9,729.00
Adopted April 27, 2010. <u>No. 203</u>	

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. 59024, are hereby approved and the County Auditor shall issue checks in the following amounts:

<u>FUND</u>		<u>TOTAL</u>
100	General Fund	\$5,450,457.95
149	Personnel Service Fund	60.00
150	Sheriff's Nemesis Fund Group	26,626.00
160	MN Trail Assistance	19,744.97
166	Attorney's Forfeitures	305.89
168	Sheriff's State Forfeitures	14,986.61
171	Controlled Substance	10,675.86
173	Emergency Shelter Grant	33,765.98
176	Revolving Loan Fund	250,000.00
179	Enhanced 9-1-1	17,295.37
180	Law Library	28,488.18
183	City/County Communications	387.79
184	Extension Service	37,324.84
200	Public Works	2,328,198.84
220	State Road Aid	206,976.19
230	Public Health & Human Services	5,593,715.56
240	Forfeited Tax	403,394.51
250	St. Louis County HRA	151,085.00
260	CDBG Grant	172,339.42
270	Home Grant	162,434.02
290	Forest Resources	4,108.45
302	Hibbing PW Facility 1997	80,027.20
400	County Facility	73,723.92
407	Road & Bridge-Equipment	54,418.77

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS 136
ST. LOUIS COUNTY, MINNESOTA

421	Northland Office Bldg Improv.	5,940.00
433	Dul CH – Begin Phase III HVAC	2,828.29
437	2008 Cap Equip Note	185,999.10
438	2008 Capital Improvement Bond	437,311.82
500	Shoreline Sales	19,510.00
600	Environmental Services	382,758.47
616	On-Site Waste Water Division	38,400.91
625	Chris Jensen Health & Rehab	387,687.36
700	Printing	10,438.33
705	Postage Office Supplies	13,068.60
715	County Garage	223,592.27
720	Property Casualty Liability	12,545.66
730	Workers Compensation	486,315.76
750	Management Info Systems	312,645.23
760	Telecommunications	184,995.94
770	Retired Employees Health Ins.	597.00
826	Taconite Production Tax	1,509,613.00
900	State of Minnesota	1,263,085.17
902	Courts	287,559.56
908	City and Towns Taxes	522.98
909	Tax Refunds	153,179.64
911	Taxes and Penalties	2,262.05
925	Arrowhead Regional Corrections	1,607,013.88
955	Community Health Board	184,098.51
985	Collective Local Collaborative	37,576.78
989	Regional Railroad Authority	277,062.43
990	Northern Cities Land Use	2,001.37
992	Permits to Carry-Firearms	100.00
994	Sheriff Forfeits/Evidence	495.39
998	MPL-DUL Train Alliance	245,571.98
		\$23,395,318.80

Adopted April 27, 2010. No. 204

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, dated April 9, 2010, on file in the office of the County Auditor, identified as County Board File No. 59016, is hereby received and ratified as payable from Fund 730, Agency 730001.

Adopted April 27, 2010. No. 205

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of April 6, 2010, are hereby approved.

Adopted April 27, 2010. No. 206

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of April 13, 2010, are hereby approved.

Adopted April 27, 2010. No. 207

RESOLVED, that pursuant to Ordinance No. 28, Section 11, Subdivision 11.06, authorization is hereby approved for the following applications to sell/serve outside the designated serving area of the County Liquor License, as per application on file in the office of the County Auditor, identified as County Board File No. 59021.

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

Ash-Ka-Nam Resort & Lodge, LLC, d/b/a Ash-Ka-Nam, Unorganized Township 68-19, May 1, 2010;

Ash-Ka-Nam Resort & Lodge, LLC, d/b/a Ash-Ka-Nam, Unorganized Township 68-19, May 13, 2010;

Ash-Ka-Nam Resort & Lodge, LLC, d/b/a Ash-Ka-Nam, Unorganized Township 68-19, August 28, 2010.

Adopted April 27, 2010. No. 208

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. 59021;

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 on Auditor's Office receiving proof of liquor liability and workers' compensation insurance;

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, 2010:

Adam Riesland d/b/a Porky's, Gnesen Township, Combination On/Off-Sale Intoxicating Liquor License No. ON1040 and Sunday On-Sale Intoxicating Liquor License No. ONS1040.

Adopted April 27, 2010. No. 209

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. 59015, is hereby approved and the County Auditor is authorized to issue the license as follows;

RESOLVED FURTHER, that if named license holder 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 license holder:

Vermilion Ventures, LLC, d/b/a Bayview Lodge, Greenwood Township, Tobacco Products License No. T10251, new.

Adopted April 27, 2010. No. 210

RESOLVED, that the appraisal reports for the sale of timber to be offered at PUBLIC ORAL TIMBER AUCTION, Tracts 1 through 40 (totaling \$905,002.24), as submitted by the Land Commissioner, on file in the office of the County Auditor, identified as County Board File No. 59017, are approved and the County Auditor is authorized to carry out the recommendations as listed in said appraisal reports.

Adopted April 27, 2010. No. 211

At 9:42 a.m., April 27, 2010, Commissioner Nelson, supported by Commissioner Fink, moved to adjourn the meeting; seven yeas, zero nays.

Steve Raukar, Chair of the Board
of County Commissioners

Attest:

Donald Dicklich, 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, 2010

OFFICIAL PROCEEDINGS OF THE MEETING
OF THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF ST. LOUIS, MINNESOTA,
HELD ON MAY 4, 2010

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 4th day of May, 2010, at 9:34 a.m., in the County Board Room, Duluth, Minnesota, with the following members present: Commissioners Dennis Fink, Steve O'Neil, Chris Dahlberg, Mike Forsman, Peg Sweeney, Keith Nelson, and Chair Steve Raukar – 7. Absent: None.

Chair Raukar asked for a moment of silence to honor U.S. troops serving throughout the world and their families at home as well as all persons whose lives are adversely affected by war.

Commissioner O'Neil said there are many ways to present Words of Wisdom and he chose to have Duluth poet Ellie Schoenfeld read a poem she wrote entitled "Jesus Rising," about a statue of Jesus located on the 4th Street side of the Damiano Center in Duluth.

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

Kevin Gray, County Administrator, said the lack of items on the regular board agenda are not an indication of a lack of work by Commissioners but more a reflection of the hard work done at Committee of the Whole where consensus was reached. Administrator Gray also thanked Deputy Administrator Gary Eckenberg for coordinating recent technological updates to the Boardroom.

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

City of Buhl Wellhead Protection Program Part 1.—[59073](#)

Commissioner O'Neil submitting a poem written and recited by Duluth poet Ellie Schoenfeld entitled "Jesus Rising" along with photos of the statue for which the poem was written.—[59074](#)

County Auditor submitting 3.2 non-intoxicating malt liquor license applications (Beer) for the year 2010.—[59075](#)

Cooperative Agreement between the County of St. Louis and the Town of Gnesen for Various Paved Township Streets and County Highways (MP 10022).—[10-371](#)

Cooperative Agreement between the County of St. Louis and the City of Chisholm for Various Paved City Streets and County Highways (MP 10022).—[10-372](#)

Agreement for Professional Services between St. Louis County and South St. Louis Soil and Water Conservation District for Wetlands Conservation Act Administration.—[10-373](#)

Amendment No. 1 to Agreement for Professional Services (DAMION #2009-5430) between St. Louis

County and Tim Goodman & Associates extending the term of the original agreement through December 31, 2010.—[10-374](#)

Annual Boat and Water Safety Grant Agreement between the State of Minnesota Department of Natural Resources and the St. Louis County Sheriff's Department for the period of January 1, 2010 through June 30, 2011.—[10-375](#)

Grant Contract between the State of Minnesota, Department of Public Safety, Emergency Communications Networks Division, and St. Louis County for the Allied Radio Matrix for Emergency Response (ARMER) radio system.—[10-376](#)

Joint Powers Agreement, CFMS Contract No. B41315, between the State of Minnesota, Department of Public Safety, Bureau of Criminal Apprehension (BCA), CriMNet Office and the County of St. Louis, Sheriff's Office, for adapter enhancements from the Damion Prosecutor, Shield RMS applications to the BCA's eCharging and Name and Event Index Service, Comprehensive Incident Based Reporting System.—[10-377](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14611A, between the Public Health and Human Services Department and Transitional Housing.—[10-378](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14649A, between the Public Health and Human Services Department and Range Respite Project, Inc.—[10-379](#)

Upon motion of Commissioner Nelson, supported by Commissioner O'Neil, Resolutions No. 212 through 234 were unanimously adopted as follows:

BY COMMISSIONER NELSON:

WHEREAS, the contracts with Mark Jacobs of Duluth, MN, and Danielle Duclos, of Uriah, CA, for the purchase of state tax forfeited land are in default for nonpayment of taxes and/or installments; and WHEREAS, the purchasers were properly served with Notice of Cancellation of Contract by civil process and/or publication and have failed to cure the default for these lands; and

WHEREAS, Minn. Stat. § 282.04, Subd. 2(d) and 504B.271, authorizes the County Auditor to dispose of abandoned personal property; and

WHEREAS, the previous owners of the property will be notified by posting of property or by mail.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the cancellation of contracts C22050058 and C22050143 for the purchase of state tax forfeited land, according to the provisions of Minn. Stat. § 282.01, Subd. 5, and Minn. Stat. § 282.40, and according to the procedures of Minn. Stat. § 559.21, legally described as:

Mark Jacobs CITY OF DULUTH
 LOT 0003 BLOCK 071
 WEST DULUTH 6TH DIVISION
 Parcel Code: 10-4520-9510
 C22050058

Danielle Duclos CITY OF AURORA
 LOT 0001 BLOCK 001
 HOLLAND ADDITION C OF AURORA
 Parcel Code: 100-42-10
 C22050143

RESOLVED FURTHER, the St. Louis County Board authorizes the County Auditor to dispose of abandoned personal property from the above described state tax forfeited property.

Adopted May 4, 2010. [No. 212](#)

WHEREAS, Minn. Stat. § 282.241 provides that state tax forfeited land may be repurchased by the previous owners subject to payment of delinquent taxes and assessments with penalties, interest and costs; and

WHEREAS, the applicant, Mark Mehle, Jr., has applied to repurchase state tax forfeited land; and

WHEREAS, the applicant was the owner of record at the time of forfeiture, and is eligible to repurchase the property; and

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

NOW, THEREFORE, BE IT RESOLVED, that the St Louis County Board approves the repurchase application of Mark Mehle, Jr., on file in County Board File No. 59058, subject to payments including total taxes and assessments of \$551.85, service fee of \$114, a deed tax of \$1.82, a deed fee of \$25, and a recording fee of \$46; for a total of \$738.67 to be deposited into Fund 240 (Forfeited Tax Fund).

Adopted May 4, 2010. No. 213

WHEREAS, pursuant to Laws of Minnesota 2008, Chapter 368, Article 1, Section 56, St. Louis County may sell to the State of Minnesota the following described state tax forfeited land for the purpose of public water access to Little Grand Lake:

Lot 7, Klimeks Addition to Grand Lake, Section 31, Township 51 North, Range 16 West

WHEREAS, the parcel of land has been classified as non-conservation land pursuant to Minn. Stat. § 282.01; and

WHEREAS, the parcel of land has not been withdrawn from sale pursuant to Minn. Stat. §§ 85.012, 92.461, 282.01, Subd. 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 state tax forfeited lands described as Lot 7, Klimeks Addition to Grand Lake, Section 31, Township 51 North, Range 16 West, to the State of Minnesota for the appraised value of \$45,650 plus a 3% assurance fee of \$1,369.50, for a total of \$47,019.50 to be deposited into Fund 240 (Forfeited Tax Fund).

RESOLVED FURTHER, St. Louis County Board Resolution No. 08-670, dated December 23, 2008, is hereby rescinded.

Adopted May 4, 2010. No. 214

WHEREAS, the St. Louis County Board 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, the parcels of land as described in County Board File No. 59022 have been classified as non-conservation land as provided for in Minn. Stat. Chapter 282.01; and

WHEREAS, these parcels of land are not withdrawn from sale pursuant to Minn. Stat. §§ 85.012, 92.461, 282.01, Subd. 8, and 282.018, and other statutes that require the withholding of State tax forfeited lands from sale; and

WHEREAS, Tract #12 is a combination of state tax forfeited and county fee land and buyer has an option to purchase on a contract for deed under the same terms as outlined in Minn. Stat. Chapter 282; and

WHEREAS, the Commissioner of Natural Resources has approved the sale of these lands, as required by Minn. Stat. Chapter 282.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board authorizes the County Auditor to offer these lands at public sale at not less than the basic sale price in accordance with terms set forth in the Land Department policy, and in a manner provided for by law on Thursday, June 10, 2010, at 10:00 a.m. at the Depot, 506 W. Michigan Street, Duluth, MN. Funds from the land sale are to be deposited into Fund 240 (Forfeited Tax Fund) or into Fund 100, Agency 128014 (County Fee Land Sales Cost).

Adopted May 4, 2010. No. 215

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

WHEREAS, the Public Works Department 2010 budget includes funds for the purchase of Global Positioning System (GPS) equipment through the State of Minnesota Contract to replace aging instruments in the Engineering Division.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the purchase of a Trimble GPS Unit and related equipment from Frontier Precision, Inc., of Bloomington, MN, in the amount of \$55,221.90 from Fund 200, Agency 200008, Object 664800, as identified in quote No. STL01-022310.

Adopted May 4, 2010. No. 216

WHEREAS, the Public Works Department's 2010 equipment budget includes replacement of one (1) wheel loader, Unit A5415, a 2004 Case 921C; and

WHEREAS, the Public Works Department presented specifications to the Purchasing Department for a request of State of Minnesota contract pricing from two area vendors selling wheel loaders acceptable to the Department; and

WHEREAS, Ziegler, Inc., of Duluth and Minneapolis, MN, had the lowest cost "with trade-in" price to purchase one Caterpillar 950H wheel loader.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board authorizes, in accordance with "The Request for State Contract Pricing, Specifications for 4 Cu. Yd. Wheel Loaders Contract # 4881", the purchase of one Caterpillar 950H wheel loader from Ziegler, Inc., of Duluth and Minneapolis, MN, at the State of Minnesota contract "with trade-in" price of \$99,634.00 plus sales tax for a total cost of \$106,483.84, payable from Fund 437, Agency 437001, Object 666400.

Adopted May 4, 2010. No. 217

WHEREAS, Northshore Mining Company has developed plans to expand its taconite mining operations on property owned in the NE ¼ of the SE ¼ of Section 9 and the SW ¼ of the SW ¼ of Section 10, both in Township 60 North, Range 12 West (City of Babbitt, MN); and

WHEREAS, these mining plans necessitate the closure and abandonment of a segment of County Road 623 currently located on the property; and

WHEREAS, pursuant to an easement deed entered into by and between the United States Department of Agriculture and St. Louis County dated October 6, 1967, St. Louis County is the successor-in-interest to the grantee named in a Corporate Right of Way Deed dated September 1, 1936, filed in the office of the County Recorder in Book 655 of Deeds, Page 471; and

WHEREAS, as successors-in-interest to Mesabi Iron Company, Northshore Mining, has given notice to St. Louis County to abandon a portion of the highway easement as stipulated in the deeds; and

WHEREAS, the St. Louis County Public Works Department and Northshore Mining Company have jointly identified and agreed to a new location replacing the segment of highway to be abandoned.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the appropriate county officials to enter into an agreement with Northshore Mining Company and Cliffs Erie LLC, whereby St. Louis County agrees to the vacation of the existing County Road 623 and Northshore Mining agrees to grant a replacement easement upon which the highway will be relocated.

RESOLVED FURTHER, that the St. Louis County Board authorizes the acquisition of the necessary lands and temporary easements for this project, payable from Fund 200, Agency 2003001, Objects 636500 and 636600.

RESOLVED FURTHER, that pursuant to Minn. Stat. § 282.04, Subdivision 4, the St. Louis County Board authorizes the County Auditor to grant the necessary right of way easements for highway purposes over, under, and across the following Tax Forfeited parcel:

Parcel 8 - Southwest Quarter of the Northwest Quarter (SW ¼ of NW ¼), Section 10, Township 60 North, Range 12 West of the Fourth Principal Meridian. (P.I.N. # 105-0060-01510).

Adopted May 4, 2010. No. 218

RESOLVED, that pursuant to Minn. Stat. § 349.213, Subd. 2, the St. Louis County Board approves

the following Lawful Gambling License Application (Pull-tabs with dispensing device) on file in the office of the County Auditor, identified as County Board File No. 59051, for the following organization:

Ely Igloo Snowmobile Club to operate out of Junction Bar & Grill, Unorganized Township
 61-13, 2667 County Road 70, Babbitt, MN, 55706, new.

Adopted May 4, 2010. No. 219

WHEREAS, the 2010-2014 Consolidated Plan and FY 2010 Action Plan were submitted on March 15, 2010, to the U.S. Department of Housing and Urban Development for the FY 2010 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 St. Louis County 2010-2014 Consolidated Plan and FY 2109 Action Plan and provided program allocations to St. Louis County of \$106,536 for the ESG program; \$724,659 for the HOME program; and \$2,652,206 for the CDBG program; and

WHEREAS, the St. Louis County Board approved the FY 2010 CDBG program awards to 30 communities and agencies totaling approximately \$2.2 million by Board Resolution No. 10-111 on March 2, 2010, which included an additional \$75,000 in program income and \$222,011 in reprogrammed funds to assist communities and agencies; and

WHEREAS, additional CDBG formula allocation of \$222,011 is awarded to the recommended second tier projects totaling \$180,374 and the balance of \$39,637 to program administration resulting in a total allocation of **\$2,949,217** for administration and eligible projects; and

WHEREAS, the advisory committee for the ESG program recommends FY 2010 funding of **\$106,536** for administration and five nonprofit organizations to support essential services, homeless prevention activities, and emergency shelter and transitional housing operations; and

WHEREAS, \$75,000 of program income and \$66,621 in reallocated Housing Development set aside funds are included in the HOME program 2010 budget and the advisory committee for the Northeast Minnesota HOME Consortium recommends HOME funding of **\$866,280** for administration and priority housing activities identified in the Consolidated Plan in the five-county region.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board accepts the FY 2010 HUD grants and authorizes the St. Louis County Planning and Development Director to execute the grant agreements on behalf of St. Louis County, along with all the necessary forms, attachments, addendums, certifications, and subsequent forms 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:

\$ 2,652,206	Community Development Block Grant to Fund 260
\$ 106,536	Emergency Shelter Grant to Fund 173
\$ 724,659	HOME Investment Partnerships Grant to Fund 270

RESOLVED FURTHER, the St. Louis County Board allocates FY 2010 projects and authorizes the Planning and Development 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 260, ESG agreements from ESG Fund 173, and HOME agreements from HOME Fund 270 as follows:

<u>Agency - ESG Fund 173</u>	<u>Amount</u>
Arrowhead Economic Opportunity Agency (Bill's House)	\$ 43,575
Legal Aid Service of NE Minnesota	12,166
Range Transitional Housing	25,888
Salvation Army - Hibbing	9,897
Salvation Army - Virginia	<u>9,897</u>
<i>Subtotal</i>	<i>\$101,423</i>

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

Administration		<u>5,113</u>
	Total	\$106,536
 <u>Agency – HOME Fund 270</u>		<u>Amount</u>
 <u>Arrowhead Economic Opportunity Agency</u>		
Home Ownership Assistance		\$ 278,621
CHDO Operating		<u>11,112</u>
<i>Subtotal</i>		\$ 289,733
 <u>KOOTASCA Community Action, Inc.</u>		
Home Ownership Assistance		\$ 245,000
CHDO Operating		<u>12,842</u>
<i>Subtotal</i>		\$ 257,842
 <u>Northern Communities Land Trust</u>		
CHDO Set Aside Activities		\$ 234,250
CHDO Operating		<u>12,278</u>
<i>Subtotal</i>		\$ 246,528
Administration		<u>\$ 72,177</u>
	Total	<u>\$ 866,280</u>

Agency – CDBG, Fund 260

Contract No.	Project	Amount
Housing		
201003	Accessible Space, Inc.	36,000
201004	AEOA Single Family Housing Rehab	400,000
201005	North St. Louis County Habitat for Humanity	154,000
201006	Northern Communities Land Trust	110,000
<i>Subtotal</i>		\$700,000
Economic Development		
201001	NE Entrepreneur Micro-enterprise	75,000
201002	UMD Small Business Development Centers	25,000
<i>Subtotal</i>		\$100,000
Physical Improvement		
<i>Public Infrastructure</i>		
201009	Cook Lift Station Replacement (2 nd Tier Priority Project)	50,000
201010	Ely Central Avenue Utilities	275,000
201011	Ely EDA Commercial Rehab Loan Program (2 nd Tier Priority)	50,000
201012	Eveleth Sanitary Sewer Replacement	275,000
201013	Floodwood Pump House Improvements	60,000
201016	Hibbing Public Utilities Infrastructure (2 nd Tier additional funds)	104,000
201017	Hibbing Sanitary & Storm Sewer Rehabilitation	50,000
201018	Leonidas 2 nd Avenue Improvements	75,000
201019	Tower North Area Infrastructure	50,000
<i>ADA Improvements</i>		
201007	Apple Tree Learning Center ADA Improvements (2 nd Tier Project)	42,000
201008	Biwabik Township Fire Hall	16,000
201014	Floodwood Services and Training	42,000
201015	Grand Lake Community Center	50,000
<i>Neighborhood Revitalization</i>		
201031	SLC Neighborhood Revitalization	200,000
<i>Subtotal</i>		\$1,339,000
Public Service		
201020	AEOA Homeless Shelter	45,000
201021	AEOA Homeless Youth Services	12,000
201022	AEOA Homeownership Assistance Program	17,000
201023	AEOA Raising Our Children's Kids (ROCK)	8,000
201024	Hibbing Salvation Army Melting Pot Meals Program	16,500
201025	Legal Aid Service of NE MN Housing Counseling	43,500
201026	Range Transitional Housing	42,000
201027	Range Women's Advocates Children's Program	26,000
201028	Sexual Assault Youth Outreach Services	27,000
201029	SOAR Career Solutions	30,000
201030	Virginia Salvation Army Supper Club	16,500
<i>Subtotal</i>		\$283,500
Administration		
Administration		\$526,717
<i>Subtotal</i>		\$526,717
Grand Total		\$2,949,217

Adopted May 4, 2010. No. 220

RESOLVED, that the St. Louis County Board approves the applications for abatements, correction of assessed valuations and taxes plus penalty and interest, and any additional accrual, identified in County Board File No. 59036.

Adopted May 4, 2010. No. 221

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

WHEREAS, all increases in original governmental funds revenue and expenditure budgets require County Board approval; and

WHEREAS, departments anticipate being notified of additional revenues throughout the year and need approval to increase revenue and expenditure budgets; and

WHEREAS, proposed budget adjustments are levy neutral;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners authorizes the following budget changes:

- Reduce the expense and revenue budget in Employee Relations to reflect the reduction of 1.0 FTE (position code 0879-002), eliminated through the lease of Chris Jensen. Further, position code 0879-002 is abolished, resulting in a net decrease of 1.0 FTE in Employee Relations (\$83,069.80).
- Position codes 0590-002 and 0586-007 are abolished, resulting in a net decrease of 2.0 FTE in Administration – Community Foods.
- Authorize an increase in revenue and expense budgets for State Courts to account for its portion of courier charges payable to St. Louis County (\$500.00).
- Authorize an increase in revenue and expense budgets to account for additional Federal ACT (Assertive Community Treatment) program dollars, which are used to work with Mental Health Clients on case management services. This represents funds received and budgeted to be spent in addition to the adopted budget of \$2,700,000 (\$142,815.00).
- Increase revenue and expense budget in sheriff's office for vehicle purchased through transfer in from Fund 715 County Garage (\$20,000.00).
- Adjust the "Grow Your Own" County Extension workshop (3/20/2010) to reflect actual revenue received and related expenses (\$2,500.00).
- Increase unorganized township levy expense budget for 2010 to \$393,000, per County Board Resolution No. 09-434 (\$168,000.00).
- Authorize use of Recorder Technology Fund balance to fund allowable projects (total \$136,000.00).
- Use of Public Works fund balance accumulated through 2009 gas and diesel savings to fund future equipment purchases (\$1,599,316.90).
- Authorize use of Fund 640 Plat Books retained earnings for North Plat books reprinting (\$12,000.00).
- Increase revenue and expense budget in Property Management to account for sale of surplus county equipment from Chris Jensen (\$3,255.00).
- Authorize use of designated Nursing Home Fund Balance (approved as part of the 4th quarter 2009 budget adjustments) to cover 2010 expenses related to Chris Jensen (\$649,760.00).
- Approve use of Fund Balance Designated for Parking for engineering services to analyze downtown parking ramp/lots (\$21,543.00).
- Approve use of Extension Program fund balance to continue IRYA school advisor program in 2010 (\$6,000.00).
- Approve reclassification of an Information Specialist III in the Sheriff's Office to an Information Specialist II and adjust the budget for the estimated difference through the remainder of the year (\$3,872.00).

PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS 147
ST. LOUIS COUNTY, MINNESOTA

FUND AGENCY		Expense Budget	Transfer	Accumulation of OutFund Balance	Revenue Budget	Transfers	Use of Fund In Balance	Total
1st Quarter								
1	100	123001 610000	\$ (83,069.80)					
	100	999999 311200		83,069.80				
Reduce Employee Relations FTE count by 1.00 FTE position 0879-002								
2	The salaries for these positions were not budgeted for in 2010. Reduce the FTE count of Admn by 2 FTE's in Community Foods 0590-002 and 0586-007							
3	100	111001 620500	\$ 500.00					
	100	111001 552506			\$ (500.00)			
4	230	232003 629900	\$ 131,715.00					
	230	232003 609600	\$ 11,100.00					
	230	232003 527500			\$ 142,815.00			
5	100	129001 666100	\$ 20,000.00					
	100	129001 590100			\$ (20,000.00)			
6	184	185024 552506			\$ (2,500.00)			
	184	185024 620200	\$ 500.00					
	184	185024 623100	\$ 500.00					
	184	185024 627800	\$ 500.00					
	184	185024 629900	\$ 500.00					
	184	185024 634900	\$ 200.00					
	184	185024 641100	\$ 300.00					
7	210	210001 500100			\$ (168,000.00)			
	210	210001 652800	\$ 168,000.00					
8	100	121002 665300	\$ 56,000.00					
	100	121002 623900	\$ 80,000.00					
							\$ (136,000.00)	
9	200	999999 311202					(1,599,316.90)	
	200	207001 697600		1,599,316.90				
	407	407001 590100				(1,599,316.90)		
	407	407001 665900	\$ 1,599,316.90					
10	640	999999 311500					\$ (12,000.00)	
	640	640001 640800	\$ 12,000.00					
11	100	128015 583210			\$ (3,255.00)			
	100	128015 630900	\$ 3,255.00					
12	100	100001 697600	\$ 649,760.00					
	100	999999 311128					\$ (649,760.00)	
	625	625019 590100			\$ (649,760.00)			
	625	999999 629900	\$ 649,760.00					
13	100	128010 626600	\$ 21,543.00					
	100	999999 311105					\$ (21,543.00)	
14	184	186001 629900	\$ 6,000.00					
	184	999999 311016					\$ (6,000.00)	
15	100	129004 610000	\$ (3,872.00)					
	100	999999 311200		\$ 3,872.00				

Adopted May 4, 2010. No. 222

RESOLVED, that the St. Louis County Board approves the purchase of services agreements with the following six (6) Iron Range school districts participating in the Iron Range Youth in Action program (IRYA) for the provision of IRYA school advisors: Virginia, Chisholm, Mt. Iron-Buhl, Eveleth-Gilbert, Ely, and Mesabi East, and approves a transfer of up to \$6,000 from the County Extension Service fund balance, Fund 184, Agency 186001, Object 629900, for services provided during the 2009-2010 school year.

Adopted May 4, 2010. No. 223

WHEREAS, County Board Resolution No. 09-186 dated June 9, 2009, accepted a \$467,000 American Recovery and Reinvestment Act (ARRA) Energy Efficiency and Conservation Block Grant (EECBG), of which the majority of proceeds (approximately \$400,000) will be used for the replacement of the 30 year old windows in the Duluth Courthouse; and

WHEREAS, the grant requires the county to perform and implement several programs and activities as part of the qualification criteria; and

WHEREAS, the project implemented by this agreement will complete the Technical Consultant Services portion of the grant requirements by consolidating investigations, research, and analysis done by the county to date in a new asset management system; and

WHEREAS, this project will create a single database in line with the county's comprehensive Energy Efficiency and Conservation Strategy plan that will allow the county to analyze and plan for the most efficient and sustainable use of county resources.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board authorizes the appropriate county officials to execute an agreement with Short, Elliot, Hendrickson, Incorporated, of Duluth, MN, for an amount of up to \$47,800. Funds are available from Fund 100, Agency 104999 (Administration – Grants), Object 629900.

Adopted May 4, 2010. No. 224

WHEREAS, the State of Minnesota Department of Public Safety through the Homeland Security and Emergency Management Division (HSEM) has made available an additional \$125,000 in funding from the Law Enforcement Terrorism Prevention Program for Interoperable Communications Equipment for St. Louis County; and

WHEREAS, HSEM has agreed to extend the termination date of the grant from March 30, 2010 to June 30, 2010 so there is time for St. Louis County to purchase needed interoperable communications equipment.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the appropriate county officials to accept the additional \$125,000 in funding from the Law Enforcement Terrorism Prevention Program as part of the 2007 Northern Border grant, and to amend the grant contract end date from March 30, 2010 to June 30, 2010.

RESOLVED FURTHER, that the St. Louis County Board authorizes purchase of the interoperable communications equipment identified in the grant to expedite the fulfillment of the grant contract within the short time frame.

RESOLVED FURTHER, that the expenditure and revenue budgets of the existing grant will be increased to reflect the additional funding, which is accounted for in Fund 100, Agency 129999, Grant 12940, Year 2007.

Adopted May 4, 2010. No. 225

WHEREAS, bids have been received by the County Auditor for the following combined project:

MP 536-1285 (Low) located on CR 536 (Scout Camp Rd.) from TR 6705 to CSAH 95 in Fayal Township, MN, and,

MP 6705-99999 located on TR 6705 from 0.25 mi. W of CR 536 to CR 536 in Fayal Township, MN.

WHEREAS, bids were opened in the County Board Room at 10:00 a.m., April 19, 2010, and the low responsible bid determined.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the award on the above project to the low bidder.

<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
Ulland Brothers, Inc. Cloquet, MN 55720	P.O. Box 340	\$176,114.99

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ST. LOUIS COUNTY, MINNESOTA

RESOLVED FURTHER, that the appropriate county officials are authorized to approve the Contractor's Performance Bonds and to execute the bonds and contract for the above listed project payable from:

MP 536-1285 (Low): Fund 200, Agency 203103, Object 652800 \$150,296.59
MP 6705-99999: Fund 200, Agency 203224, Object 652800 \$ 25,818.40

With additional revenue budgeted for expense:

Town of Foyal Fund 200, Agency 203224, Object 551537 \$ 25,818.40
Adopted May 4, 2010. No. 226

WHEREAS, bids have been received by the County Auditor for the following project:

MP 10022 Crack Sealing 2010 located at various locations in St. Louis County.

WHEREAS, bids were opened in the County Board Room at 10:00 a.m., April 19, 2010, and the low responsible bid determined.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the award on the above project to the low bidder.

<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
Fahrner Asphalt Sealers, LLC Eau Claire, WI 54702-0659	PO Box 659	\$209,095.30

RESOLVED FURTHER, that the appropriate county officials are authorized to approve the Contractor's Performance Bonds and to execute the bonds and contract for the above listed project payable from Fund 200, Agency 201062, Object 653300.

With additional revenue budgeted for expense:

City of Chisholm Fund 200, Agency 201062, Object 551530 \$ 4,730.40
Township of Gnesen Fund 200, Agency 201062, Object 551551 \$ 3,650.00
Adopted May 4, 2010. No. 227

WHEREAS, bids have been received by the County Auditor for the following project:

SP 69-070-005, CP 92759 Edgeline Rumble Stripes located on various County State Aid Highways within St. Louis County.

WHEREAS, said bids were opened in the County Board Room at 10:00 a.m., April 26, 2010, and the St. Louis County Board has, with the County Highway Engineer, determined the lowest responsible bidder.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the award on the above project to the lowest bidder.

<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
Swanston Equipment Co. Fargo, ND 58103	3450 Main Ave.	\$248,884.11

RESOLVED FURTHER, that the appropriate county officials are authorized to approve the Contractor's Performance Bonds and to execute the bonds and contract with the Contractor for the above listed project payable from Fund 220, Agency 220243, Object 652700.

Adopted May 4, 2010. No. 228

WHEREAS, bids have been received by the County Auditor for the following project:

MP 10025, Maintenance Striping located at various locations in St. Louis County, Lake County, City of Eveleth, and City of Virginia.

WHEREAS, said bids were opened in the County Board Room at 10:00 a.m., April 26, 2010, and the St. Louis County Board has, with the County Highway Engineer, determined the lowest responsible bidder.

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ST. LOUIS COUNTY, MINNESOTA

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the award on the above project to the lowest bidder.

<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
Traffic Marking Services, Inc.	621 Division St. E. Maple Lake, MN 55358	\$469,147.90

RESOLVED FURTHER, that the appropriate county officials are authorized to approve the Contractor's Performance Bonds and to execute the bonds and contract with the Contractor for the above listed project payable from Fund 200, Agency 207001, Object 651800.

With additional revenue budgeted for expense:

Lake County	Fund 200, Agency 207001, Object 551508	\$ 96,978.60
City of Eveleth	Fund 200, Agency 207001, Object 551519	\$ 748.80
City of Virginia	Fund 200, Agency 207001, Object 551505	\$ 4,275.90

Adopted May 4, 2010. No. 229

WHEREAS, bids have been received by the County Auditor for the following project:

MP 10023, North Crushing 2010 located in various locations in Northern St. Louis County.

WHEREAS, said bids were opened in the County Board Room at 10:00 a.m., April 26, 2010, and the St. Louis County Board has, with the County Highway Engineer, determined the lowest responsible bidder.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the award on the above project to the lowest bidder.

<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
Hammerlund Construction, Inc.	3201 W. Hwy. 2 Grand Rapids, MN 55744	\$287,000.00

RESOLVED FURTHER, that the appropriate county officials are authorized to approve the Contractor's Performance Bonds and to execute the bonds and contract with the Contractor for the above listed project payable from:

Fund 200, Agency 201063, Object 650200	\$ 253,000.00
Fund 210, Agency 210030, Object 650200	\$ 34,000.00

With additional revenue budgeted for expense:

City of Hibbing	Fund 200, Agency 201063, Object 551504	\$ 21,500.00
City of Ely	Fund 200, Agency 201063, Object 551538	\$ 17,850.00
Town of Morse	Fund 200, Agency 201063, Object 551572	\$ 5,100.00

Adopted May 4, 2010. No. 230

RESOLVED, the St. Louis County Board appoints Patrick Layman of Aurora, Minnesota, to the Arrowhead Library System Governing Board for a three year term expiring June 30, 2013.

Adopted May 4, 2010. No. 231

WHEREAS, Minn. Stat. § 274.13 requires that the County Commissioners constitute a County Board of Appeal and Equalization each year to hear complaints of taxpayers and review assessments of real and personal property throughout the county; and

WHEREAS, the 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, determines it is in the public interest to appoint said Special Board.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board appoints the following individuals to serve as the Special Board of Appeal and Equalization for Assessment Year 2010:

John Vigen, Duluth	Commissioner District #1
Lee Conradi, Duluth	Commissioner District #2
Kevin Doyle, Duluth	Commissioner District #3
Leonard Cersine, Ely	Commissioner District #4
William Clements, Town of Rice Lake	Commissioner District #5
Dawn Cole, Town of Fayal	Commissioner District #6
Frank Bigelow, City of Hibbing	Commissioner District #7

RESOLVED FURTHER, that the Special Board of Appeal and Equalization is:

- Delegated all powers and duties of the County Board of Appeal and Equalization.
- To report the results of their deliberations back to the St. Louis County Board in the form of minutes kept by the Clerk of the County Board.
- Directed to hold at least one meeting day in the Duluth Court House and one day at the Community Center in Mountain Iron.
- To be compensated at the rate of \$200 per meeting day (payable from Assessor's Department Object #635300 - Non-employee fees) and be reimbursed for mileage and expenses at the current county rate (from Assessor's Department Object #635500 - Non-employee travel).
- Directed to convene at 10:00 a.m., June 15, 2010, in the Commissioners Conference Room, St. Louis County Courthouse, Duluth, MN.

Adopted May 4, 2010. No. 232

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 3.2 percent malt liquor license is hereby approved, on file in the office of the County Auditor, identified as County Board File No. 59075;

FURTHER RESOLVED, that said license is approved contingent upon the license holder paying real estate or personal property taxes when due;

FURTHER RESOLVED, that if named license holder 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 license holder;

FURTHER RESOLVED, that said license shall be effective through June 30, 2011:

Ely Golf Club, Inc., d/b/a Ely Golf Club, Inc., Morse Township, On/Off-Sale 3.2 Percent Malt Liquor License No. B1193, change of officers.

Adopted May 4, 2010. No. 233

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, dated April 23, 2010, on file in the office of the County Auditor, identified as County Board File No. 59016, is hereby received and ratified as payable from Fund 730, Agency 730001.

Adopted May 4, 2010. No. 234

At 9:45 a.m., May 4, 2010, Commissioner Sweeney, supported by Commissioner Fink, moved to adjourn the County Board meeting; seven yeas, zero nays.

Steve Raukar, Chair of the Board
of County Commissioners

Attest:

Donald Dicklich, County Auditor
and Ex-Officio Clerk of the Board

of County Commissioners

(Seal of the County Auditor)

**OFFICIAL PROCEEDINGS OF THE MEETING
OF THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF ST. LOUIS, MINNESOTA,
HELD ON MAY 11, 2010**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 11th day of May, 2010, at 9:35 a.m., in the County Board Room, Duluth, Minnesota, with the following members present: Commissioners Dennis Fink, Steve O'Neil, Chris Dahlberg, Mike Forsman, Keith Nelson, and Chair Steve Raukar – 6. Absent: Commissioner Sweeney - 1

Chair Raukar asked for a moment of silence to honor U.S. troops serving throughout the world and their families at home as well as all persons whose lives are adversely affected by war.

Commissioner Dahlberg presented the words of wisdom by quoting a passage from Meditations of Marcus Aurelius and reading a Robert Frost poem entitled *The Road Not Taken*.

At 9:40 a.m., a public hearing was convened pursuant to County Board Resolution No. 201, adopted April 27, 2010, to consider granting an off-sale intoxicating liquor license to Vermillion Venture, LLC, d/b/a Bayview Lodge, Greenwood Township.

County Attorney Melanie Ford advised the Board that: all required county departments reviewed the application and recommended approval; the Liquor Licensing Committee met with the applicant and after discussing the location and propriety of the establishment recommended approval; the Town of Greenwood reviewed the application and recommended approval; all required notice was given; and real estate taxes are up to date. Commissioner Fink asked if granting the license would be contingent on proof of insurance. Wendy Johnson, County Auditor's office, responding to a question from Commissioner Nelson, said proof of insurance is a licensing requirement. In response to a question from Commissioner Forsman, Erik Leitz, representative from Bayview Lodge, said he understands the law and would abide by the provisions of the liquor license ordinance. No one else chose to address the issue.

At 9:45 a.m., Commissioner Nelson, supported by Commissioner O'Neil, move to close the public hearing; six yeas, zero nays.

Commissioner Forsman, supported by Commissioner Nelson, moved to approve the liquor license contingent upon proof of insurance. County Attorney Ford said the resolution already contains contingencies, which would include proof of insurance. Commissioner Fink questioned if the Board should make it a practice to include specific contingencies. After further discussion, the off-sale license was granted; six yeas, zero nays. Resolution No. 250.

Commissioner O'Neil, supported by Commissioner Dahlberg moved to approve the consent agenda; six yeas, zero nays.

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

At 9:55 a.m., the County Board recessed until 11:00 a.m.

At 11:12 a.m., the County Board reconvened in the County Board Conference Room, 2nd

Floor, Courthouse, Duluth, with all commissioners present except Commissioner Sweeney. Commissioner Fink, supported by Commissioner Dahlberg, moved to approve the second consent agenda, consisting of all items passed unanimously at the Committee of the Whole; six yeas, zero nays.

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

Gilbert Wellhead Protection Plan for the City of Gilbert, MN, Part 2.—59076D

Commissioner Dahlberg's "Words of Wisdom" presentation of a quote from Meditations of Marcus Aurelius and a reading of Robert Frost's poem *The Road Not Taken*.—59077

Documentation received regarding the public hearing for an Off Sale Intoxicating Liquor License for Vermilion Ventures, LLC d/b/a Bayview Lodge.—59078

Supply Contract, Contract No. 4874-1, between the County of St. Louis and Ulland Brothers, Inc., for Bituminous Materials.—10-380

Supply Contract, Contract No. 4874-2, between the County of St. Louis and Mesabi Bituminous, Inc., for Bituminous Materials.—10-381

Supply Contract, Contract No. 4874-3, between the County of St. Louis and Monarch Paving Company, for Bituminous Materials.—10-382

Supply Contract, Contract No. 4874-4, between the County of St. Louis and Northland Contractors of Duluth, LLC, for Bituminous Materials.—10-383

Agreement for Professional Services between the County of St. Louis and Scalzo Architects, Ltd., for Duluth Motor Pool Final Remodeling Phase.—10-384

2009-2010 Recycling and Waste Reduction Grant Agreement between the County of St. Louis and the City of Gilbert.—10-385

Agreement for Professional Services between the County of St. Louis and Northland Consulting Engineers, LLP, for Downtown Duluth Flat Surface Parking Lot Repairs and Upgrades – GSC Parking Lot Retaining Walls.—10-386

Agreement for Professional Services between the County of St. Louis and Foster, Jacobs & Johnson, Inc., for Government Services Center Data Center Relocation.—10-387

Addendum to Agreement No. 09-FAV-0012 between St. Louis County and Computer Sciences Corporation for a RISKMASTER General Claims Module.—10-388

Amendment to North HEAT Grant, Grant Contract 5000-6173, from the Minnesota Department of Public Safety to the St. Louis County Sheriff's Department.—10-389

Federal Boating Safety Supplement Grant from the State of Minnesota, Department of Natural Resources.—10-390

Agreement for Professional Services between the County of St. Louis and SAI Global, Inc., d/b/a QMI SAI Global, for third party certification of the International Standards of Organization (ISO) 14001 and the Sustainable Forestry Initiative (SFI) program.—10-

391

Telecommunications Lease, Lease No. L51090001, between the St. Louis County Land Commissioner and T-Mobile Central, LLC, for cell tower lease in the SW ¼ of SW ¼, Section 31, Township 50, Range 14 West.—10-392

Upon motion of Commissioner O'Neil, supported by Commissioner Dahlberg, Resolutions No. 235 through 249, as submitted to this Board on the Consent Agenda, were unanimously adopted as follows:

BY COMMISSIONER O'NEIL:

WHEREAS, the St. Louis County Planning Commission held public hearings regarding the preliminary plat of Fish Lakes Sunset Ridge on February 10, 1994, and May 19, 1994, and granted preliminary approval for the plat; and

WHEREAS, the final prints have been submitted and conform with the requirements set forth by the Planning Commission.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board grants final approval to the plat of Fish Lakes Sunset Ridge, located in Sections 28 and 33, Township 52 North, Range 15 West (Fredenberg).

Adopted May 11, 2010. No. 235

WHEREAS, the Director of Purchasing solicited quotes for Mechanical Site Scarification by Disc Trench on state tax forfeited lands for the year 2010; and

WHEREAS, Future Forests, Inc., of Askov, Minnesota, submitted the only quote in the amount of \$51,716; and

WHEREAS, the quote submitted is considered reasonable by Land Department staff.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the appropriate county officials to execute a contract with Future Forests, Inc., of Askov, Minnesota, for Mechanical Site Scarification by Disc Trench on state tax forfeited lands during the summer of 2010, in accordance with the specifications of Bid No. 4884, and subject to approval of the County Attorney, at its low specification quote of \$51,716, payable from Fund 290, Agency 290001.

Adopted May 11, 2010. No. 236

WHEREAS, the Public Works Department establishes weight restrictions on county roads during the spring thaw in order to prevent road damage; and

WHEREAS, the Sheriff's Office provides the enforcement of these road weight restrictions; and

WHEREAS, the Public Work Department benefits from this enforcement which helps protect county roads from damage.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board authorizes an agreement between the Public Works Department and the Sheriff's Office whereby Public Works reimburses the Sheriff's Office \$10,000 per year for years 2011 – 2015 (5 years) as its share of the equipment and operation costs associated with enforcing county road weight restrictions.

RESOLVED FURTHER, that this reimbursement will be paid from Public Works Fund 200, Agency 200001, Object 627700 to the Sheriff's Department Fund 100, Agency 129001, Revenue 583101.

Adopted May 11, 2010. No. 237

WHEREAS, the St. Louis County Public Works Department plans to replace County Bridge 642 and to reconstruct approximately 1,380 feet of the adjacent County Road 492 (Anton Road) located approximately 3/4 mile west of Trunk Highway 73 in Sturgeon Township (Township 61 North, Range 20 West), County Project 1818, State Aid Project

69-598-034; and

WHEREAS, these improvements consist of bridge replacement and realignment, widening and reconstruction of the roadway as determined necessary for the safety and convenience of the public; and

WHEREAS, in addition to the existing highway right of way, certain lands are required for this construction, together with temporary construction easements.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the acquisition of the necessary lands and temporary easements for this project, payable from Fund 200, Agency 203001, Objects 636500 and 636600.

Adopted May 11, 2010. No. 238

WHEREAS, the State of Minnesota Department of Public Safety, through the Homeland Security and Emergency Management Division, has again made available an Operation Stonegarden grant to enhance the security of the international border and ports of entry between St. Louis County and Canada.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes application and acceptance of the 2009 Homeland Security Operation Stonegarden grant, not to exceed \$143,486, and that St. Louis County act as coordinator and fiscal agent for the grant through the Sheriff's Office.

RESOLVED FURTHER, that the appropriate county officials are authorized to execute all agreements and contracts necessary to fulfill the application and acceptance of the 2009 Homeland Security Operation Stonegarden grant as approved by the St. Louis County Attorney.

RESOLVED FURTHER, that grant funds will be made payable to and expenditures paid from Fund 100, Agency 129999, Grant 12931, Year 2009.

Adopted May 11, 2010. No. 239

WHEREAS, bids have been received by the County Auditor for the following project:

SAP 69-621-032, CP 9327, located on CSAH No. 21 from Ahola Rd. to TH 169 in Ely, MN.

WHEREAS, bids were opened in the County Board Room at 10:00 a.m., May 3, 2010, and the lowest responsible bidder determined.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the award on the above project to the lowest bidder.

<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
Wagner Construction, Inc.	P.O. Box B	\$2,566,080.25
International Falls, MN 56679		

RESOLVED FURTHER, that the County Board Chair, County Auditor, and County Attorney are authorized to approve the Contractor's Performance Bonds and to execute the bonds and contract for the above listed project payable from Fund 220, Agency 220238, Object 652700.

With additional revenue budgeted for expense:

City of Ely Fund 220, Agency 220238, Object 551538 \$1,005,478.36

Adopted May 11, 2010. No. 240

WHEREAS, bids have been received by the County Auditor for the following project:

SP 69-661-015, MN Project TEAX 6910(190), CP 10272, located at Buchanan Wayside on CSAH 61 between Stoney Point Drive and CR 290, northeast of Duluth, MN.

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ST. LOUIS COUNTY, MINNESOTA

WHEREAS, bids were opened in the County Board Room at 10:00 a.m., May 3, 2010, and the lowest responsible bidder determined.
NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the award on the above project to the lowest bidder.

<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
Environmental Associates, Inc.	770 N. Bus. Hwy. 71 Willmar, MN 56201	\$376,344.00

RESOLVED FURTHER, that the County Board Chair, County Auditor, and County Attorney are authorized to approve the Contractor's Performance Bonds and to execute the bonds and contract for the above listed project payable from Fund 220, Agency 220244, Object 652700.
Adopted May 11, 2010. No. 241

WHEREAS, bids have been received by the County Auditor for the following project:
MP 10026, Central Crushing 2010 located at various locations in central St. Louis County.

WHEREAS, bids were opened in the County Board Room at 10:00 a.m., May 3, 2010, and the lowest responsible bidder determined.
NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the award 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 55374-9461	\$229,335.00

RESOLVED FURTHER, that the County Board Chair, County Auditor, and County Attorney are authorized to approve the Contractor's Performance Bonds and to execute the bonds and contract for the above listed project payable from:

Fund 200, Agency 201064, Object 650200	\$190,335.00
Fund 210, Agency 210034, Object 650200	\$ 39,000.00

With additional revenue budgeted for expense:
Toivola Township Fund 200, Agency 201064, Object 551573 \$ 2,730.00
Ellsburg Township Fund 200, Agency 201064, Object 551574 \$ 2,925.00
Cedar Valley Township Fund 200, Agency 201064, Object 551568 \$ 37,980.00
Adopted May 11, 2010. No. 242

RESOLVED, that the St. Louis County Board approves the applications for abatements, correction of assessed valuations and taxes plus penalty and interest, and any additional accrual, identified in County Board File No. 59036.
Adopted May 11, 2010. No. 243

WHEREAS, effective services to victims of crime is an essential component of public safety as well as fairness and justice in the system; and
WHEREAS, the increased Criminal and PHHS Division case loads in the County Attorney's office requires an additional 0.3 FTE in the Duluth area to ensure that adequate services are provided to victims of crimes; and
WHEREAS, The Victim Fund authorized by Minn. Stat. § 609.101 comes from fees collected by the court from criminal defendants, and by law is to be used to provide programs for victims of crime and there is sufficient money in the Victim Fund 169 to fund the additional .3 FTE.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes an additional .3 FTE in the County Attorney's personnel complement (100-113001), with the additional expense to be paid from Fund 169, Fund Balance.
Adopted May 11, 2010. No. 244

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of April 27, 2010, are hereby approved.
Adopted May 11, 2010. No. 245

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, 2010, as per application on file in the office of the County Auditor, identified as County Board File No. 59021.
Adopted May 11, 2010. No. 246

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 temporary on-sale intoxicating liquor license is hereby approved, on file in the office of the County Auditor, identified as County Board File No. 59021:
Lake Superior Brewing Company, LLC, Temporary On-Sale Intoxicating Liquor License No. TL1011, for June 12 and 13, 2010. Event is Old World Renaissance Faire, Grand Lake Township, north end of McGregor Road, off Hwy. 7, Twig (Kenneth Harnell property).
Adopted May 11, 2010. No. 247

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. 59015, is hereby approved and the County Auditor is authorized to issue the license as follows:
RESOLVED FURTHER, that if named license holder 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 license holder:
Tim & Jesse, Inc., d/b/a Rudy's Bar, City of Aurora, Tobacco Products
License No. T10183.
Adopted May 11, 2010. No. 248

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. 59024, are hereby approved and the County Auditor shall issue checks in the following amounts:

April 2010		
100	General Fund	\$5,051,094.92
147	Namakan Basin Sewer System	46,940.00
149	Personnel Service Fund	611.93
150	Sheriff's Nemesis Fund Group	139,101.15
160	MN Trail Assistance	16,555.99
167	Attorney's Forfeitures	326.78
168	Sheriff's State Forfeitures	3,500.25
173	Emergency Shelter Grant	51,039.24
179	Enhanced 9-1-1	2,523.32

180	Law Library	15,429.35
183	City/County Communications	394.55
184	Extension Service	114,659.97
200	Public Works	1,935,445.37
210	Road Maint - Unorg Townships	6,584.90
220	State Road Aid	204,334.69
230	Public Health & Human Services	6,804,661.89
240	Forfeited Tax	380,973.36
250	St. Louis County HRA	19,694.29
260	CDBG Grant	44,987.17
270	Home Grant	5,544.77
280	Federal Septic Loan - EPA Fund	11,245.00
290	Forest Resources	16,992.00
302	Hibbing PW Facility 1997	660.00
400	County Facility	62,824.22
407	Public Works - Equipment	32,428.92
433	Dul CH - Begin Phase III HVAC	3,727.00
437	2008A Capital Equipment Note	164,454.25
438	2008B Capital Improvement Bond	355,842.02
600	Environmental Services	377,831.55
616	On-Site Waste Water Division	39,109.44
625	Chris Jensen Health & Rehab	194,643.71
640	Plat Books	32.00
700	Printing	10,438.32
705	Postage Office Supplies	131,659.56
715	County Garage	165,204.94
720	Property Casualty Liability	8,051.14
730	Workers Compensation	399,163.59
750	Management Info Systems	382,359.36
760	Telecommunications	166,769.14
770	Retired Employees Health Ins.	2,269.37
826	Taconite Production Tax	178,788.00
900	State of Minnesota	1,095,518.66
902	Courts	287,595.30
908	Cities and Towns Taxes	162,910.30
909	Tax Refunds	140,366.08
910	School Districts Taxes	764,160.21
925	Arrowhead Regional Corrections	1,471,370.83
955	Community Health Board	228,324.90
985	Collective Local Collaborative	16,490.89
989	Regional Railroad Authority	85,866.64
990	Northern Cities Land Use	976.60
992	Permits to Carry-Firearms	1,915.00
994	Sheriff Forfeits/Evidence	1,776.93
998	MPL-DUL Train Alliance	<u>376,252.69</u>
		\$22,182,422.45

Adopted May 11, 2010. No. 249

BY COMMISSIONER FORSMAN:

WHEREAS, Vermilion Ventures, LLC, d/b/a Bayview Lodge, Greenwood Township, St. Louis County, Minnesota, has applied for an off-sale intoxicating liquor license; and
 WHEREAS, Minn. Stat. § 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 11, 2010, 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, Bayview Lodge 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 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 CMB10132) shall be issued to Vermilion Ventures, LLC, d/b/a Bayview Lodge, Greenwood Township, located in Area 3, for an annual fee of \$150.

RESOLVED FURTHER, that the liquor license shall be effective through June 30, 2010; RESOLVED FURTHER, that the license is approved contingent upon payment of real estate taxes when due;

RESOLVED FURTHER, that the license is approved contingent upon applicant complying in all respects with the controlling liquor, health, environmental and sanitary laws, rules and regulations for the liquor license.

RESOLVED FURTHER, that if named license holder sells the licensed place of business, the County Board may, after an investigation, transfer the license to a new owner, but without pro-rated refund of license fee to the license holder.

Unanimously adopted May 11, 2010. No. 250

Upon motion of Commissioner Fink, supported by Commissioner Dahlberg, Resolutions No. 251 through 262, 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 FINK:

WHEREAS, Minn. Stat. § 282.241 provides that state tax forfeited lands may be repurchased by the previous owners subject to payment of delinquent taxes and assessments with penalties, interest and costs; and

WHEREAS, the applicant, Donna Linna Young, has applied to repurchase state tax forfeited land; and

WHEREAS, the applicant was the owner of record at the time of forfeiture, and is eligible to repurchase the property; and

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

NOW, THEREFORE, BE IT RESOLVED, that the St Louis County Board approves the repurchase application by Donna Linna Young on file in County Board File No. 59058, subject to payments including total taxes and assessments of \$3,542.89, service fee of \$114, deed tax of \$11.69, deed fee of \$25, and recording fee of \$46; for a total of \$3,739.58 to be deposited into Fund 240 (Forfeited Tax Fund).

Adopted May 11, 2010. No. 251

WHEREAS, Karen Kapalin has agreed that the contract for the purchase of state tax forfeited lands should be cancelled; and

WHEREAS, the purchaser voluntarily agreed to admission of service and waiver of time to cure default to the State of Minnesota.

NOW, THEREFORE, BE IT RESOLVED, that the St Louis County Board approves the cancellation of contract for purchase of state tax forfeited lands by Karen Kapalin listed on file in County Board File No. 59038, according to the provisions of Minn. Stat. § 282.01, Subd. 5, and Minn. Stat. § 282.40, and according to the procedures of Minn. Stat. § 559.21.

PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS 161
ST. LOUIS COUNTY, MINNESOTA

Adopted May 11, 2010. No. 252

WHEREAS, contracts with Budget Battery/J. C. Olsen of Duluth, MN, Travis Stejskal of Duluth, MN, Charles Burdick of Chisholm, MN, Terry and Mary Johnson of Aurora, MN, and Jack Priley of Duluth, MN, for the purchase/repurchase of State tax forfeited land are in default for nonpayment of taxes and/or installments; and

WHEREAS, the purchasers were properly served with Notice of Cancellation of Contract by civil process and have failed to cure the default for lands legally described as:

Budget Battery/J. C. Olsen

CITY OF DULUTH

N 100 FT SUBJECT TO INCREMENT FINANCING EX COMM AT A PT WHERE THE COMMON LINE BETWEEN LOTS 20 & 21 INTERSECT THE SLY LINE OF SUPERIOR STR THENCE NELY ALONG SLY LINE OF STR 0.55 FT TO PT OF BEG THENCE SWLY ALONG SLY LINE OF STR 0.55 FT TO A PT ON COMMON LINE BETWEEN LOTS 20 & 21 THENCE SELY ALONG COMMON LINE 100 FT THENCE NELY PARALLEL TO SLY LINE OF SUPERIOR ST 0.70 FT THENCE NWLY ALONG A STRAIGHT LINE TO PT OF BEG, PART OF DULUTH FORMERLY PORTLAND

Parcel Code: 10-3820-1340

C22060201

Travis Stejskal

CITY OF DULUTH

E 1/2 EX HWY RT OF WA

LOT 333 BLOCK 144

DULUTH PROPER SECOND DIVISION

Parcel Code: 10-1220-230

C22080067

Charles Burdick

CITY OF HIBBING

LOTS 1 AND 2, BLOCK 1

BROOKLYN C OF HIBBING

Parcel Code: 140-50-10

C22080334

Terry and Mary Johnson

CITY OF VIRGINIA

LOT 19 BLOCK 5

VIRGINIA/RAINY LAKE COS ADDN TO VIRGINIA

Parcel Code: 90-160-830

C22080333

Jack Priley

CITY OF DULUTH

NLY 395.85 Ft of LOT 10, BLOCK 3,

GREYSOLON FARMS 1ST DIVISION OF DULUTH

Parcel Code: 10-2010-675

C22030108

WHEREAS, Minn. Stat. §§ 282.04, Subd. 2(d), and 504B.271 authorizes the County Auditor to dispose of abandoned personal property; and

WHEREAS, the previous owners of the property will be notified by posting of property or by mail.

NOW, THEREFORE, BE IT RESOLVED, that the St Louis County Board approves the cancellation of contracts for the purchase/repurchase of state tax forfeited land described above, according to the provisions of Minn. Stat. § 282.01, Subd. 5, and Minn. Stat. § 282.40, and according to the procedures of Minn. Stat. § 559.21.

RESOLVED FURTHER, the County Auditor is authorized to dispose of abandoned personal property from the above described State tax forfeited property.

Adopted May 11, 2010. No. 253

WHEREAS, Duluth Independent School District No. 709 has requested to purchase the following described state tax forfeited land for the appraised value of \$26,000, plus fees, for the purpose of the Grant school improvement project:

Legal: Lot 13 also Lot 14 Inc Pt of Vac St. Adj. also Lots 15 and 16 Nly 45 Ft Inc Pt of Vac St. Adj also Lots 15 and 16 Nly 50 ft of Sly 95 Ft

Block 26, Lakeview Division

City of Duluth

Parcel Codes: 10-2790-2470, 2480, 2490, 2500, 2510, 2520

0.68 Acres

LDKEYS: 30582, 30583, 30584, 30585, 30586, 30587

WHEREAS, Minn. Stat. § 282.01, Subd. 1(a), authorizes the sale of state tax forfeited land to an organized governmental subdivision for any public purpose for which the subdivision is authorized to acquire property; 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 Minn. Stat. § 282.01, Subd.1; and

WHEREAS, the reclassification and sale of said parcels will be deemed approved if the County Board does not receive notice of the municipality's or town's disapproval of the reclassification and sale within 60 days of the date on which this resolution is delivered to the clerk; and

WHEREAS, the Land Commissioner recommends that the parcels be reclassified as non-conservation and offered for sale having considered, 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 of land have not been withdrawn from sale pursuant to Minn. Stat. §§ 85.012, 92.461, 282.01, Subd. 8; and 282.018, and other statutes that require the withholding of state tax forfeited lands from sale.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the reclassification and sale of the state tax forfeited land, as described above, to Duluth Independent School District (ISD) No. 709 for the appraised value of \$26,000 plus the following fees: 3% assurance fee of \$780, deed fee of \$25, deed tax of \$85.80, recording fee of \$46 and appraisal fee of \$800, for a total of \$27,736.80 to be deposited into Fund 240 (Forfeited Tax Fund).

RESOLVED FURTHER, that the St. Louis County Auditor shall offer for sale at public auction the state tax forfeited land described herein if Duluth ISD No. 709 does not purchase the land by September 30, 2010.

Adopted May 11, 2010. No. 254

WHEREAS, the St. Louis County Public Works Department plans to reconstruct 4.14 miles of County State Aid Highway (CSAH) No. 4 (County Project 9282, SP 69-604-60) in Colvin Township; and

WHEREAS, it is necessary for the county to obtain additional highway right of way to perform the road reconstruction between CSAH No. 108 and 0.7 mile north of County Road 340; and

WHEREAS, St. Louis County Highway Plat No. 30, as authorized by County Board Resolution No. 175 adopted April 1, 2008, has been prepared and recorded in the office of the St. Louis County Recorder; and

WHEREAS, the following numbered parcels of said Highway Right of Way Plat have not been acquired by negotiation and direct purchase:

<u>Parcel</u>	<u>Owners</u>
12	Ronald Matthews Jr. and Patricia Matthews Husband and wife
17	Gene Auel and Clarissa Porter Joint Tenants
31 & 32	George John Rogich and Delores Joy Rogich Husband and wife (Both Deceased)
46, 47, & 48	Karen M. McDonald and Duane M. McDonald Wife and husband (1/4 undivided interest)

As more completely described in attached Exhibit A:

Exhibit A

CSAH 4, County Project 9282, SP 69-604-60

Parcels not acquired by negotiation and direct purchase (5 May 2010):

Parcel 12 – Matthews

Property Description – That part of the SW ¼ of NE ¼, Section 27, Township 56 North of Range 15 West of the Fourth Principal Meridian, according to the United States Government Survey thereof described as follows:

Beginning at the Northwest corner of the SW ¼ of NE ¼, thence East along the North line of said SW ¼ of NE ¼ a distance of 590 feet to the southwesterly right-of-way line of County Highway 4; thence Southeasterly along said Southwesterly right-of-way line for a distance of 500 feet to the point of beginning; thence due west a distance of 400 feet to a point; thence South for a distance of 200 feet to a point; thence East a distance of 600 feet, more or less to the southwesterly line of said County Highway No. 4; thence northwesterly along southwesterly boundary line of said County Highway No. 4, a distance of 300 feet, more or less, to the point of beginning. Containing 2 ½ acres, more or less.

Interest to be Acquired – A PERMANENT EASEMENT for highway purposes over, under, and across that part of the above described property shown as Parcel 12 on the plat designated as St. Louis County Highway Plat No. 30, on file and on record in the Office of the County Recorder in and for the County of St. Louis, Minnesota.

Said Permanent easement contains approximately 0.0 acre of existing highway right of way and 0.19 acre of additional highway right of way.

Together with a TEMPORARY EASEMENT for highway purposes over, under and across that part of the above described property shown as TEMPORARY EASEMENT on Parcel 12 on the plat designated as St. Louis County Highway Right of Way Plat No. 30, on file and on record in the Office of the County Recorder in and for the County of St. Louis, Minnesota.

Said temporary easement contains approximately 0.17 acre and shall expire December

31, 2015.

Parcel 17 – Auel & Porter

Property Description – All that part of the Northeast quarter of the Northwest quarter (NE ¼ of NW ¼), Section Twenty-seven (27), Township Fifty-six (56), Range Fifteen (15), lying southwest of the center line of State Highway No. 4 as laid out and travelled on July 26, 1970, and northwest of a line perpendicular to the line of State Highway No. 4 and from a point southeast along the southerly line of said highway 450 feet from the intersection of said southerly line of said highway and the northerly line of said NE ¼ of NW ¼.

Interest to be Acquired – A PERMANENT EASEMENT for highway purposes over, under, and across that part of the above described property shown as Parcel 17 on the plat designated as St. Louis County Highway Plat No. 30, on file and on record in the Office of the County Recorder in and for the County of St. Louis, Minnesota.

Said Permanent easement contains approximately 0.57 acre of existing highway right of way and 0.86 acre of additional highway right of way.

Together with a TEMPORARY EASEMENT for highway purposes over, under and across that part of the above described property shown as TEMPORARY EASEMENT on Parcel 17 on the plat designated as St. Louis County Highway Right of Way Plat No. 30, on file and of record in the Office of the County Recorder in and for the County of St. Louis, Minnesota.

Said temporary easement contains approximately 0.14 acre and shall expire December 31, 2015.

Parcel 31 – Rogich (estate)

Property Description – The Northerly 550 feet of that part of the Northwest Quarter of Northwest Quarter (NW ¼ of NW ¼), lying westerly of the centerline of County Highway 4, Section Twenty-Two (22), Township Fifty-Six (56), North of Range Fifteen (15), West of the Fourth Principal Meridian, according to the United States Government survey thereof, on file and on record in the office of the Register of Deeds in and for St. Louis County, Minnesota.

Interest to be Acquired – A PERMANENT EASEMENT for highway purposes over, under, and across that part of the above described property shown as Parcel 31 on the plat designated as St. Louis County Highway Plat No. 30, on file and on record in the Office of the County Recorder in and for the County of St. Louis, Minnesota.

Said Permanent easement contains approximately 0.42 acre of existing highway right of way and 0.30 acre of additional highway right of way.

Together with a TEMPORARY EASEMENT for highway purposes over, under and across that part of the above described property shown as TEMPORARY EASEMENT on Parcel 31 on the plat designated as St. Louis County Highway Right of Way Plat No. 30, on file and on record in the Office of the County Recorder in and for the County of St. Louis, Minnesota.

Said temporary easement contains approximately 0.02 acre and shall expire December 31, 2015.

Parcel 32 – Rogich (estate)

Property Description – All that part of the Northeast Quarter of the Northeast Quarter (NE ¼ of NE ¼), Section Twenty-one (21), Township Fifty-six (56) North, Range Fifteen (15) West of the Fourth Principal Meridian, according to the United States Government Survey thereof, described as follows:

Commencing at the Northeast corner of said NE ¼ of NE ¼ as the place of beginning, thence West along the North line of said NE ¼ of NE ¼ for a distance of 500 feet, thence South parallel with the West line of said NE ¼ of NE ¼ for a distance of 550 feet to a point; thence East on a line parallel with the North line of said NE ¼ of NE ¼ for a distance of 500 feet to the East line of said NE ¼ of NE ¼, thence North along said East line to the point of beginning.

Interest to be Acquired – A PERMANENT EASEMENT for highway purposes over, under, and across that part of the above described property shown as Parcel 32 on the plat designated as St. Louis County Highway Plat No. 30, on file and on record in the Office of the County Recorder in and for the County of St. Louis, Minnesota.

Said Permanent easement contains approximately 0.00 acres of existing highway right of way and 0.14 acre of additional highway right of way.

Together with a TEMPORARY EASEMENT for highway purposes over, under and across that part of the above described property shown as TEMPORARY EASEMENT on Parcel 32 on the plat designated as St. Louis County Highway Right of Way Plat No. 30, on file and on record in the Office of the County Recorder in and for the County of St. Louis, Minnesota.

Said temporary easement contains approximately 0.08 acre and shall expire December 15, 2015.

Parcel 46 – McDonald (1/4 undivided interest)

Property Description – Southwest Quarter of Southeast Quarter (SW ¼ of SE ¼), Section Nine (9), Township Fifty-six (56) North, Range Fifteen (15) West of the Fourth Principal Meridian.

Interest to be Acquired – A PERMANENT EASEMENT for highway purposes over, under and across that part of the above described property shown as Parcel 46 on the plat designated as St. Louis County Highway Plat No. 30, on file and on record in the Office of the County Recorder in and for the County of St. Louis, Minnesota.

Said Permanent easement contains approximately 1.70 acre of existing highway right of way and 1.29 acre of additional highway right of way.

Together with a TEMPORARY EASEMENT for highway purposes over, under and across that part of the above described property shown as TEMPORARY EASEMENT on Parcel 46 on the plat designated as St. Louis County Highway Right of Way Plat No. 30, on file and on record in the Office of the County Recorder in and for the County of St. Louis, Minnesota.

Said temporary easement contains approximately 0.10 acre and shall expire December 31, 2015.

Parcel 47 – McDonald (1/4 undivided interest)

Property Description – Northwest Quarter of the Southeast Quarter (NW ¼ of SE ¼), Section Nine (9), Township Fifty-six (56) North, Range Fifteen (15) West of the

Fourth Principal Meridian.

Interest to be Acquired – A PERMANENT EASEMENT for highway purposes over, under, and across that part of the above described property shown as Parcel 47 on the plat designated as St. Louis County Highway Plat No. 30, on file and on record in the Office of the County Recorder in and for the County of St. Louis, Minnesota.

Said Permanent easement contains approximately 2.51 acres of existing highway right of way and 2.42 acres of additional highway right of way.

Together with a TEMPORARY EASEMENT for highway purposes over, under and across that part of the above described property shown as TEMPORARY EASEMENT on Parcel 47 on the plat designated as St. Louis County Highway Right of Way Plat No. 30, on file and on record in the Office of the County Recorder in and for the County of St. Louis, Minnesota.

Said temporary easement contains approximately 0.38 acre and shall expire December 31, 2015.

Parcel 48 – McDonald (1/4 undivided interest)

Property Description – Northeast Quarter of Southwest Quarter (NE ¼ of SW ¼), Section Nine (9), Township Fifty-Six (56) North, Range Fifteen (15) West of the Fourth Principal Meridian.

Interest to be Acquired – A PERMANENT EASEMENT for highway purposes over, under, and across that part of the above described property shown as Parcel 48 on the plat designated as St. Louis County Highway Plat No. 30, on file and on record in the Office of the County Recorder in and for the County of St. Louis, Minnesota.

Said Permanent easement contains approximately 0.15 acre of existing highway right of way and 0.12 acre of additional highway right of way.

Together with a TEMPORARY EASEMENT for highway purposes over, under and across that part of the above described property shown as TEMPORARY EASEMENT on Parcel 48 on the plat designated as St. Louis County Highway Right of Way Plat No. 30, on file and on record in the office of the County Recorder in and for the County of St. Louis, Minnesota.

Said temporary easement contains approximately 0.19 acre and shall expire December 31, 2015.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board, pursuant to Minn. Stat. Chapter 163.02 et al, authorizes the County Attorney to proceed under Minn. Stat. Chapter 117.02 et al, to acquire the necessary highway right of way by condemnation proceedings, payable from Fund 220, Agency 220173, Objects 636500 and 636600.

Adopted May 11, 2010. No. 255

WHEREAS, under Minn. Stat. § 174.02, Subdivision 6, the Commissioner of Transportation may enter into agreements with other governmental or nongovernmental entities for sharing facilities that promote efficiencies in providing governmental services for the benefit of the citizens of Minnesota; and

WHEREAS, the state and the county are responsible for maintaining roads in their

respective jurisdictions and have similar needs for storing sand and salt for snow and ice removal; and

WHEREAS, the state and county are willing to jointly construct a salt and sand storage building to protect against run off on state property for use by both MNDOT and St. Louis County, and the county is willing to share in the cost of the salt and sand shed construction; and

WHEREAS, each party is willing to supply and pay for its portion of sand and salt stored at the site.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes an agreement with the State of Minnesota to build a shared salt and sand storage building at MNDOT's Nopeming facility and to authorize payment to the Minnesota Department of Transportation, Commissioner of Transportation, in the amount of \$170,680.00 payable from Public Works Building Construction Fund 405, Agency 405038, Object 661100, with the funds transferred from the Public Works Fund Balance, Fund 200, Object 311200.

Adopted May 11, 2010. No. 256

WHEREAS, bids have been received by the Purchasing Department for the following project:

Bid 4889, Furnish and Apply 415,800 gallons of 38% Calcium Chloride; and

WHEREAS, bids were opened in the Purchasing Department at 2:00 p.m., April 29, 2010, and the County Highway Engineer and Purchasing Director determined the low bidder.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the award of contract for the application of calcium chloride for dust control to the low bidder:

<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
Univar, Inc., USA	St. Paul, MN	\$325,987.20

Bid - \$0.784/gal. for 415,800 gallons = \$325,897.20 on both material and application cost which includes sales tax, payable from Fund 200, Agency 207001, Object 653400 (Dust Control).

RESOLVED FURTHER, that the Public Works Director is hereby authorized, at his discretion, to expend up to the budgeted amount (\$349,500.00) for additional calcium chloride.

Adopted May 11, 2010. No. 257

WHEREAS, bids have been received by the County Auditor for the following project:

SAP 69-742-002, CP 67044 located on CSAH 142 (Grant Ave.) from Fayal Rd. to TH 53 in Eveleth, MN.

WHEREAS, bids were opened in the County Board Room at 10:00 a.m., May 10, 2010, and the lowest responsible bidder determined.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the award on the above project to the lowest bidder.

<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
Hammerlund Construction, Inc.	3201 W. Hwy. 2 Grand Rapids, MN 55744	\$2,868,000.00

RESOLVED FURTHER, that the appropriate county officials are authorized to approve the Contractor's Performance Bonds and to execute the bonds and contract for the above listed project payable from Fund 220, Agency 220207, Object 652700.

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ST. LOUIS COUNTY, MINNESOTA**

With additional revenue budgeted for expense:

City of Eveleth, Fund 220, Agency 220207, Object 551519 \$ 609,302.02
Adopted May 11, 2010. No. 258

WHEREAS, bids have been received by the County Auditor for the following combined project:

SAP 69-664-003 (Low), CP 10028 located on CSAH 64 (Pennsylvania Ave.)
from CSAH 125 to TH 169 in Buhl, MN.
MP 453-97030 located on CR 453 from CR 642 to TH 169 south of Buhl, MN.

WHEREAS, bids were opened in the County Board Room at 10:00 a.m., May 10, 2010, and the lowest responsible bidder determined.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the award on the above combined project to the lowest bidder.

<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
Hardrives, Inc.	14475 Quiram Dr. Rogers, MN 55374	\$423,369.00

RESOLVED FURTHER, that the appropriate county officials are authorized to approve the Contractor's Performance Bonds and to execute the bonds and contract for the above listed project payable from:

SAP 69-664-003 (Low): Fund 220, Agency 220242, Object 652700 \$223,948.62
MP 453-97030: Fund 200, Agency 203221, Object 652800 \$199,420.38
Adopted May 11, 2010. No. 259

WHEREAS, bids have been received by the County Auditor for the following project:

MP 10029, South Crushing located at various locations in southern St. Louis County.

WHEREAS, bids were opened in the County Board Room at 10:00 a.m., May 10, 2010, and the lowest responsible bidder determined.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the award on the above project to the lowest bidder.

<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
Hammerlund Construction, Inc.	3201 W. Hwy. 2 Grand Rapids, MN 55744	\$225,000.00

RESOLVED FURTHER, that the appropriate county officials are authorized to approve the Contractor's Performance Bonds and to execute the bonds and contract for the above listed project payable from:

Fund 200, Agency 201065, Object 650200 \$ 216,300.00
Fund 210, Agency 210035, Object 650200 \$ 8,700.00

With additional revenue budgeted for expense:

Brevator Township, Fund 200, Agency 201065, Object 551556 \$ 3,480.00
Town of Floodwood, Fund 200, Agency 201065, Object 551553 \$ 2,610.00
Town of Fine Lakes, Fund 200, Agency 201065, Object 551575 \$ 2,436.00
Van Buren Township, Fund 200, Agency 201065, Object 551557 \$ 2,436.00
Town of Halden, Fund 200, Agency 201065, Object 551569 \$ 870.00
SLC Land and Timber, Fund 200, Agency 201065, Object 553022 \$11,900.00
Adopted May 11, 2010. No. 260

RESOLVED, that St. Louis County is hereby authorized to enter into an agreement with the United States Forest Service to provide for payment to St. Louis County for construction of three culverts on County Road 644 near Burntside Lake, north of Ely, MN, which will be funded using American Recovery and Reinvestment Act funds, whereby the county will provide a 20% match through contributions of labor by the St. Louis County Public Works Department.

RESOLVED FURTHER, that the appropriate county officials are authorized to sign the agreement and any amendments approved by the County Attorney's office for MP 644-106398, with additional revenue budgeted for expense from American Recovery and Reinvestment Act Funds for Fund 220, Agency 220245, Object 540605, \$90,000.00.

Adopted May 11, 2010. No. 261

WHEREAS, the Hibbing Courthouse 2nd floor currently provides no security measures to protect staff or the public, and there is no restroom to facilitate drug testing for the Arrowhead Regional Corrections Probation Office; and

WHEREAS, bids (#4872) were opened on March 25, 2010, with Max Gray Construction, Incorporated, Hibbing, MN, as the lowest bidder.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board authorizes the appropriate county officials to execute an agreement with Max Gray Construction, Incorporated, of Hibbing, MN, for an amount of \$84,380 for the remodeling of the 2nd floor – north wing of the Hibbing Courthouse, payable from Fund 400, Agency 400008.

Adopted May 11, 2010. No. 262

At 11:20 a.m., May 11, 2010, Commissioner Dahlberg, supported by Commissioner O'Neil, moved to adjourn the meeting; six yeas, zero nays.

Steve Raukar, Chair of the Board
of County Commissioners

Attest:

Donald Dicklich, County Auditor
and Ex-Officio Clerk of the Board
of County Commissioners

(Seal of the County Auditor)

**OFFICIAL PROCEEDINGS OF THE MEETING
OF THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF ST. LOUIS, MINNESOTA,
HELD ON MAY 25, 2010**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 25th day of May, 2010, at 9:40 a.m., in the Hibbing City Council Chambers, Hibbing, Minnesota, with the following members present: Commissioners Steve O'Neil, Peg Sweeney, Keith Nelson, and Chair Steve Raukar – 4. Absent: Commissioners Dennis Fink, Chris Dahlberg, and Mike Forsman – 3.

Chair Raukar asked for a moment of silence to honor U.S. troops serving throughout the world and their families at home as well as all persons whose lives are adversely affected by war.

Chair Raukar presented words of wisdom, inspired by two American leaders: President Thomas Jefferson and President Barack Obama.

Commissioner Dahlberg arrived at 9:47 a.m.

Chair Raukar 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 Tammen, Soudan, MN, recognized veterans of foreign wars and noted the civilians who have suffered during times of war.

Vivian S. Arseneaux, Hibbing, MN, shared her life stories and gave insight to the value of life experiences and learning. Chair Raukar said he would give Ms. Arseneaux an opportunity to finish her story after committee of the whole so the board could complete their agenda.

At 10:20 a.m., Chair Raukar called a five minute recess.

At 10:24 a.m., the County Board reconvened in the Hibbing City Council Chambers with all commissioners present except Commissioners Fink and Forsman.

Commissioner O'Neil, supported by Commissioner Dahlberg, move to approve the consent agenda; five yeas, zero nays.

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

Kevin Gray, County Administrator, submitting Board Letter No. 10-142, Appointments to the Arrowhead Library System Governing Board, from the May 5, 2010, County Board meeting.—59079

Chair Raukar submitting quotes of President Thomas Jefferson and President Barack Obama, which he presented for his *Words of Wisdom* at the County Board meeting of May 25, 2010.—59080

Grant Agreement, Contract No. 20891, between the St. Louis County Board of Commissioners and Fond du Lac Reservation Business Committee, for Adolescent Services Grant, "Strong Families Program", Family-Based Services (BRASS 462x).—10-393

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Home and Community-Based Waiver Services Contract, Contract No. 14805, between the St. Louis County Board of Commissioners and Shane Clemens Adult Foster Home.—[10-394](#)

Home and Community-Based Waiver Services Contract, Contract No. 14776, between the St. Louis County Board of Commissioners and Northern Access Transportation, Inc.—[10-395](#)

Home and Community-Based Waiver Services Contract, Contract No. 14778, between the St. Louis County Board of Commissioners and Mountain Home Medical, Inc., d/b/a Northstar Home Medical, Inc.—[10-396](#)

Family Homeless Prevention and Assistance Program (FHPAP) Grant, Contract No. 20851, between the St. Louis County Board of Commissioners and the Legal Aid Service of Northeastern Minnesota.—[10-397](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14555A, between the St. Louis County Public Health and Human Services Department and Spectrum Community Health, Inc.—[10-398](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14643A, between the St. Louis County Public Health and Human Services Department and Rural Living Environments, Inc.—[10-399](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14667A, between the St. Louis County Public Health and Human Services Department and KC Companies of Tower, Inc., d/b/a Golden Horizons.—[10-400](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14675A, between the St. Louis County Public Health and Human Services Department and Hughes Homes, Inc., d/b/a The Pointe Estates.—[10-401](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14691A, between the St. Louis County Public Health and Human Services Department and September House.—[10-402](#)

Purchase of Service Agreement, Contract No. 14801, between the St. Louis County Board of Commissioners and Fond du Lac Reservation for Families First Family-Based Crisis Services.—[10-403](#)

Grant Agreement, Contract No. 20901, between the St. Louis County Board of Commissioners and Community Action Duluth (CAD) for Minnesota Family Investment Program (MFIP) Disparities Innovation Funds.—[10-404](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14643B, between the St. Louis County Public Health and Human Services Department and Rural Living Environments, Inc.—[10-405](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14682A, between the St. Louis County Public Health and Human Services Department and Northland Foundation d/b/a Northland Village.—[10-406](#)

Grant Agreement, Contract No. 20895, between the St. Louis County Board of Commissioners and the City of Duluth for Minnesota Innovation Fund 2010

Transportation and Short-term Training.—10-407

Group Residential Housing Rate Agreement, Contract No. 50830, between the St. Louis County Board of Commissioners and Rural Living Environments, Inc., (Aspen Home).—10-408

2009-2010 Recycling and Waste Reduction Grant Agreement between the County of St. Louis and the Town of Pike.—10-409

2009-2010 Recycling and Waste Reduction Grant Agreement between the County of St. Louis and the City of Virginia.—10-410

Agreement for Professional Services between St. Louis County and Karissa L. Metzger for Information Specialist duties for Juvenile Detention Alternative Initiative.—10-411

Agreement between St. Louis County and Minnesota Department of Transportation for Shared Sale Shed at Nopeming Truck Station.—10-412

Agreement for Professional Services between St. Louis County and Constellation Justice Systems, Inc., for a joint powers agreement to modify the Records Management System and BCA adaptors.—10-413

Agreement for Professional Services between the County of St. Louis and Ayres Associates to prepare Required Documentation for New Sewer Line to Old Jail.—10-414

Recovery Act Participating Agreement, No. 10-PA-11094419-071, between St. Louis County and U.S. Forest Service Superior National Forest, for Aquatic Organism Passage Improvement project constructing three culverts on County Road 644 north of Ely, MN.—10-415

Minnesota Department of Public Safety Homeland Security and Emergency Management Division Grant increasing the grant amount by an additional \$125,000 and extending the expiration date to June 30, 2010.—10-416

Agreement between St. Louis County and Lake County for 2010 Maintenance Striping, MP 10025.—10-417

Agreement for Professional Services between the County of St. Louis and North St. Louis Soil and Water Conservation District (SWCD) for Wetland Conservation Act oversight and enforcement.—10-418

Upon motion of Commissioner O'Neil, supported by Commissioner Dahlberg, Resolutions No. 263 through 273 were unanimously adopted as follows:

BY COMMISSIONER O'NEIL:

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of May 4, 2010, are hereby approved.
Adopted May 25, 2010. No. 263

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of May 11, 2010, are hereby approved.
Adopted May 25, 2010. No. 264

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, dated May 7, 2010, on file in the office of the County Auditor, identified as County Board File No. 59016, is hereby received and ratified as payable from Fund 730, Agency 730001.

Adopted May 25, 2010. No. 265

RESOLVED, that pursuant to Ordinance No. 28, Section 11, Subdivision 11.06, authorization is hereby granted to Buffalo Valley, Inc. d/b/a Buffalo House, Midway Township, to sell/serve outside the designated serving area of the County Liquor License for the dates of August 20 and 21, 2010, as per application on file in the office of the County Auditor, identified as County Board File No. 59021.

Adopted May 25, 2010. No. 266

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. 59021;

FURTHER RESOLVED, that said license is approved contingent upon license holder paying real estate or personal property taxes when due;

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, 2011:

Smith Dam Company, LLC d/b/a Pequaywan Inn, Unorganized Township 54-13, Combination On/Off-Sale Intoxicating Liquor License No. CMB11113 and Sunday On-Sale Intoxicating Liquor License No. SUN11113, corporate name change and renewal.

Adopted May 25, 2010. No. 267

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 3.2 percent malt liquor license is hereby approved, on file in the office of the County Auditor, identified as County Board File No. 59075;

FURTHER RESOLVED, that said license is approved contingent upon the license holder paying real estate or personal property taxes when due;

FURTHER RESOLVED, that if named license holder 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 license holder;

FURTHER RESOLVED, that said license shall be effective through June 30, 2011:

Grumpy's Gas & Bait, LLC d/b/a Grumpy's Gas & Bait, LLC, Unorganized Township 63-19, Off-Sale 3.2 Percent Malt Liquor License No. B1094, transfer.

Adopted May 25, 2010. No. 268

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 3.2 percent malt liquor license is hereby approved, on file in the office of the County Auditor, identified as County Board File No. 59075;

FURTHER RESOLVED, that said license is approved contingent upon the license holder paying real estate or personal property taxes when due;

FURTHER RESOLVED, that if named license holder 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 license holder;

FURTHER RESOLVED, that said license shall be effective through June 30, 2011:

Back Country Bar, Inc. d/b/a Hugo's, Ault Township, On/Off-Sale 3.2 Percent

Malt Liquor License No. B1195, change of officers, renewal.

Adopted May 25, 2010. No. 269

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 permit authorizing the consumption and display of intoxicating liquors is hereby approved, on file in the office of the County Auditor, identified as County Board File No. 59049;

Back Country Bar, Inc., d/b/a Hugo's, Ault Township, Permit No. S1122,
change of officers.

Adopted May 25, 2010. No. 270

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. 59015, is hereby approved and the County Auditor is authorized to issue the license as follows;

RESOLVED FURTHER, that if named license holder 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 license holder:

Back Country Bar, Inc. d/b/a Hugo's, Ault Township, Tobacco Products
License No. T10252, change of officers.

Adopted May 25, 2010. No. 271

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. 59021;

FURTHER RESOLVED, that said license is approved contingent upon license holder paying real estate or personal property taxes when due;

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, 2011:

Eshquaguma Club, Inc. d/b/a Eshquaguma Club, Biwabik Township, Club
On-Sale Intoxicating Liquor License No. CL113 and Sunday Club On-Sale
Intoxicating Liquor License No. CLS113, change of officers.

Adopted May 25, 2010. No. 272

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. 59075 is hereby approved and the County Auditor is authorized to issue the license to the applicant:

Lake 14 – Leander Club, Town of Unorganized 60-19, Temporary On-Sale
3.2 Percent Malt Liquor License No. TB1037, for July 3, 2010 (rain date July
4, 2010).

Adopted May 25, 2010. No. 273

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At 10:25 a.m., May 25, 2010, Commissioner Nelson, supported by Commissioner Dahlberg, moved to adjourn the meeting; five yeas, zero nays.

Steve Raukar, Chair of the Board
of County Commissioners

Attest:

Donald Dicklich, 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, 2010

OFFICIAL PROCEEDINGS OF THE MEETING
OF THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF ST. LOUIS, MINNESOTA,
HELD ON JUNE 1, 2010

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 1st day of June, 2010, at 9:40 a.m., in the County Board Room, Duluth, Minnesota, with the following members present: Commissioners Dennis Fink, Steve O'Neil, Chris Dahlberg, Mike Forsman, Peg Sweeney, Keith Nelson, and Chair Steve Raukar – 7. Absent: None.

Chair Raukar asked for a moment of silence to honor U.S. troops serving throughout the world and their families at home as well as all persons whose lives are adversely affected by war.

Commissioner Sweeney's Words of Wisdom were inspired by Memorial Day. Commissioner Sweeney distributed a Yellow Ribbon Communities brochure suggesting ways to help support military service members and their families. Commissioner Sweeney closed with a quote from her father, "Don't forget where you came from."

A presentation was given to recognize Alex Rozier, an award winning journalism student at the University of Missouri and graduate of Virginia High School. Chris Ismil, Youth Coordinator for Iron Range Youth in Action, talked about Alex Rozier's journalistic accomplishments.

Andrew S. Webb, Duluth, was recognized for his years of service on the St. Louis County Civil Service Commission and Grievance Board. Commissioner Forsman presented a plaque and praised Mr. Webb for his fair decision-making. Mr. Webb thanked the board for the award.

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

Kevin Skwira-Brown, Duluth, expressed concerns regarding Commissioner Fink's role in legislation affecting Fish Lake.

Jay Cole, Duluth, distributed a flyer on solar power and lauded the county for their solar power efforts.

Commissioner O'Neil, supported by Commissioner Nelson, moved to approve the consent agenda. At the request of Commissioner Fink, item #14 (amending term expiration dates for Civil Service Commission members) was removed from the consent agenda for separate consideration under Central Management and Intergovernmental Committee. At the request of Administration, item #5 (cancellation of contracts for purchase/repurchase of tax forfeited lands) was also removed for separate consideration under Environment and Natural Resources Committee. The remainder of the consent agenda was approved; seven yeas, zero nays.

Commissioner O'Neil, supported by Commissioner Nelson, made a motion to remove from the agenda and refer to administration a resolution authorizing Employee Relations to develop civil service reform

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pilot projects. Commissioner Sweeney suggested tabling for one week and asked for departmental recommendation. Employee Relations Director Martha Watson said it is not critical to pass now. The item was removed from the agenda; six yeas, zero nays, with Commissioner Dahlberg temporarily absent.

At 10:32 a.m. Chair Raukar called a five minute recess.

At 10:39 a.m. the County Board reconvened with all commissioners present.

Commissioner O'Neil, supported by Commissioner Nelson, moved to table for one week item #14 from the consent agenda, a resolution amending term expiration dates for Civil Service Commission members; seven yeas, zero nays.

Commissioner Fink, supported by Commissioner Sweeney, moved to approve item #5 from the consent agenda, cancellation of contracts for purchase/repurchase of tax forfeited lands, amended to delete two names from the cancellation list; seven yeas, zero nays. Resolution No. 278.

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

Commissioner Peg Sweeney's Words of Wisdom comments.—59081

Commissioner Sweeney submitting a Yellow Ribbon Communities brochure distributed at the June 1, 2010, County Board meeting.—59082

Chris Ismil, Youth Coordinator for Iron Range Youth in Action, submitting an article from the Generation W newspaper highlighting Alex Rozier, award winning journalism student and graduate of Virginia High School.—59083

Jay Cole submitting a SOLAR-IS Freedom flyer.—59084

Kevin Gray, County Administrator, and Jim Foldesi, Public Works Director, submitting Board Letter 10-189, Acquisition of Right of Way by Condemnation – CR 623 for Northshore Mining Company expansion project.—59085

Contract for County-State Aid Highway Project between the County of St. Louis and Hardrives, Inc., for CP 10026 (Central Crushing), Crush, Screen, and Stockpile Aggregate, Class 5 (Modified).—10-419

Contract for County-State Aid Highway Project between the County of St. Louis and Swanston Equipment Company for SP 69-070-005, CP 92759, MN Proj. HSIP 6910(153), Edgeline Rumble Stripes.—10-420

Contract for County-State Aid Highway Project between the County of St. Louis and Traffic Marking Service, Inc., for MP 10025, Maintenance of Pavement Markings.—10-421

Agreement for Professional Services between the County of St. Louis and Braun Intertec Corporation for Geotechnical Evaluation for Reconstruction of County Road 623, CP 91417.—10-422

Agreement between the County of St. Louis and Kangas Excavating, Inc., for Partial Phase 6 Excavation at Regional Landfill – 2010.—10-423

Purchase of Service Agreement, Contract No. 14802, between the St. Louis County Board of Commissioners and Lutheran Social Service of Minnesota (Bethany Foster Care Program).—10-424

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Grant Agreement, Contract No. 20905, between the St. Louis County Board of Commissioners and Carlton County Public Health and Human Services for Family Group Decision Making (FGDM).—[10-425](#)

Home and Community-Based Waiver Services Contract, Contract No. 14806, between the St. Louis County Board of Commissioners and “R” Home Adult Foster Care.—[10-426](#)

Home and Community-Based Waiver Services Contract, Contract No. 14750, between the St. Louis County Board of Commissioners and Dale A. Olson and Jeannette I. Olson.—[10-427](#)

Home and Community-Based Waiver Services Contract, Contract No. 14753, between the St. Louis County Board of Commissioners and Shannon Lustila and Lelyn Lustila, d/b/a Alternative Senior Living.—[10-428](#)

Home and Community-Based Waiver Services Contract, Contract No. 14784, between the St. Louis County Board of Commissioners and Mary Gargano, d/b/a Gargano Adult Foster Care.—[10-429](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14313B, between St. Louis County Public Health and Human Services Department and Arrowhead Senior Living Community d/b/a St. Raphael’s Health and Rehabilitation Center.—[10-430](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14541A, between the St. Louis County Public Health and Human Services Department and TBI Residential and Community Services, Inc.—[10-431](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14635A, between the St. Louis County Public Health and Human Services Department and Innovative Living, Inc.—[10-432](#)

Group Residential Housing Rate Agreement, Contract No. 50805, between the St. Louis County Board of Commissioners and Innovative Living – Hermantown 6.—[10-433](#)

Group Residential Housing Rate Agreement, Contract No. 50806, between the St. Louis County Board of Commissioners and Innovative Living – Hermantown 4.—[10-434](#)

Group Residential Housing Rate Agreement, Contract No. 50807, between the St. Louis County Board of Commissioners and Innovative Living – Hermantown 5.—[10-435](#)

Group Residential Housing Rate Agreement, Contract No. 50808, between the St. Louis County Board of Commissioners and Spectrum – Carefree Living Cook.—[10-436](#)

Home and Community-Based Waiver Services Contract, Contract No. 14785, between the St. Louis County Board of Commissioners and Bachinski & Sons Builders, Inc., d/b/a Cover-All Construction.—[10-437](#)

Upon motion of Commissioner O’Neil, supported by Commissioner Nelson Resolutions numbered 274 through 277 and 279 through 288, as submitted to this Board on the Consent Agenda, were unanimously adopted as follows:

BY COMMISSIONER O’NEIL:

WHEREAS, the St. Louis County Planning Commission held a public hearing regarding the preliminary plat of Sellars Beach First Division on October 8, 2009, and granted preliminary approval for the plat; and

WHEREAS, the final prints have been submitted and conform with the requirements set forth by the Planning Commission.

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS
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NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board grants final approval to the plat of Sellars Beach First Division, located in Section 31, Township 60 North, Range 21 West (French).

Adopted June 1, 2010. No. 274

WHEREAS, the St. Louis County Planning Commission held a public hearing regarding the preliminary plat of Skerjance Division on February 11, 2010, and granted preliminary approval for the plat; and

WHEREAS, the final prints have been submitted and conform with the requirements set forth by the Planning Commission.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board grants final approval to the plat of Skerjance Division, located in Section 31, Township 51 North, Range 15 West (Canosia).

Adopted June 1, 2010. No. 275

WHEREAS, Minn. Stat. § 282.241 provides that state tax forfeited land may be repurchased by the previous owners subject to payment of delinquent taxes and assessments with penalties, interest and costs; and

WHEREAS, the applicant, Craig A. Claire, has applied to repurchase state tax forfeited land; and

WHEREAS, the applicant was the owner of record at the time of forfeiture, and is eligible to repurchase the property; and

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

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the repurchase application by Craig A. Claire on file in County Board File No. 59058, subject to payments including total taxes and assessments of \$2,093.15, service fee of \$114, deed tax of \$6.91, deed fee of \$25, and recording fee of \$46; for a total of \$2,285.06 to be deposited into Fund 240 (Forfeited Tax Fund).

Adopted June 1, 2010. No. 276

WHEREAS, Minn. Stat. § 282.241 provides that state tax forfeited land may be repurchased by the previous owners subject to payment equivalent to the delinquent taxes and assessments with penalties, costs, and interest; and

WHEREAS, the applicants, Trinh Kiet Duong, and Joseph S. Destasio (taxpayers by Contract for Deed), have applied to repurchase state tax forfeited land; and

WHEREAS, the applicant, Trinh Kiet Duong, had a contract for deed with the estate of Gayle M. Hogan, the owner of record at time of forfeiture, and is eligible to repurchase the property; and

WHEREAS, the applicant, Joseph S. Destasio, had a contract for deed with Timothy and Sandra Poulin, the owners of record at time of forfeiture, and is eligible to repurchase the property; and

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

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the repurchase application by Trinh Kiet Duong on file in County Board File No. 59058, subject to payments including total taxes and assessments of \$6,111.76, a service fee of \$114, a deed tax of \$16.08, a deed fee of \$25, and a recording fee of \$46; for a total of \$6,312.84 to be deposited into Fund 240 (Forfeited Tax Fund); and

RESOLVED FURTHER, that the St. Louis County Board hereby approves the repurchase application by Joseph S. Destasio on file in County Board File No. 59058, subject to payments including total taxes and assessments of \$5,248.93, a service fee of \$114, a deed tax of \$16.75, a deed fee of \$25, and a recording fee of \$46; for a total of \$5,450.68 to be deposited into Fund 240 (Forfeited Tax Fund).

Adopted June 1, 2010. No. 277

WHEREAS, the Public Works Department's 2010 equipment budget includes replacement of one (1) crawler dozer: Unit A3284, a Komatsu D38P-1; and

WHEREAS, the Public Works Department presented specifications to the Purchasing Department for a request of State of Minnesota contract pricing from two area vendors selling crawler dozers acceptable to the Department; and

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WHEREAS, Ziegler, Inc., of Duluth, Minnesota had the lowest cost "with trade-in" price for the purchase.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board authorizes the purchase of one Caterpillar D4K LGP crawler dozer in accordance with "The Request for State Contract Pricing, Specifications for a crawler dozer, Contract # 4890", from Ziegler, Inc., of Duluth, Minnesota at its State of Minnesota contract "with trade-in" price of \$87,761.48 including sales tax, payable from Fund 437, Agency 437001, Object 666400.

Adopted June 1, 2010. No. 279

WHEREAS, the St. Louis County Public Works Department has entered into an agreement with the Town of Toivola regarding the revocation of a part of the Hingeley Road (County Road 965) and the replacement of County Bridge 232 located thereon; and

WHEREAS, with the exception of northerly 0.5 mile which was never constructed, that part of the legalized Hingeley Road located on the section lines between Sections 10 and 11, and between Sections 2 and 3, Township 54 North, Range 20 West has been maintained continuously by St. Louis County as a county road for an extended period of time; and

WHEREAS, pursuant to St. Louis County Board Resolution No. 10-196 dated April 27, 2010 and Minn. Stat. § Section 163.11, subdivision 5a, a hearing was held on May 12, 2010, at the Toivola Township Hall to consider the revocation of a portion of the Hingeley Road, where all persons desiring to be heard on the proposed revocation were heard and there were no objections expressed.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board revokes the following segment of the Hingeley Road (County Road 965): Beginning at the intersection with the Arkola Road at the Southeast corner of Section 10, Township 54 North, Range 20 West, thence extending northerly along the section lines to the north boundary line of Toivola Township at the Northeast corner of Section 3, Township 54 North, Range 20 West; described segment of the Hingeley Road shall hereby revert to the Town of Toivola as a Township Road.

RESOLVED FURTHER, that the County Auditor is instructed to forward a certified copy of this resolution to the Town Clerk of Toivola Township.

Adopted June 1, 2010. No. 280

WHEREAS, taconite mining plans developed by the Northshore Mining Company necessitate the closure and relocation of a segment of County Road 623 near Babbitt in Sections 9 and 10 of Township 60 North, Range 12 West (Babbitt); and

WHEREAS, it is necessary for the county to obtain additional highway right of way in order to reconstruct a portion of County Road 623 on a new location to facilitate those mining plans; and

WHEREAS, the St. Louis County Public Works Department has identified a new location for the highway and the parcels of land to be affected; and

WHEREAS, the following numbered parcel has not been acquired by negotiation and direct purchase:

Parcel 8 (Torrens Property) - As illustrated in attached exhibit B

Property Description - The Southwest Quarter of the Northwest Quarter (SW ¼ of NW ¼), Section Ten (10), Township 60 North of Range 12 West of the Fourth Principal Meridian.

Interest to be Acquired - A 130.00 foot wide permanent easement for highway purposes over, under and across the above described property having a centerline described as follows:

Commencing at the west quarter corner of said Section 10; thence North 3 degrees 27 minutes 39 seconds West, along the west section line thereof, a distance of 97.19 feet to the point of beginning of the centerline to be described; thence South 88 degrees 16 minutes 37 seconds east a distance of 456.87 feet; thence continuing southeasterly along a tangential curve, concave to the southwest, having a radius of 848.83 feet, and a central angle of 19 degrees 55 minutes 13 seconds, a distance of 295.11 feet, more or less, to a point on the south line of said SW ¼ of NW ¼ and there terminating. The side lines of said easement are prolonged or shortened to terminate on the west and south boundary lines of said SW ¼ of NW ¼.

The described permanent easement contains approximately 2.21 acres.

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Together with a temporary easement being adjacent to and 40.00 feet in width northerly and 10.00 feet in width southerly the above described permanent easement where the centerline is described as follows:

Beginning at the point of beginning of said easement; thence south 88 degrees 16 minutes 37 seconds east, a distance of 335.12 feet, and said centerline there terminating. The side lines of said easement are prolonged or shortened to terminate on the west boundary line of said SW ¼ of NW ¼.

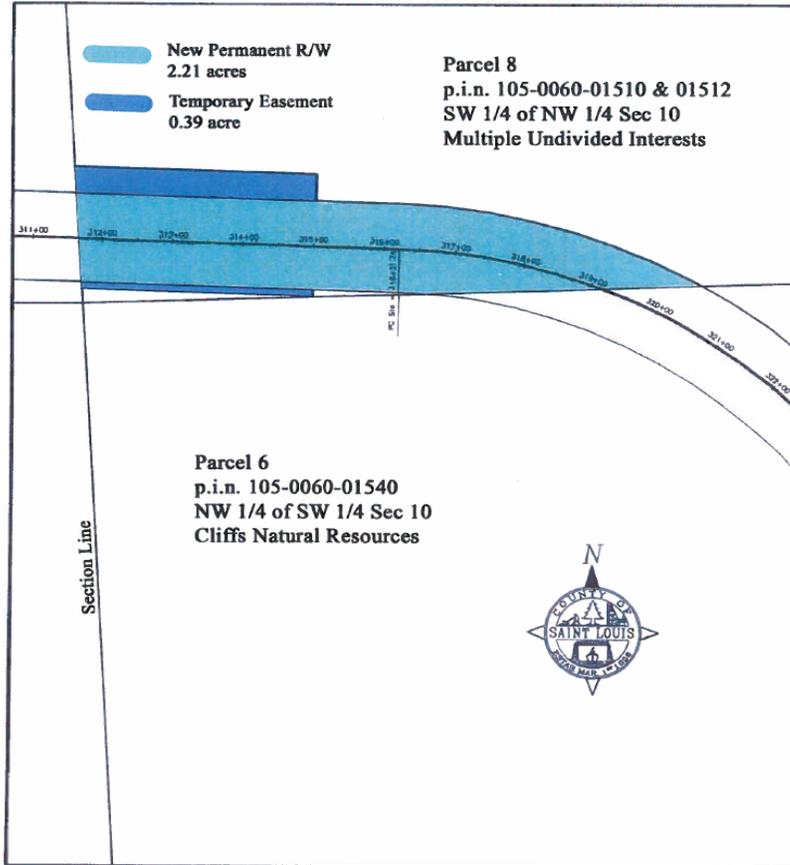
Said temporary easement contains approximately 0.39 acres and shall expire on December 31, 2015.

Ownership Interests of Record –

<u>Owner Name</u>	<u>Interest</u>	<u>Certificate #</u>
Eagle Land Company, A MN Limited Partnership Hennepin County, MN	Undivided ½	188871*
Zimmerman Realty, A partnership consisting of Elizabeth B. Putnam, Robert C. Blumberg, & Henry B. Blumberg Saint Paul, MN	Undivided 1/8	186559*
William E. Colby**, single 4560 Indianrock Terrace NW Washington DC	Undivided 1/8	237331
Jonathan E. Colby & Susan H. Colby**, husband & wife Flat 5, The Wilfred, 110 Repulse Bay Road City of Hong Kong	Undivided 1/32	263712
Christine Colby Giraudo & John P. Giraudo**, wife and husband 1506 34 th Street NW Washington, DC	Undivided 1/32	263713
Carl Colby & Catherine Colby**, husband & wife 311 Gretna Green Way Los Angeles, CA	Undivided 1/32	263713
Paul Colby**, single 1350 Beverly Road #722 McClellan, VA	Undivided 1/32	263713
Andrew Barrett Fruen 1985 Highland Parkway St. Paul, MN	Undivided 1/56	267345
Lawrence J. Barrett	Undivided 1/56	267345.5
Robert F. Barrett	Undivided 1/56	267345.5
Calvin L. Barrett	Undivided 1/84	267345.5
George B. Barrett Jr.	Undivided 1/112	267345.5
Rosamond Barrett Sprowls	Undivided 1/112	267345.5
Joan Marie Hughes	Undivided 1/168	267345.5
Elizabeth Louise Bentzen	Undivided 1/168	267345.5
John D. Barrett	Undivided 1/168	267345.5
Barbara J. Barrett	Undivided 1/168	267345.5
Catherine L. Thissen, single RFD 3, Box 5A Janesville, MN	Undivided 1/168	265140
Mary B. Thissen, single RFD 3, Box 5A Janesville, MN	Undivided 1/168	265140
Patrick H. Thissen, single RFD 3, Box 5A Janesville, MN	Undivided 1/168	265140

*Memorialized with an option to purchase and surface lease to Duluth Metals Corporation
** Subject to the Life Estate of Maurice A. Merritt and Mary Joan Merritt, husband and wife

EXHIBIT B



MP 623-91417
SAINT LOUIS COUNTY HIGHWAY 623
Section 10, T60N, R12 W

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

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board, pursuant to Minn. Stat. Chapter 163.02 et al., authorizes the County Attorney to proceed under Minn. Stat. Chapter 117.02 et al., to acquire the necessary highway right of way by condemnation proceedings, payable from Fund 200, Agency 203001, Objects 636500 and 636600.

Adopted June 1, 2010. No. 281

WHEREAS, the sewer system servicing the Crane Lake area will need to be relocated due to construction of a replacement bridge on County State Aid Highway No. 24.

RESOLVED, that the St. Louis County Board authorizes the proper county officials to enter into an agreement with the Crane Lake Water and Sanitary District and any amendments approved by the County Attorney's office for the purpose of relocating a portion of the Crane Lake Sewer system under project SAP 69-624-015, County Project 8572. Funds from the Crane Lake Water and Sanitary District will be receipted into Fund 220, Agency 220129, Object 583100.

Adopted June 1, 2010. No. 282

RESOLVED, that pursuant to Minn. Stat. § 349.213, Subd. 2, the St. Louis County Board approves the following Lawful Gambling License Application (Pull-tabs with dispensing device) on file in the office of the County Auditor, identified as County Board File No. 59051, for the following organization:

Climb Theatre, Inc., to operate out of Bayview Lodge, Greenwood Township, 2001 Bayview Drive, Tower, MN 55790, *NEW*.

Adopted June 1, 2010. No. 283

WHEREAS, the Cities of Buhl and Kinney have contracted with St. Louis County to provide law enforcement services since 2003 and are desirous of continuing this arrangement; and

WHEREAS, St. Louis County is willing to continue law enforcement services according to the terms and conditions set forth in the renewed agreement; and

WHEREAS, such contracts are authorized and provided for by the provisions of Minn. Stat. § 471.59.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the agreement for law enforcement services with the Cities of Buhl and Kinney, with funds to be accounted for in Fund 100, Agency 134004.

Adopted June 1, 2010. No. 284

WHEREAS, the State of Minnesota has made available funding for agencies to acquire in-car video cameras for law enforcement vehicles; and

WHEREAS, the St. Louis County Sheriff wishes to use squad video as a business practice to document crime and promote impartial policing.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes application for the 2010 Minnesota In-Car Camera Grant from the State of Minnesota Dept. of Public Safety for an amount of approximately \$100,000 for the purchase of 20 in-car video cameras.

RESOLVED FURTHER, that if awarded, the required match monies of \$300 for installation of each camera (\$6,000), will be paid from the Sheriff's Forfeiture Funds, Fund 168, and the grant shall be accounted for in Fund 100, Agency 129999, Grant 12947, Year 2010.

Adopted June 1, 2010. No. 285

WHEREAS, bids have been received by the County Auditor for the following combined project:

MP 65-97082(low), located on CSAH 65 from CR 915 to CSAH 65

MP 915-97032 located on CR 915 from CR 913 to CSAH 65

WHEREAS, the bids were opened in the County Board Room at 10:00 a.m., May 24, 2010, and the St. Louis County Board has, with the County Highway Engineer, determined the lowest responsible bidder.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the award on the above project to the lowest bidder.

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS 184
ST. LOUIS COUNTY, MINNESOTA

<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
Hardrives, Inc.	14475 Quiram Drive Rogers, MN 55374	\$455,652.27

RESOLVED FURTHER, that the Chair of the County Board, the County Auditor, and the County Attorney are authorized to approve the Contractor's Performance Bonds and to execute the bonds and contract with the Contractor for the above listed project payable from:

MP 65-97082(low): Fund 200, Agency 203225, Object 652800 \$147,253.07

MP 915-97032: Fund 200, Agency 203226, Object 652800 \$308,399.20

Adopted June 1, 2010. No. 286

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, dated May 21, 2010, on file in the office of the County Auditor, identified as County Board File No. 59016, is hereby received and ratified as payable from Fund 730, Agency 730001.

Adopted June 1, 2010. No. 287

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of May 25, 2010, are hereby approved.

Adopted June 1, 2010. No. 288

BY COMMISSIONER FINK:

WHEREAS, the contracts with Burdette J. Berntson, Eldred Ingersoll, Larry D. Anderson, and Judy Bechtold for the purchase/repurchase of state tax forfeited land are in default for nonpayment of taxes and/or installments; and

WHEREAS, the purchasers were properly served with Notice of Cancellation of Contract by civil process and/or publication and have failed to cure the default for lands legally described as:

Burdette J. Berntson

CITY OF DULUTH
SW 1/4 OF NW 1/4 EX HWY EASEMENT
SEC 5 TWP 50 RGE 14
Parcel Code: 10-2710-1170
C22010162

Eldred Ingersoll

CITY OF CHISHOLM
LOT: 0012 BLOCK: 001
CHISHOLM 2ND ADDITION
Parcel Code: 20-40-130
C22080040

Larry D. Anderson

TOWN OF SOLWAY
SW 1/4 OF SE 1/4, EX E 1/2
SEC 27 TWP 50 RGE 16
Parcel Code: 530-10-5190
C22080118

Judy Bechtold

CITY OF MT IRON
LOT: 0013 BLOCK: 004
MERRITTS 1ST ADDITION TO MOUNTAIN IRON
Parcel Code: 175-20-560
C22080129

WHEREAS, Minn. Stat. §§ 282.04, Subd. 2(d), and 504B.271 authorizes the County Auditor to dispose of abandoned personal property; and

WHEREAS, the previous owners of the property will be notified by posting of property or by mail.

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

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the cancellation of contracts for the purchase/repurchase of state tax forfeited land described above, according to the provisions of Minn. Stat. § 282.01, Subd. 5, and Minn. Stat. § 282.40, and according to the procedures of Minn. Stat. § 559.21.

RESOLVED FURTHER, the County Auditor is authorized to dispose of abandoned personal property from the above described state tax forfeited property.

Unanimously adopted June 1, 2010. No. 278

At 10:40 a.m., June 1, 2010, Commissioner Nelson, supported by Commissioner Sweeney, moved to adjourn; seven yeas, zero nays.

Steve Raukar, Chair of the Board
of County Commissioners

Attest:

Donald Dicklich, County Auditor
and Ex-Officio Clerk of the Board
of County Commissioners

(Seal of the County Auditor)

OFFICIAL PROCEEDINGS OF THE MEETING
OF THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF ST. LOUIS, MINNESOTA,
HELD ON JUNE 8, 2010

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 8th day of June, 2010, at 9:38 a.m., in the County Board Room, Duluth, Minnesota, with the following members present: Commissioners Dennis Fink, Steve O'Neil, Chris Dahlberg, Peg Sweeney, and Chair Steve Raukar – 5. Absent: Commissioners Mike Forsman and Keith Nelson - 2

Chair Raukar asked for a moment of silence to honor U.S. troops serving throughout the world and their families at home as well as all persons whose lives are adversely affected by war.

County Attorney Melanie Ford's words of wisdom were inspired by a quote from James Baldwin entitled "Opening Reflection".

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

Sam Haddad, county employee and member of Teamsters Local 320, expressed concerns about certain Civil Service Pilot Projects and membership selection for the Affinity Groups.

Edward Reynoso, Teamsters Political Director, said he was also concerned about proposed civil service changes without bargaining unit input. Some changes appear to be in violation of labor agreements and state law, according to Director Reynoso.

Commissioner O'Neil, supported by Commissioner Sweeney, moved to approve a resolution amending term expiration dates for Civil Service Commission members; five yeas, zero nays. Resolution No. 297.

Commissioner Dahlberg, supported by Commissioner Sweeney, moved to suspend the rules to consider approving a 3.2 Percent On-Off Sale Malt Liquor License to Lodge of Whispering Pines, Inc.; five yeas, zero nays.

Commissioner Dahlberg, supported by Commissioner O'Neil, moved to approve a resolution granting On/Off-Sale 3.2 Percent Malt Liquor License to Lodge of Whispering Pines, Inc., in Unorganized Township 65-13. Commissioner Fink asked a question about property tax contingency. Commissioner Dahlberg said all taxes were paid and the owners agreed to abide by the liquor ordinance. The resolution was approved; five yeas; zero nays. Resolution No. 298.

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

Kevin Gray, County Administrator, and Robert Krepps, Land Commissioner, submitting Board Letter 10-200, Special Sale to Independent School District No. 709 (Duluth).—59086

Facility Inspection Reports dated May 13, 2010, Issued by the Minnesota Department of Corrections for the St. Louis County Jails in Duluth and Hibbing.—59087

St. Louis County Attorney Melanie Ford's Words of Wisdom quote of James Baldwin entitled "Opening Reflections".—59088

Edward Reynoso, Political Director, Teamsters Joint Council 32, letter to the County Commissioners regarding the extension of Civil Service pilot programs.—59089

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

Amendment to Professional Services Agreement, Agreement No. 2009-5242, between St. Louis County and LHB Corporation for Bridge Load Capacity Rating – County Bridge 516 on CR 796, WO 80851, to perform gusset capacity rating for all gussets on County Bridge 516 (State Bridge 88773).—10-438

Contract for County-State Aid Highway Projects between the County of St. Louis and Hammerlund Construction, Inc., for Grading, Aggregate Base, Curb & Gutter, and Bituminous Surfacing (SAP 69-742-002, CP 67044) on CSAH 142 from Fayal Road to 142 ft. west of the intersection with US Hwy 53.—10-439

Contract for County-State Aid Highway Projects between the County of St. Louis and Hammerlund Construction, Inc., for Crush, Screen, and Stockpile Aggregate, Class 5 (Modified), CP 10029 (South Crushing).—10-440

Contract for County-State Aid Highway Projects between the County of St. Louis and Environmental Associates, Inc., for Stone Masonry, Reconstruction, Masonry Tuckpointing, Stone & Gravel Paving, and Bituminous Pavement (SP 69-661-015, CP 10272, MN Proj. No. TEAX 6910(190).—10-441

Contract for County-State Aid Highway Projects between the County of St. Louis and Hardrives, Inc., for Pedestrian Curb Ramp, Mill Bituminous Surface, PM Bituminous Surface, and Aggregate Shoulders (SAP 69-664-003, CP 10028(low) and Bituminous Pavement Reclamation, Aggregate Base Stabilization, PM Bituminous Surface, and Aggregate Shoulders (MP 453-97030).—10-442

Cooperative Agreement between the County of St. Louis and Toivola Township for revocation of a portion of County Road 965 (Hingeley Road) and replacement of State Bridge 7815 (County Bridge 232), CP 3726.—10-443

Contract for County-State Aid Highway Projects between the County of St. Louis and Wagner Construction, Inc., for Grading, Aggregate Base, Storm Sewer, Curb & Gutter, Sidewalk and Bituminous Surfacing (SAP 69-621-032, CP 9327).—10-444

Amendment to Right of Way Agreement between St. Louis County and Northshore Mining Company and Cliffs Erie, LLC, for MP623-91417.—10-445

Agreement for Purchase of Services between St. Louis County and Short Elliott Hendrickson, Inc., for Technical Consultant Services for the American Recovery and Reinvestment Act (ARRA) Energy Efficiency and Conservation Block Grant (EECBG) Window Replacement Project in the Duluth Courthouse.—10-446

BY COMMISSIONER FINK:

WHEREAS, the St. Louis County Public Works Department plans to reconstruct a portion of County State Aid Highway No. 48 (Lavaque Rd), in the City of Hermantown from the intersection of Maple Grove Road and Lavaque Road, north approximately 2.0 miles to Miller Trunk Highway (U.S. Hwy 53); and

WHEREAS, the improvement consists of widening and reconstructing the roadway as determined necessary to provide for the safety and convenience of the traveling public; and

WHEREAS, in addition to the existing highway right of way, certain lands are required for the construction, together with temporary construction easements.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the Public Works Director to proceed with the acquisition of the necessary lands and temporary easements.

RESOLVED FURTHER, that pursuant to Minn. Stat. § 282.04, Subdivision 4, the St. Louis County Board authorizes the County Auditor to grant the necessary permanent highway easements across tax forfeited lands and temporary construction easements for County Project 8273.

Adopted June 8, 2010. No. 289

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS 188
ST. LOUIS COUNTY, MINNESOTA

WHEREAS, quotes have been received by the St. Louis County Public Works Department for energy efficient lighting and automatic sensors for the following Public Works facilities: Linden Grove; Virginia; Jean Duluth; Pike Lake; and Hibbing; and

WHEREAS, the lowest quote received was from Lighting Maintenance Service, Inc.; and

WHEREAS, the project will reduce electric utility costs, improve safety, and create a better working environment, in five of the Public Works facilities; and

WHEREAS, after the work is complete, Minnesota Power, Lake Country Power, and the Hibbing Utilities Commission will rebate \$18,750 from programs offered to encourage energy efficiency.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board authorizes the appropriate county officials to execute a contract with Lighting Maintenance Service, Inc., 6682 Evergreen Lane, Alborn, Minnesota, for an amount of \$74,987 payable from Fund 405, Agency 405039, Object 663100.

Adopted June 8, 2010. No. 290

WHEREAS, a request to purchase county fee land was submitted by Mr. Jack Puglisi in May of 2009 and the County Property Acquisition Team deems the property to be non-conforming surplus property described as follows:

That part of Government Lot 6, Section 4, Township 52 North, Range 18 West, St. Louis County Minnesota, described as follows:

Commencing at the southeast corner of said Section 4; thence North 0 degrees 00 minutes 00 seconds East; along the east line of said Section 4 a distance of 1878.00 feet; thence South 75 degrees 30 minutes 00 seconds West a distance of 216.50 feet to a point hereinafter designated as "Point A", thence South 14 degrees 30 minutes 00 seconds East a distance of 33.00 feet to the POINT OF BEGINNING; thence South 14 degrees 30 minutes 00 seconds East a distance of 165.00 feet; thence South 75 degrees 30 minutes 00 seconds West a distance of 247.79 feet; thence North 00 degrees 00 minutes 00 seconds East a distance of 170.43 feet; thence North 75 degrees 30 minutes 00 seconds East a distance of 205.13 feet to the Point of beginning. Said parcel contains 0.85 acres more or less.

WHEREAS, an appraisal was performed by the Property Management Department with a resulting property value of \$1,600; and

WHEREAS, Mr. Puglisi submitted a bid amount of \$1,750 for the property.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the requirements and procedures of Minn. Stat. § 373.01, Subdivision (h), the Chair of the County Board and County Auditor are authorized to execute and deliver a quit claim deed, conveying the above listed property to Jack A. Puglisi and Carol J. Puglisi as joint tenants, for the bid amount of \$1,750, payable to Fund 100, Agency 128014, Object 583100, plus deed tax, property transaction recording fees and associated filing fees.

Adopted June 8, 2010. No. 291

WHEREAS, a request to purchase county fee land was submitted by Mr. Loren Johnson in May of 2009 and the County Property Acquisition Team deems the property to be non-conforming surplus property described as follows:

That part of Government Lot 6, Section 4, Township 52 North, Range 18 West, St. Louis County Minnesota, described as follows:

Commencing at the southeast corner of said Section 4; thence North 0 degrees 00 minutes 00 seconds East; along the east line of said Section 4 a distance of 1878.00 feet; thence South 75 degrees 30 minutes 00 seconds West a distance of 216.50 feet to a point hereinafter designated as "Point A", thence South 14 degrees 30 minutes 00 seconds East a distance of 198.00 feet; thence South 75 degrees 30 minutes 00 seconds West a distance of 247.79 feet to the POINT OF BEGINNING; thence South 75 degrees 30 minutes 00 seconds West a distance of 154.93 feet; thence North 00 degrees 00 minutes 00 seconds East a distance of

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

170.43 feet; thence North 75 degrees 30 minutes 00 seconds East a distance of 154.93 feet; thence South 00 degrees 00 minutes 00 seconds East a distance of 170.43 feet to the Point of beginning. Said parcel contains 0.59 acres more or less.

WHEREAS, an appraisal was performed by the Property Management Department with a resulting property value of \$1,100; and

WHEREAS, Mr. Loren Johnson submitted a bid amount of \$1,100 for the property.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the requirements and procedures of Minn. Stat. § 373.01, Subdivision (h), the Chair of the County Board and County Auditor are authorized to execute and deliver a quit claim deed, conveying the above listed property to Loren Dale Johnson and Lawrence Merle Johnson for the bid amount of \$1,100, payable to Fund 100, Agency 128014, Object 583100, plus deed tax, property transaction recording fees and associated filing fees.

Adopted June 8, 2010. No. 292

WHEREAS, Independent School District No. 709 has requested to purchase the following described state tax forfeited land for the appraised value of \$500,000, plus fees, for the purpose of the Western Middle School project, parcel described in Board File No. 59086; and

WHEREAS, Minn. Stat. § 282.01, Subd. 1(a), authorizes the sale of state tax forfeited land to an organized governmental subdivision for any public purpose for which the subdivision is authorized to acquire property; 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 Minn. Stat. § 282.01, Subd.1; and

WHEREAS, the reclassification and sale of these parcels will be deemed approved if the County Board does not receive notice of the municipality's or town's disapproval of the reclassification and sale within 60 days of the date on which this resolution is delivered to the clerk; and

WHEREAS, the Land Commissioner recommends that these parcels be reclassified as non-conservation and offered for sale having considered, 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 particular suitability or desirability of lands for particular uses; and

WHEREAS, said parcels of land have not been withdrawn from sale pursuant to Minn. Stat. §§ 85.012, 92.461, 282.01, Subd 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 reclassification and sale of the state tax forfeited land, as described, to Independent School District No. 709 for the appraised value of \$500,000 plus the following fees: 3% assurance fee of \$15,000, deed fee of \$25, deed tax of \$1,650, recording fee of \$732 and appraisal fee of \$9,971, for a total of \$527,378 to be deposited into Fund 240 (Forfeited Tax Fund).

RESOLVED FURTHER, that the St. Louis County Auditor shall offer for sale at public auction the state tax forfeited land described herein if the Duluth School District does not purchase the land by September 30, 2010.

Adopted June 8, 2010. No. 293

WHEREAS, the City of Cook is requesting \$50,000 in Community Development Block Grant (CDBG) funding to undertake an infrastructure project to benefit an economic development opportunity; and

WHEREAS, funding is available through the 2010 CDBG Neighborhood Revitalization Program and Economic Development Program set-aside approved by County Board Resolution No. 220 on May 4, 2010; and

WHEREAS, the St. Louis County CDBG Citizen Advisory Committee's Economic Development Subcommittee has reviewed the request and recommends \$50,000 in CDBG funding for the project.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the \$50,000 in 2010 CDBG funds for the City of Cook for the extension of water and sewer infrastructure to a new business development area.

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS 190
ST. LOUIS COUNTY, MINNESOTA

RESOLVED FURTHER, that the County Planning and Development Director and County Attorney are authorized to execute the funding agreement payable from CDBG Fund 260.
Adopted June 8, 2010. No. 294

WHEREAS, the St. Louis County Board appoints citizens to serve on the Community Development Block Grant (CDBG) Citizen Advisory Committee; and

WHEREAS, two current citizen members have requested to serve another three year term on the CDBG Citizen Advisory Committee; and

WHEREAS, there are five vacancies on the CDBG Advisory Committee; and

WHEREAS, St. Louis County has revised the CDBG program year from January 1 to December 31, to May 1 to April 30.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board reappoints the following citizens to the Community Development Block Grant_Citizen Advisory Committee with a term expiring April 30, 2013:

Janice M. Conklin (At-Large)

Melinda Ruzich (At-Large)

RESOLVED FURTHER, that the County Auditor is authorized to advertise and accept applications until July 1, 2010, for five vacant positions on the Community Development Block Grant Citizen Advisory Committee, one representing Northern Townships, one representing Hibbing, one At-Large representative, one representing Small Cities, and one representing Eveleth, serving a three-year term, expiring April 30, 2013; and

RESOLVED FURTHER, that all Community Development Block Grant Citizen Advisory Committee unexpired terms are extended from December 31 to April 30 to align with the St. Louis County Community Development Block Grant program year of May 1 to April 30.

Adopted June 8, 2010. No. 295

RESOLVED, that pursuant to Ordinance No. 28, Section 11, Subdivision 11.06, authorization is hereby granted to Island Lake Inn, Inc. d/b/a The Fall Inn, Rice Lake Township, to sell/serve outside the designated serving area of the County Liquor License for the dates of August 13 and 14, 2010, as per application on file in the office of the County Auditor, identified as County Board File No. 59021.

Adopted June 8, 2010. No. 296

BY COMMISSIONER O'NEIL:

RESOLVED, the St. Louis County Board amends the term expiration dates of the following members and alternate member of the Civil Service Commission:

Harold Baland, member, is appointed for a three-year term ending November 30, 2011.

Wayne Marshall, member, is appointed for a three-year term ending December 31, 2012.

Julie A. Waltenburg, alternate member, is appointed for a three-year term ending December 22, 2012.

Unanimously adopted June 8, 2010. No. 297

BY COMMISSIONER DAHLBERG:

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 3.2 percent malt liquor license is hereby approved, on file in the office of the County Auditor, identified as County Board File No. 59075;

FURTHER RESOLVED, that said license is approved contingent upon the license holder paying real estate or personal property taxes when due;

FURTHER RESOLVED, that if named license holder 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 license holder;

FURTHER RESOLVED, that said license shall be effective through June 30, 2011:

Lodge of Whispering Pines, Inc., d/b/a Lodge of Whispering Pines, Unorganized Township
65-13, On/Off-Sale 3.2 Percent Malt Liquor License No. B1195.

Unanimously adopted June 8, 2010. No. 298

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

At 10:04 a.m., June 8, 2010, Commissioner Sweeney, supported by Commissioner Dahlberg, moved to adjourn; five yeas, zero nays.

Steve Raukar, Chair of the Board
of County Commissioners

Attest:

Donald Dicklich, County Auditor
and Ex-Officio Clerk of the Board
of County Commissioners

(Seal of the County Auditor)

OFFICIAL PROCEEDINGS OF THE MEETING
OF THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF ST. LOUIS, MINNESOTA,
HELD ON JUNE 22, 2010

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 22nd day of June, 2010, at 9:47 a.m., in Semer's Park Pavilion, Ely, Minnesota, with the following members present: Commissioners Dennis Fink, Steve O'Neil, Chris Dahlberg, Mike Forsman, Peg Sweeney, Keith Nelson and Chair Steve Raukar – 7. Absent: None

Chair Raukar asked for a moment of silence to honor U.S. troops serving throughout the world and their families at home as well as all persons whose lives are adversely affected by war.

Commissioner Forsman's words of wisdom were inspired by a 1969 movie "Where It's At", starring David Janssen. The three most important things a parent can teach their child is: example; example; example.

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

Gerald Tyler, Ely, MN asked the board to adopt a resolution supporting the removal of timber wolf from the endangered species list.

Commissioner O'Neil, support by Commissioner Sweeney, moved to approve the consent agenda. At the request of Commissioner Fink, item 5 from the consent agenda, lawful gambling license application, was removed for separate consideration under Finance and Budget Committee. The remainder of the consent agenda was approved; seven yeas, zero nays.

Commissioner Dahlberg, supported by Commissioner Nelson, moved to suspend the rules to consider a letter of support for the Carlton-Cook-Lake-St. Louis County Community Health Board to receive a \$530,000 grant for Alcohol, Tobacco and Other Drug Use Regional Preventions Coordinator Services; seven yeas, zero nays.

Commissioner Dahlberg, supported by Commissioner Sweeney, moved a resolution approving a letter of support for the Carlton-Cook-Lake-St. Louis County Community Health Board to receive a grant from the MN Department of Human Services in the amount of \$530,000 for an Alcohol, Tobacco and other Drugs Regional Coordinator Services in Northeast Minnesota. Administrator Kevin Gray said the deadline for the letter of support is June 25, 2010. Commissioner O'Neil noted the United States represents 5% of the world's population, yet we consume 2/3 of the world's illegal drugs and incarcerate 25% of the world's prisoners. Resolution No. 316.

Commissioner Nelson, supported by Commissioner Raukar, moved to approve item 5 from the consent agenda - lawful gambling license application for American Veteran's Post 12 to operate out of Bill-Mar's Supper Club, Hibbing, MN. Commissioner Fink said he would not support the application because the organization is not based in St. Louis County; six yeas, one nay; Commissioner Fink. Resolution No. 303.

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

Commissioner Steve O'Neil submitting information regarding drug abuse in America.—59090

Kevin Gray, County Administrator, and Martha Watson, Employee Relations Director, submitting Board Letter 10-212, Merit System Basic Unit Bargaining Agreement for 2010/2011.—59091

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

Kevin Gray, County Administrator, and Martha Watson, Employee Relations Director, submitting Board Letter 10-213, Civil Service Basic Unit Bargaining Agreement for 2010/2011.—[59092](#)

Agreement for Professional Services between the County of St. Louis and Architecture Advantage, LLP, for Government Services Center Data Center Relocation.—[10-447](#)

Agreement for Professional Services between St. Louis County and Rick Olson for Technical Tax/Training services.—[10-448](#)

Project Contract, Contract No. 4872, between the County of St. Louis and Max Gray Construction, Inc., for St. Louis County Courthouse Probation Remodel – Hibbing, MN.—[10-449](#)

Home and Community-Based Waiver Services Contract, Contract No. 14807, between the St. Louis County Board of Commissioners and JWL Design Build, Inc.—[10-450](#)

Home and Community-Based Waiver Services Contract, Contract No. 14553, between the St. Louis County Board of Commissioners and Senior Friend Associates, Inc.—[10-451](#)

St. Louis County On-Line Software Subscriber Agreement between the County of St. Louis and Shane Kurtis Kuhn for access to certain real property and property tax databases.—[10-452](#)

Project Contract No. 4884 between the County of St. Louis and Future Forests, Inc., for Mechanical Site Scarification by Disc Trenching.—[10-453](#)

Agreement between the County of St. Louis and Crane Lake Water and Sanitary District for Sewer System Relocation on County State Aid Highway No. 24, SAP 69-624-15, CP 8572.—[10-454](#)

Agreement for Professional Services between St. Louis County and Arrowhead Regional Development Commission (ARDC) for administration of the 2009 FEMA Disaster Mitigation Grant (Sprinkler Grant).—[10-455](#)

Payment and Performance Bond for Federal, State, or County Highway Construction and Maintenance Projects, Bond No. 929504200, between St. Louis County and Hardrives, Inc., for MP 65-97082(low), MP 915-97032.—[10-456](#)

Project Contract, Contract No. 4898, between the County of St. Louis and A.G. O'Brien Plumbing and Heating Company for HVAC Mechanical Modifications St. Louis County Public Safety Building – Duluth, MN.—[10-457](#)

Agreement for Professional Services between the County of St. Louis and The Design Group, Inc., for Ely Office Space Remodel Project.—[10-458](#)

Law Enforcement Services Agreement between the County of St. Louis and the Cities of Buhl and Kinney.—[10-459](#)

Emergency Management Performance Grant Agreement, Agreement No. 2010-EMPG-00625, from the Minnesota Department of Public Safety, Homeland Security and Emergency Management Division.—[10-460](#)

Upon motion of Commissioner O'Neil, supported by Commissioner Sweeney, Resolutions No. 299 through 302 and 304 through 315 were unanimously adopted as follows:

BY COMMISSIONER O'NEIL:

WHEREAS, the contract with Rich Ellenberger, of Mountain Iron, MN, for the purchase of state tax forfeited land is in default for nonpayment of taxes and/or installments; and

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ST. LOUIS COUNTY, MINNESOTA

WHEREAS, the purchaser was properly served with Notice of Cancellation of Contract by civil process and has failed to cure the default for lands legally described as:

CITY OF HIBBING, PART OF E1/2 OF SE1/4 BEG ON E LINE 1120.80 FT N OF SE COR THENCE N 53 DEG 40' 0" W 396.84 FT TO PT OF BEG THENCE N 5 DEG 43' 21" W 146.91 FT THENCE S 84 DEG 56' 59" W 100 FT THENCE S 39 DEG 45' 7" E 178.68 FT TO PT OF BEG AND PART OF E1/2 OF SE1/4 BEG 1120.8 FT N OF SE COR THENCE NWLY AT AN ANGLE OF 53 DEG 40' 396.84 FT TO PT OF BEG THENCE SELY AT AN ANGLE OF 50 DEG 40' 151.22 FT THENCE NLY 247.83 FT TO SLY RT OF W LINE OF DM & IR RY THENCE WLY ALONG RT OF W 137 FT THENCE SLY TO PT OF BEG, SEC 2 TWP 57 RGE 20
Parcel Code: 141-20-323
C22080045

WHEREAS, Minn. Stat. §§ 282.04, Subd. 2(d) and 504B.271 authorizes the County Auditor to dispose of abandoned personal property; and

WHEREAS, the previous owner of the property will be notified by posting of property or by mail.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the cancellation of contract C22080045 for the purchase of state tax forfeited land described above, according to the provisions of Minn. Stat. § 282.01, Subd. 5, and Minn. Stat. § 282.40, and according to the procedures of Minn. Stat. § 559.21.

RESOLVED FURTHER, the County Auditor is authorized to dispose of abandoned personal property from the above described state tax forfeited property.

Adopted June 22, 2010. No. 299

WHEREAS, Minn. Stat. § 282.241 provides that state tax forfeited land may be repurchased by the previous owners, subject to payment of delinquent taxes and assessments with penalties, interest and costs; and

WHEREAS, the applicant, John Vos, has applied to repurchase state tax forfeited land; and

WHEREAS, the applicant was the owner of record at the time of forfeiture and is eligible to repurchase the property; and

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

WHEREAS, all city code violations must be corrected by John Vos no later than October 15, 2010.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the repurchase application by John Vos on file in County Board File No. 59058, subject to payments including total taxes and assessments of \$6,654.95, a service fee of \$114, a deed tax of \$11.59, a deed fee of \$25, and a recording fee of \$46; for a total of \$6,851.54 to be deposited into Fund 240 (Forfeited Tax Fund).

RESOLVED FURTHER, that the repurchase is contingent upon the correction of all City of Duluth code violations prior to granting repurchase, according to the authority granted under Minn. Stat. §282.261, Subdivision 5.

Adopted June 22, 2010. No. 300

RESOLVED, that the St. Louis County Board authorizes the appropriate county officials to enter into Agreement No. 92665, SP 69-00185, CP 97041, and any amendments approved by the County Attorney's Office with the Duluth, Missabe and Iron Range Railway Co., and the Commissioner of Transportation for crossing improvements at crossing number USDOT 251908M (F-1974) on CR 223 in Solway Township, 2.0 miles West of Hermantown, Minnesota, and appointing the Commissioner of Transportation agent for the county to supervise the project and administer available Federal Funds in accordance with Minn. Stat. Section 161.36. The county's share of the cost shall be 10% of the total estimated project cost of \$221,103.00, or \$22,110.30, payable from Fund 200, Agency 203228, Object 652800.

Adopted June 22, 2010. No. 301

RESOLVED, that the St. Louis County Board authorizes the appropriate county officials to enter into Agreement No. 92668, SP 69-00188, CP 21439, and any amendments approved by the County

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

Attorney's Office with the Duluth, Winnipeg and Pacific Railway Co., and the Commissioner of Transportation for crossing improvements at crossing number USDOT 260166V (F-1973) on CSAH No. 87 in Owens Township, 2.0 miles SE of Cook, Minnesota, and appointing the Commissioner of Transportation agent for the county to supervise the project and administer available Federal Funds in accordance with Minn. Stat. Section 161.36. The county's share of the cost shall be 10% of the total estimated project cost of \$210,960, or \$21,096, payable from Fund 200, Agency 220248, Object 652700.

Adopted June 22, 2010. No. 302

WHEREAS, a request to purchase county fee land was submitted by Mr. Darwin Fieck and the County Property Acquisition Team deems the property to be non-conforming surplus property described as follows:

That part of the Southwest Quarter of the Northwest Quarter (SW ¼ of NW ¼), Section 33, Township 64 North, Range 21 West of the Fourth Principal Meridian, St. Louis County Minnesota, described as follows:

Commencing at the West ¼ corner of Section 33, T64N, R21W; thence running easterly along the ¼ line for a distance of 33 ft. to a point, thence at an angle of 90 degrees to the left for a distance of 33 ft. to the point of beginning; thence continuing along this line for a distance of 208.76 ft. to a point, thence at an angle of 90 degrees to right for a distance of 417.52 ft. to a point, thence at an angle of 90 degrees to the right for a distance of 208.76 ft. to a point, thence at an angle of 90 degrees to the right for a distance of 417.52 ft. to the point of beginning; said parcel of land containing two (2) acres, more or less.

WHEREAS, an appraisal was performed by the Property Management Department with a resulting property value of \$2,400; and

WHEREAS, Mr. Fieck submitted a bid amount of \$2,400 for the property.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the requirements and procedures of Minn. Stat. § 373.01 Subdivision (h), the Chair of the County Board and County Auditor are authorized to execute and deliver a quit claim deed, conveying the above listed property to Darwin L. Fieck, Louann M. Fieck and Joseph L. Fieck, for the bid amount of \$2,400, payable to Fund 100, Agency 128014, Object 583100, plus deed tax, property transaction recording fees and associated filing fees.

Adopted June 22, 2010. No. 304

RESOLVED, the following unorganized townships are designated by the St. Louis County Board as election precincts with polling places as listed. Additionally, the below listed eligible voters are hereby appointed as clerks and/or judges of election for the 2010 Primary and General Elections:

UNORGANIZED TOWNSHIP 57-16 (Unorganized Precinct 14)

Clerk – Jan Dzwonkowski, 6317 Heritage Trail, Gilbert, MN, 55741
 Judge – Charlene Johnson, 6473 Heritage Trail, Gilbert, MN, 55741
 Judge – Lillian Kiel, 4460 Vermilion Trail, Gilbert, MN, 55741
 Judge – Elaine Elmquist, 4273 McKinley Road, Gilbert, MN, 55741
 Judge – Cynthia Nygaard, 4291 Parks Lane, Gilbert, MN, 55741
 Polling Place - Lakeland Fire Hall, 4667 Vermilion Trail, Gilbert, MN, 55741

UNORGANIZED TOWNSHIP 60-18 (Unorganized Precinct 15)

Clerk – Barbara Harkonen, 9318 Goodell Road, Angora, MN, 55703
 Judge – Carolyn Nordlinder, 9069 Whitetail Drive, Britt, MN, 55710
 Judge – Nancy Shadle, 8535 Tall Pine Road, Britt, MN, 55710
 Judge – Mary Elaine Arola, 7354 Donnywood Road, Britt, MN, 55710
 Judge – Mary Jean Eilertson, 7364 Highway 53, Britt, MN, 55710
 Polling Place – Sand Lake Chapel, 9038 Biss Road, Britt, MN, 55710

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UNORGANIZED TOWNSHIP 60-19 (Unorganized Precinct 16)

Clerk – Victoria Emmons, 9659 Folsom Road, Britt, MN, 55710
Judge – Diane Falstrom, 9705 Folsom Road, Britt, MN, 55710
Judge – Margaret Morgan, 9783 Dickinson Lane, Britt, MN, 55710
Judge – Darlene Hodge, 8181 Carpenter, Angora, MN, 55703
Judge – Cindy Morgan, 9790 Dickinson Lane, Britt, MN, 55710
Polling Place – Evergreen Volunteer Fire Department, 10233 Hwy 65, Britt, MN, 55710

UNORGANIZED TOWNSHIP 56-16 (Unorganized Precinct 17)

Clerk – Evelyn Hermanson, 6468 Long Lake Road, Makinen, MN, 55763
Judge – Lorraine Niskala, 6118 Long Lake Road, Makinen, MN, 55763
Judge – Sharon Wefel, 3722 Lost Lake Road, Gilbert, MN, 55741
Judge – Mary Little, 6419 Long Lake Road, Makinen, MN, 55763
Polling Place – Makinen Community Center, Makinen, MN, 55763

RESOLVED FURTHER, the following eligible voters are appointed as election judges to process and tabulate votes in the Duluth Courthouse from unorganized townships voting by mail and/or to serve on the County Absentee Ballot Board, UOCAVA Ballot Board and Mail Ballot Board:

Judge – Arlene Niskala, 5052 Alpine Drive, Hermantown, MN, 55811
Judge – Sharon Stenberg, 4042 Munger Shaw Road, Duluth, MN, 55810
Judge – Harla Lemmerman, 6316 Nashua Street, Duluth, MN, 55810
Judge – Sheila Ballavance, 1215 East 8th Street, Duluth, MN, 55805
Judge – Lisa Hinnenkamp, 1404 104th Avenue West, Duluth, MN, 55808
Judge – Corrina Maly, 6939 Highway 5, Floodwood, MN, 55736
Judge – Catherine (Tina) Voce, 822 5th Avenue, Two Harbors, MN, 55616
Judge – Daryl Wierzbinski, 1972 Holm Road, Two Harbors, MN, 55616
Judge – William Wise, 3618 Allendale, Duluth, MN, 55803
Judge/Staff – Lisa Athey, Duluth Courthouse
Judge/Staff – Amy Johnson, Duluth Courthouse
Judge/Staff – Mary Miller, Duluth Courthouse
Judge/Staff – Brenda George, Duluth Courthouse
Judge/Staff – Wendy Johnson, Duluth Courthouse
Judge/Staff – JoAnn Newman, Northland Office Building, Virginia
Judge/Staff – Nancy Shusterich, Northland Office Building, Virginia
Judge/Staff – Jill Berg, Northland Office Building, Virginia
Judge/Staff – Jason Raida, Northland Office Building, Virginia

RESOLVED FURTHER, compensation for 2010 election judge services - not including county staff - is established at \$8.00 per hour and the current mileage reimbursement rate of \$.50 per mile. Funding will be from Auditor/Elections: Fund 100, Agency 127001, Objects 635300 and 635500. Adopted June 22, 2010. No. 305

WHEREAS, bids have been received by the County Auditor for the following project:

SAP 69-624-016, CP 9290, located on County State Aid Highway (CSAH) No. 24 from 436' North of CSAH No. 25 to CR 431 North of Cook, MN;

WHEREAS, bids were opened in the County Board Room at 10:00 a.m., June 7, 2010, and the lowest responsible bidder determined.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the award on the above project to the lowest bidder.

<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
KGM Contractors, Inc.	P.O. Box 7 Angora, MN 55703	\$1,263,210.19

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

RESOLVED FURTHER, that the Chairman of the County Board, the County Auditor, and the County Attorney are authorized to approve the Contractor's Performance Bonds and to execute the bonds and contract for the above listed project payable from Fund 220, Agency 220174, Object 652700.
Adopted June 22, 2010. No. 306

RESOLVED, that the 2010/2011 Merit System Basic contract is approved and the appropriate county officials are authorized to execute the Bargaining Unit Agreement, a copy of which is on file in County Board File No. 59091.
Adopted June 22, 2010. No. 307

RESOLVED, that the 2010/2011 Civil Service Basic contract is approved and the appropriate county officials are authorized to execute the Bargaining Unit Agreement, a copy of which is on file in County Board File No. 59092.
Adopted June 22, 2010. No. 308

WHEREAS, the St. Louis County Board approved a 5.5% percent increase in the health insurance premiums for 2010 resulting in new monthly costs as follows:

<u>2010 Rate</u>
\$ 658.71
\$1,529.88

WHEREAS, the 2010/2011 collective bargaining settlements with AFSCME Council 5 for the Civil Service Basic and Merit System Basic bargaining units resulted in agreements to reduce the additional employee contribution for the single portion of the health premium from \$49.73 to the 2009 rate of \$37.72, a net reduction of \$12.01 per contract per month.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board reduces the premium contributions for unrepresented employees, elected officials and retirees by the same \$12.01 per contract per month effective retroactive to April 1, 2010.

RESOLVED FURTHER, that the 2010 monthly premium rates for participants in the county's self-funded Comprehensive Major Medical Plan who are employees in the Civil Service Basic and Merit System Basic bargaining units, unrepresented employees, elected officials, and retirees are amended and approved effective retroactive to April 1, 2010 as follows:

<u>2010 Rate</u>
\$ 646.70
\$1,517.87

Adopted June 22, 2010. No. 309

WHEREAS, through the St. Louis County Attorney's Juvenile Detention Alternatives Initiative (JDAI), the juvenile justice system is currently implementing reforms designed to save taxpayer money, improve public safety, create better outcomes for delinquent youth, and reduce disproportionate minority confinement; and

WHEREAS, the St. Louis County Board desires to support juvenile detention reform in order to more effectively rehabilitate our youth and to create a more fair and equitable justice system for juveniles; and

WHEREAS, JDAI Disproportionate Minority Contact committee members engaged in analyzing the system for its disparate impact on persons of color need technical assistance to recommend and implement effective changes;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the County Attorney to apply for a grant from the Office of Juvenile Justice and Delinquency Prevention in the amount of \$40,000 to enhance the work of the Juvenile Detention Alternatives Initiative.

Adopted June 22, 2010. No. 310

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of June 1, 2010, are hereby approved.

Adopted June 22, 2010. No. 311

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS 198
ST. LOUIS COUNTY, MINNESOTA

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of June 8, 2010, are hereby approved.

Adopted June 22, 2010. No. 312

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, dated June 4, 2010, on file in the office of the County Auditor, identified as County Board File No. 59016, is hereby received and ratified as payable from Fund 730, Agency 730001.

Adopted June 22, 2010. No. 313

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. 59017, is approved and the County Auditor is authorized to carry out the recommendation as listed in said appraisal report.

Adopted June 22, 2010. No. 314

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. 59024, are hereby approved and the County Auditor shall issue checks in the following amounts:

May 2010		
100	General Fund	\$4,932,053.28
147	Namakan Basin Sewer System	17,930.00
149	Personnel Service Fund	84.00
150	Sheriff's Nemesis Fund Group	6,168.00
160	MN Trail Assistance	49,079.56
167	Attorney's Forfeitures	3,309.56
168	Sheriff's State Forfeitures	4,866.05
169	Attorney Trust Accounts-VW	130.00
173	Emergency Shelter Grant	72,736.47
179	Enhanced 9-1-1	3,713.32
180	Law Library	10,670.49
183	City/County Communications	342.68
184	Extension Service	27,953.92
200	Public Works	2,189,215.71
220	State Road Aid	116,475.32
230	Public Health & Human Services	5,666,973.44
240	Forfeited Tax	396,924.22
260	CDBG Grant	111,723.64
270	Home Grant	33,696.70
282	State Septic - Planning	1,760.60
290	Forest Resources	122,803.17
400	County Facility	18,051.03
407	Public Works - Equipment	94,162.00
600	Environmental Services	620,131.25
616	On-Site Waste Water Division	33,590.82
625	Chris Jensen Health & Rehab	212,958.83
640	Plat Books	9,429.58
660	Community Foods	9,300.32
670	Supervised Living	19,068.00
700	Printing	10,492.30
705	Postage Office Supplies	5,549.50
715	County Garage	93,783.40
720	Property Casualty Liability	8,627.96
730	Workers Compensation	250,800.42

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS
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750	Management Info Systems	309,970.79
760	Telecommunications	84,203.13
770	Retired Employees Health Ins	809.55
825	Taconite Relief/Other	10,246,060.00
900	State of Minnesota	1,378,063.20
902	Courts	278,049.40
909	Tax Refunds	25,052.25
910	School Districts Taxes	8,358,149.00
911	Taxes and Penalties	7,840.03
925	Arrowhead Regional Corrections	1,470,528.62
955	Community Health Board	353,323.82
985	Collective Local Collaborative	63,057.93
989	Regional Railroad Authority	690,572.55
990	Northern Cities Land Use	822.74
998	MPL-DUL Train Alliance	247,138.66
		\$38,668,197.21

Adopted June 22, 2010. No. 315

BY COMMISSIONER DAHLBERG:

WHEREAS, the Department of Human Services (DHS) has received a federal block grant for all alcohol and drug abuse services. DHS funds seven (7) Alcohol, Tobacco and Other Drug Abuse (ATOD) regional prevention coordinators statewide; and

WHEREAS, the Carlton-Cook-Lake-St. Louis Community Health Board (CHB) has received this funding to hire an ATOD Regional Prevention Coordinator since 2007 and has recently received continued funding for this program through June 2015; and

WHEREAS, the Minnesota State Legislature recently passed Minn. Stat. § 254A.07 which requires the appropriate county board review and approve all state funded ATOD services conducted by local agencies; and

WHEREAS, although this is a regional grant, the grant recipient, the CHB, is located in St. Louis County, and therefore the St. Louis County Board of Commissioners' approval is required.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board declares its approval for the Carlton-Cook-Lake-St. Louis Community Health Board to enter into an agreement with the Minnesota Department of Human Services Alcohol and Drug Abuse Division to continue providing Alcohol, Tobacco, and Other Drug Regional Prevention Coordinator services to all seven counties in Northeast Minnesota. The grant funds of \$530,000 for the time period of July 1, 2010 through June 30, 2015 will be deposited into and expended from Fund 955, Agency 956999, Revenue account 541207, Grant 95601: \$53,000 for Year 2010; \$106,000 for each Year 2011, 2012, 2013, and 2014; and \$53,000 for Year 2015.

Unanimously adopted June 22, 2010. No. 316

BY COMMISSIONER NELSON:

RESOLVED, that pursuant to Minn. Stat. § 349.213, Subd. 2, the St. Louis County Board approves the following Lawful Gambling License Application (Pull-tabs with dispensing device and tipboards) on file in the office of the County Auditor, identified as County Board File No. 58917, for the following organization:

American Veterans Post #12, to operate out of Bil-Mar's Supper Club, Inc., 2132 Highway 73, Hibbing, MN 55746, new.

Yeas – Commissioners O'Neil, Dahlberg, Forsman, Sweeney, Nelson and Chair Raukar – 6

Nays – Commissioner Fink – 1

Adopted June 22, 2010. No. 303

At 10:25 a.m., June 22, 2010, Commissioner Sweeney, supported by Commissioner Dahlberg, moved to adjourn; seven yeas, zero nays.

Steve Raukar, Chair of the Board

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of County Commissioners

Attest:

Donald Dicklich, County Auditor
and Ex-Officio Clerk of the Board
of County Commissioners

(Seal of the County Auditor)

**ST. LOUIS COUNTY SPECIAL BOARD
OF APPEAL AND EQUALIZATION
FOR THE ASSESSMENT YEAR
OF 2010 PAYABLE 2011**

The meeting of the St. Louis County Special Board of Appeal and Equalization (the “Board”) was called to order at 10:00 a.m. on Tuesday, June 15, 2010, in the St. Louis County Board Conference Room, 2nd Floor, Courthouse, Duluth, MN, by Paul Tynjala, Deputy Auditor/Clerk of County Board. By Resolution No. 232, adopted May 4, 2010, the St. Louis County Board of Commissioners appointed the following persons to serve on the Special Board of Appeal and Equalization: John Vigen – District 1; Lee Conradi – District 2; Kevin Doyle – District 3; Leonard Cersine – District 4; William Clements – District 5; Dawn Cole – District 6; and Frank Bigelow – District 7. The oath of office was administered to each member present by Deputy Auditor Tynjala.

Deputy Auditor Tynjala asked for nominations for Chair of the Special Board of Equalization. Conradi/Bigelow nominated William Clements. No other nominations were received. Vigen/Cersine moved to close nominations and declare William Clements Chair by unanimous ballot. (6-0, with Cole temporarily away from the meeting)

Chair Clements asked for nominations for Vice-chair. Vigen/Bigelow nominated Kevin Doyle as Vice-chair. No other nominations were received. Vigen/Bigelow moved to close nominations and declare Kevin Doyle Vice-chair by unanimous ballot. (6-0)

At 10:10 a.m., Dawn Cole joined the meeting and took her oath of office.

County Assessor David Sipila was present for all meetings of the Special Board of Appeal and Equalization.

The following communications and/or letter appeals were received by the Board and are on file in the office of the County Auditor in County Board Document File No. 59097.

1. Paul and Cordelia Sandvik, 219 West 1st Avenue North, Aurora, MN, 55705, parcel code 570-12-4600 (Town of White). 10-2 Cancelled – **per assessor.**
2. David A. and Kathryn F. Pierson, 18643 Jasmine Way, Lakeville, MN, 55044, parcel codes 315-10-1830, 1810 (Duluth Township). 10-4
3. Kathy Wolffe, 1327 Old North Shore Road, Duluth, MN, 55804, parcel code 315-10-165 (Town of Duluth). 10-6
4. Scott Gillette, 24400 Oberline St. NE, Stacy, MN, 55079, parcel code 490-10-4720 (Town of Northland). 10-9 **Ineligible – did not appear before local board.**
5. Marshall B. Jackson for Cascade Springs, LLC, 1905 Stevens Ave. S., Suite B, Minneapolis, MN, 55403, parcel code 10-980-90 (City of Duluth). **Appeal delivered to Duluth Assessor – see letter #33/appeal 10-64.**
6. Matthew and Renee Beaumier, 5309 Oakley St., Duluth, MN, 55804, parcel code 10-790-10630 (City of Duluth). **Appeal delivered to Duluth Assessor – no number assigned.**

7. Loren D. Johnson, 6605 Grand Avenue, Duluth, MN, 55807, parcel code 440-10-3770 (Town of Meadowlands). 10-10
8. Mary Ann Stocke, 4590 Boulder Lake Dam Road, Duluth, MN, 55803, parcel code 375-6010-48330 (Town of Gnesen). 10-12 **Cancelled – per assessor.**
9. Harlan and Jeanne Fitterer, 3779 Old Hwy 16, Brimson, MN, 55602, parcel code 240-15-2052 (Town of Bassett). 10-13 **Ineligible – did not appear before local board.**
10. Richard L. and Mildred M. DeBolt, 7018 Van Road, Duluth, MN, 55803, parcel code 375-10-705 (Town of Gnesen). 10-15. **Cancelled per assessor.**
11. John L. Parish, P.O. Box 550, Tullahoma, TN, 37388, parcel code 465-20-2545 (Town of Morse). 10-17
12. James R. Berquist, 4510 Carthage Court, Crystal Lake, MN, 60014, parcel code 387-396-90 (Town of Greenwood). 10-18
13. Arnold L. Johnson, 1880 Hwy 10 NE, Spring Lake Park, MN, 55432, parcel code 530-10-527 (Town of Solway). 10-19 **Ineligible – did not appear at local board.**
14. Philip J. and Dorothy M. Szewczyk, 1633 Brandywine Lane, Dixon, IL, 61021, parcel code 317-210-160 (Town of Eagles Nest) 10-21
15. Gary Peterson, 12644 Sable Drive, Burnsville, MN, 55337, parcel code 465-155-100 (Town of Morse). 10-23
16. David and Chireen Wehr, 75 Church Road, Esko, MN, 55733, parcel code 530-10-5240 (Town of Solway). 10-25 **Ineligible – did not appear at local board.**
17. Theodore Granquist, 2251 Fisher Ct. NW, Rochester, MN, 55901, parcel code 502-20-2770 (Town of Pequaywan). 10-26 **Cancelled – per assessor.**
18. Paul Smith, 2121 Sunrock Lane, Ely, MN, 55731, parcel codes 465-20-860 and 910 (Town of Morse). 10-27
19. Arne and Phoebe Peterson, 4013 Birch Crest Lane, Eau Claire, WI, 54701, parcel codes 502-20-2780 and 502-26-40 (Town of Pequaywan). 10-31 (see also 10-28) **Cancelled – per assessor.**
20. Craigen C. Thom, 1743 Samuelson Road, Cook, MN, 55723, parcel code 545-10-1080 (Town of Sturgeon). 10-32 **Ineligible – did not appear before local board.**
21. Merlin Hasbrouck, 10611 Town Line Road, Hibbing, MN, 55746, parcel code 290-12-5391 (Town of Cherry). 10-33 **Ineligible – did not appear at local board.**
22. City of Duluth Assessor, results of Duluth Board of Appeal and Equalization.
23. David and Kelly Hanson, 4545 Berg Road, Duluth, MN, 55803, parcel codes 375-24-140 and 150 (Town of Gnesen). 10-35 **Ineligible – did not appear at local board.**
24. Lee J. Leighton, 22937 John Avery Lane, Cujoe, FL, 33042, parcel code 320-130-70 (Town of Ellsburg). 10-36 **Ineligible – did not appear at local board.**
25. James B. Weeks, 97900 Juniper Island, Cook, MN, 55723, parcel code 350-160-50 (Town of Field). 10-46 **Ineligible – did not appear at local board.**
26. Robert and JoAnn Winship, 6861 Carlson Road, Saginaw, MN, 55779, parcel code 380-10-1610 (Town of Grand Lake). 10-47 See also 10-39 – same parcel with appointment June 15 @ 6:50 p.m. **Cancelled – per assessor.**
27. Frank Roffers, 4900 Sunnyside Road, Edina, MN, 55424, parcel code 10-1460-3070 (City of Duluth). 10-51
28. Bernadine Rent, 710 NW 5th Street, Chisholm, MN, 55719, parcel codes 020-200-3160, 3185 (City of Chisholm). 10-52

29. Rose Nelson, 4659 Hanson Road, Duluth, MN, 55811, parcel code 530-10-76 (Town of Solway). 10-53 **Cancelled – per assessor.**
30. Joseph and Caroline Owens, 1300 Trygg Road, Ely, MN, 55731, parcel code 317-170-240 (Town of Eagles Nest). 10-54
31. Joseph and Margret Jerulle, 2219 Sand Lake Drive, Hibbing, MN, parcel code 752-10-711 (Unorganized 55-21). 10-62
32. Duane L. Pepin, 5035 30th Avenue South, Minneapolis, MN, 55417-1309, parcel code 629-120-10 (Unorganized 65-13). 10-63
33. Marshall Jackson, Cascade Springs, LLC, 1905 Stevens Avenue South, Suite B, Minneapolis, MN, 55403, parcel codes 10-980-90 and 10-1000-400 (City of Duluth). 10-64 (see also Item #5 on this list of correspondence/communications)
34. Duane Moll, 14450 40 PL N, Plymouth, MN, 55446, parcel code 355-15-70 (Town of Fine Lakes). 10-66 **Ineligible – did not appear at local board.**
35. Debra Matheny, P.O. Box 261, Hibbing, MN, 55746, parcel code 752-10-3389 (Unorganized 55-21). 10-69 **Cancelled – per assessor.**
36. Raymond Koski, 12649 Widstrand Road, Hibbing, MN, 55746, parcel codes 752-10-3386 and 3381 (Unorganized 55-21). 10-70
37. Patrick E. Murphy, P.O. Box 385, Crosslake, MN, 56442, parcel codes 730-10-3940, 3941, 3942, 3943, 3944, 3945 (Unorganized 67-19). 10-71
38. Nelson W. Neubrech, 6758 Haugen Lane, Duluth, MN, parcel code 375-100-700 (Town of Gnesen). 10-85 **Ineligible – did not appear at local board.**
39. Lisa L. Culver, 3319 Shasta Avenue, Anoka, MN, 55303, parcel code 320-160-60 (Town of Ellsburg). 10-86
40. Ralph Johnson, 5392 Road 46, Aurora, MN, 55706, parcel code 570-10-650 (Town of White). 10-87 **Withdrew appeal – per assessor.**
41. Richard and Sharon McGuire, 1268 108th Avenue NW, Coon Rapids, MN, 55433-4203, parcel codes 734-10-1880, 1890 (Unorganized 60-20). 10-88
42. William and Susan Skarda, 414 Arrowhead Road, Lino Lakes, MN, 55014, parcel code 625-17-60 (Unorganized 61-13). 10-89
43. Rich Crettol, 7354 Comfort Point Road, Britt, MN, 55710, parcel codes 713-15-2250 and 2230 (Unorganized 60-18). 10-90 (see also 10-144)
44. Irving Curran, 6912 7th Avenue, Duluth, MN, 55803, parcel code 365-600-2710 (Town of Fredenberg). 10-91 **Ineligible – did not appear at local board.**
45. Kristen Bergstrand, 6419 Savannah Road, Floodwood, MN, 55736, parcel code 750-10-3630 (Unorganized 52-21). 10-92
46. Joe Plucinak, 5854 Hermantown Road, Proctor, MN, 55810, parcel code 280-31-270 (Town of Canosia). 10-93 **Ineligible – did not appear at local board.**
47. Daniel Kerelko, 11520 Hwy 8, Floodwood, MN, 55736, parcel code 750-10-1980 (Unorganized 52-21). 10-94
48. Morris Lindgren, End of the Trail Ranch, 10681 Olson Road, Cook, MN, 55723, parcel 350-20-5030 (Town of Field). 10-95 **Ineligible – did not appear at local board.**
49. Dale Frey, 1225 Woodrich Circle, Duluth, MN, 55811, parcel code 10-2710-6071 (City of Duluth). 10-96 **Cancelled per applicant.**
50. Sue Spencer, 302 East Harvey Street, Ely, MN, 55731, parcel code 613-10-2680 (Unorganized 64-12). 10-99

51. Hugh Morris, 5218 Avondale Street, Duluth, MN, 55802, parcel code 10-790-8200 (City of Duluth) 10-100 **Ineligible – did not appear at local board.**
52. Matthew Michael Casey, 3860 Bald Eagle Drive, Ely, MN, 55731, parcel code 270-10-4837 (Town of Breitung). 10-101
53. Karen S. Williams, 6316 North Temple, Indianapolis, IN, 46220, parcel code 610-10-1565 (Unorganized 61-12). 10-102
54. William J. Pollard, 1119 Loma Linda Avenue, Mound, MN, 55364, parcel codes 757-10-340, 331 and 350 (Unorganized 62-21). 10-104 **Withdrew appeal –per assessor.**
55. Douglas Blom, 4030 West 15th Street LN, Greely, CO, 80634, parcel code 10-1480-2370 (City of Duluth). 10-108
56. Betty Hendrickson, 4054 Miller Trunk Highway, Eveleth, MN, 55734, parcel code 677-15-950 (Unorganized 57-16). 10-109 **Withdrew – per assessor.**
57. Larry and Leanne Berg, 4586 Island Lake Drive, Duluth, MN, 55803, parcel code 375-10-1172 (Town of Gnesen). 10-110 **Ineligible – did not appear at local board.**
58. Robert Pluskwik, 830 ½ North 15th Street, Virginia, MN, parcel codes 510-30-4950, 4930, 4940 and 4923 (Town of Portage). 10-112 **Withdrew appeal – per assessor.**
59. Charles Pernu, 22038 Ladeene Avenue, Torrance, CA, 90503, parcel code 725-60-140 (Unorganized 60-19). 10-113
60. Walter and Patricia Suihkonen, 4435 Big Rock Road, Tower, MN, 55700, parcel 387-50-110 (Town of Greenwood). 10-114 **Ineligible – did not appear at local board.**
61. Tom Costello, 5908 View Lane, Minneapolis, MN, 55436, parcel code 660-6000-52515 (Unorganized 53-15). 10-115 **Cancelled – per assessor.**
62. Peter Herbert, 3720 S. Arbor Lane, Minnetonka, MN, 55305, parcel code 250-20-3160 (Town of Beatty). 10-116 **Cancelled per assessor**
63. Todd and Jody Messner, 4066 Brandon Road, Brookston, MN, 55711, parcel codes 225-10-3780, 3770 (Town of Arrowhead). 10-117 **Ineligible – did not appear at local board.**
64. Joe and Maxine Caskinette, 7403 Frazer Bay Road, Cook, MN, 55723, parcel code 387-245-40 (Town of Greenwood). 10-118 **Withdrew appeal – per assessor.**
65. Dale Siemsen, 4993 Thompson Road, Duluth, MN, 55811, parcel code 660-10-39 (Lease #11-01 – Unorganized 53-15). 10-119 **Withdrew appeal – per assessor.**
66. Donald Schoch, 10 Leopard Drive, Sandy Hook, CT, 06482, parcel codes 698-10-1130, 1280 (Unorganized 63-17). 10-121 **Cancelled – per assessor.**
67. Scott Tompkins, 2516 East 5th Street, Duluth, MN, parcel 10-3090-1960 (City of Duluth). 10-124 **Also scheduled a personal appearance 6/15 @ 4:40 p.m.**
68. Tom Coleman, 809 Everett Drive, Stillwater, MN, 55082, parcel code 610-11-3050 (Unorganized 61-12). 10-129
69. Claudia Modich (Modich Farms), 10980 Zim Road, Hibbing, MN, parcel codes 141-40-2060, 6280, 6250, 5350, 4170, 4160, 141-50-6580, 5410, 5360, 6970, 5702, 5705, 5706, 141-10-6060, 6030, 6000, 6010, 6070, 3000, 3030, 2810, 2800, 2820, 960, 930 (City of Hibbing). 10-130 **Ineligible – did not appear at local board.**
70. Tony Stauber, 5418 Wyoming Street, Duluth, MN, 55804, parcel code 660-6000-5735 (Unorganized 53-15 – lease) 10-131 **Withdrew appeal – per assessor.**
71. Scott and Pam Lande, 5231 Woodstock Avenue, Golden Valley, MN, 55422, parcel code 15-50-1330 (City of Biwabik). 10-132 **Made appointment 6/24 @ 10:00 a.m.**

72. Charles Adams, 2440 Florida Avenue, Humboldt, IA, 50548, parcel codes 141-10-5160, 5250 5280 and 5130 (City of Hibbing). 10-133
73. Steve John Oksa, 6944 Lake Elora Drive, Canyon, MN, 55717, parcel 673-10-933 (Unorganized 53-16), 10-134
74. Mark Baumann, 11844 Clark Road, Floodwood, MN, 55736, parcel codes 355-10-860, 4420, 4640, 4611. (Town of Fine Lakes). 10-135
75. Christopher A. Campbell, 7049 Three Lakes Road, Canyon, MN, 55717, parcel codes 673-20-10, 160, 180, 140 and 673-10-880. (Unorganized 53-14). 10-136
76. Gerald G. Smith, 16 East Heard Street, Duluth, MN, 55808-2029, parcel code 660-6000-54620 (Unorganized 53-15). 10-141 (See also appeal #140 – cancelled appointment).
77. Eric Erkkila, 2909 Parkwood Lane, Duluth, MN, 55811, parcel code 387-105-20 (Town of Greenwood) 10-142 **Ineligible – did not appear at local board.**
78. Arlene Zakula, 4634 Spirit Lake Road, Mt. Iron, MN, 55786, parcel code 10-1270-3610 (City of Duluth). 10-143
79. Peter Mock, 1805 11th Avenue N, Virginia, MN, 55792, parcel code 698-40-1090 (Unorganized 63-17). 10-145
80. Daniel O. Ahonen, 224 North 24th Avenue East, Duluth, MN, 55812, parcel code 10-4740-490 (City of Duluth). 10-151

At 10:10 a.m., the Board commenced hearing appeals. (NOTE: EMV = estimated market value; imp = improvements such as buildings/structures etc.)

Roger Fossum, 5675 Lake Sarah Heights Drive, Rockford, MN, 55373, parcel code 270-10-1010 (Town of Breitung). Current EMV: land only - \$185,500. Appellant agreed with the assessor recommendation to reduce the value by \$30,600 for a new EMV of \$154,900. Bigelow/Conradi moved to accept the assessor recommendation. (7-0)

Robert Winship, 6861 Carlson Road, Twig, MN, 55791, parcel code 380-10-1610 (Town of Grand Lake). Current EMV: land - \$53,600; imp - \$221,800. Appellant agreed with the assessor recommendation to reduce the land by \$3,100 and the imp by \$35,200 for a new EMV of \$237,100 because of the presence of a gravel pit on an adjoining property. Vigen/Bigelow moved to accept the assessor recommendation. (7-0)

Cascade Springs, LLC, Marshall B. Jackson, 1905 Stevens Ave South, Suite B, Minneapolis, MN, 55403, parcel codes 10-980-90 and 10-1000-400 (City of Duluth). Current EMVs: parcel 90, land - \$49,900; imp - \$911,300; parcel 400, land - \$35,000. The appellant agreed with the assessor recommendation of no change to parcel 400 and to reduce imp for parcel 90 by \$102,200 for a new EMV of \$859,000 because of incomplete renovation. Bigelow/Vigen moved to accept the assessor recommendation. (7-0)

Rachel and Karl Wilton, 11676 Highway 8, Floodwood, MN, 55736, parcel code 360-10-840 (Town of Floodwood). Current EMV; land - \$33,400; imp - \$230,400. Appellant agreed with the assessor recommendation to reduce the imp by \$18,600 for a new EMV of \$245,200 because of space calculation errors. Bigelow/Conradi moved to accept the assessor recommendation. (7-0)

Jimmie Sparks, 23215 Tunnel Road, Pine City, MN, 55063, parcel code 10-790-3220 (City of Duluth). Current EMV: land - \$34,600; imp - \$41,900. Appellant disagreed with the assessor recommendation of no change to this parcel. Vigen/Cersine moved to accept the assessor recommendation. (7-0)

Joseph P. Karpik, 12292 Rudolph Road, Floodwood, MN, 55736, parcel codes 750-10-4170, 4140, 4180, 4280, 4270, 4220, 4330, 5372, 5370, 4380, 4400, 4390, 4370, 5532 and 4162 (Unorganized 52-21). Current EMVs: parcel 5372, land - \$39,200; imp - \$79,100; parcel 5370, land - \$50,100; imp - \$83,700; parcel 4380, land only - \$33,400; parcel 4400, land only - \$33,400; parcel 4390, land only - \$29,300; parcel 4370, land only - \$30,200; parcel 5532, land only - \$4,400; parcel 4162, land only - \$13,500; parcel 4170, land only - \$36,000; parcel 4140, land only - \$11,000; parcel 418, land only - \$35,100; parcel 4280, land only - \$14,700; parcel 4270, land only - \$18,000; parcel 4220, land only - \$37,500; parcel 4330, land only - \$30,100. Appellant agreed with the assessor recommendation to reclassify parcel 4330 as agricultural and to reduce the value of parcel 5532 by \$3,700 for a new EMV of \$700. All other parcels will remain the same. Bigelow/Doyle moved to accept the assessor recommendation. (7-0)

Jeremy Murphy, 6737 Seville Road, Saginaw, MN, 55779, parcel code 530-10-4650 (Town of Solway). Current EMV: land only - \$46,400. Appellant disagreed with the assessor recommendation of no changes to this parcel. Vigen/Bigelow moved to adjust the land quality resulting in a reduction of \$4,300 for a new EMV of \$42,100. (7-0)

At 11:07 a.m., Chair Clements recessed the Board for ten minutes.

At 11:20 a.m., the Board of Equalization reconvened in the County Board Conference Room, 2nd floor, Courthouse, Duluth, MN, with all members present.

Dennis Johnson, 3660 Canosia Road, Cloquet, MN, 55720, parcel codes 530-10-5540, 5530, 5475, 5390 and 5370 (Town of Solway). Current EMVs: parcel 5540, land only - \$36,400; parcel 5530, land only - \$35,600; parcel 5475, land only - \$51,400; parcel 5390, land only - \$39,800; parcel 5370, land only - \$46,100. Appellant disagreed with the assessor recommendation of no changes to these parcels. Vigen/Cersine moved to accept the assessor recommendation of no changes. (7-0)

James Persons, 5398 Otter River Road, Duluth, MN, 55803, parcel code 475-10-2230 (Town of New Independence). Current EMV: land only - \$44,100. Appellant disagreed with the assessor recommendation to reduce the land by \$4,700. Vigen/Doyle moved to reduce the value by an additional \$3,900 for a new EMV of \$35,500 because of set back considerations. (7-0)

At 12:30 p.m., Chair Clements recessed the meeting until 1:40 p.m.

At 1:40 p.m., the Board of Equalization reconvened in the County Board Conference Room, 2nd floor, Courthouse, Duluth, MN, with all members present.

Frank Roffers, 4900 Sunnyside Road, Edina, MN, 55424, parcel code 10-1460-3070 (City of Duluth). Current EMV: land - \$20,400; imp - \$114,700. Appellant disagreed with the assessor recommendation of no changes to this parcel. Bigelow/Vigen moved to accept the assessor recommendation. (7-0)

Arlene Zakula, 4634 Spirit Lake Road, Mt. Iron, MN, 55768, parcel code 10-1270-3610, 3830 and 3870 (City of Duluth). Current EMVs: parcel 3610, land - \$41,900; imp - \$73,800; parcel 3830, land only - \$9,300; parcel 3870, land only - \$500. Appellant agreed with the following assessor recommendations for reduction: for parcel 3610 - \$2,800 to the land and \$15,400 to the imp because of the condition and quality of the property; parcel 3930 - \$600; parcel 3870 - \$100 for a new total EMV of \$106,600 for the three parcels. Vigen/Bigelow moved to accept the assessor recommendation. (7-0)

Infinity Management, Inc., Dan Thompson, 5979 Birch Point Road, Saginaw, MN, 55779, parcel code 10-2640-350 (City of Duluth). Current EMV: land - \$68,500; imp - \$479,800. Appellant agreed with the assessor recommendation to reduce the imp by \$118,300 for a new total EMV of \$430,000. Vigen/Bigelow moved to accept the assessor recommendation. (7-0)

Roger Reinert, 926 West 5th Street, Duluth, MN, 55805, parcel code 10-1270-1800 (City of Duluth). Current EMV: land - \$61,000; imp - \$77,300. Appellant agreed with the assessor recommendation to reduce the imp by \$16,100 for a new total EMV of \$122,200. Bigelow/Doyle moved to accept the assessor recommendation. (7-0)

Roger Reinert, 926 West 5th Street, Duluth, MN, 55805, parcel codes 10-1240-380 and 10-1270-400 (City of Duluth). Current EMVs: parcel 380, land - \$19,700; imp - \$70,800; parcel 400, land - \$3,100; imp - \$19,500. Appellant agreed with the assessor recommendation to the following changes: reductions for parcel 380, land - \$2,800; imp - \$6,100 for a new EMV of \$81,600; parcel 400, reduction of \$19,500 to the imp and an increase of \$100 to the land portion for a new EMV of \$3,200 (the structure on parcel 400 was destroyed by fire). Bigelow/Doyle moved to accept the assessor recommendation. (7-0)

Kurt and Barbara Soderberg, 1370 Trygg Road, Ely, MN, 55731, parcel code 317-170-60 (Town of Eagles Nest). Current EMV: land - \$149,500; imp - \$229,800. Appellant agreed with the assessor recommendation to reduce the imp by \$34,400 for a new EMV of \$344,900 to correct assessment errors. Vigen/Cole moved to accept the assessor recommendation. (7-0)

Joseph and Caroline Owens, 1300 Trygg Road, Ely, MN, 55731, parcel code 317-170-240 (Town of Eagles Nest). Current EMV: land - \$338,000; imp - \$399,500. Appellant agreed with the assessor recommendation to reduce the imp by \$58,300 because of assessment errors for a new EMV of \$679,200. Vigen/Bigelow moved to accept the assessor recommendation. (7-0)

Joseph Jerulle, 2219 Sand Lake Drive, Hibbing, MN, 55746, parcel code 750-10-711 (Unorganized 55-21). Current EMV: land - \$15,000; imp - \$102,700. Appellant agreed with the assessor recommendation to reduce the imp by \$46,200 because a multi-unit storage facility located on the property could not be sold as a stand alone commercial storage facility. After

some discussion, Vigen/Cersine moved to table the matter to allow the assessor an opportunity to determine zoning classification/regulations. (7-0)

Raymond Koski, 12469 Windstrand Road, Hibbing, MN, 55746, parcel code 752-10-3386 (Unorganized 55-21). Current EMV: land only - \$4,300. Appellant disagreed with the assessor recommendation of no change to this parcel (appellant requested the property be reclassified as homestead). Vigen/Conradi moved to accept the assessor recommendation. (7-0)

At 3:55 p.m., Chair Clements recessed the Board for five minutes.

At 4:00 p.m., the Board of Equalization reconvened in the County Board Conference Room, 2nd Floor, Courthouse, Duluth, MN, with all members present.

David and Cheryl Meyer, 1385 Shilhon Road, Duluth, MN, 55804, parcel code 315-20-4375 (Town of Duluth). Current EMV: land - \$79,100; imp - \$324,000. Appellant disagreed with the assessor recommendation to reduce the imp by \$23,600 for a new EMV of \$379,500 and asked for larger reduction. Vigen/Cersine moved to accept the assessor recommendation. (7-0)

Brian Forsman, 224 Linda Drive, Aurora, MN, 55705, parcel codes 100-42-80 and 90 (City of Aurora). Current EMVs: parcel 80, land - \$7,700; imp - \$152,000; parcel 90, land - \$7,700; imp - \$19,500. Appellant disagreed with the assessor recommendation and suggested a total EMV of \$153,000 as more reasonable. Bigelow moved to reduce the total EMV to \$153,000, but the motion died without support. After further discussion, Vigen/Bigelow moved to reduce the imp by 10% (\$17,100) for a new total EMV of \$169,800. (5-2, Cole, Cersine)

Scott Tompkins, 2516 East 5th Street, Duluth, MN, 55812, parcel code 10-3090-1960 (City of Duluth). Current EMV: land - \$159,900; imp - \$610,000. Appellant disagreed with the assessor recommendation of no changes to this parcel and asked the board to consider at least a \$200,000 reduction because of restrictive covenants and expensive repairs needed to the property. After further discussion, Bigelow/Conradi moved to reduce the imp by \$100,000 for a new EMV of \$669,900. (7-0)

Lori and Mark Dowd, 5074 Otter River Road, Duluth, MN, 55803, parcel code 660-6000-41335 (Unorganized 53-15). Current EMV: \$106,100; imp - \$157,700. Appellant disagreed with the assessor recommendation of no changes to this parcel and requested the value be lowered to the previous year EMV of \$237,500. During discussion, the assessor agreed that there should be a \$2,500 reduction because there was not a drilled well on the property. After further discussion, Bigelow/Conradi moved to reduce the imp by 15% (\$23,700) for a new EMV of \$240,100. (7-0)

James Findlay, 2797 Lauren Road, Duluth, MN, 55804, parcel code 415-10-562 (Town of Lakewood). Current EMV: land - \$68,300; imp - \$119,500. Appellant disagreed with the assessor recommendation of no changes to this parcel. After further discussion, Vigen/Doyle moved to reduce the imp by \$12,800 for a new EMV of \$175,000. (7-0)

Nancy Karjalahti, 18089 490th Street, McGregor, MN, 55760, parcel 725-48-320 (Unorganized 60-19). Current EMV: land - \$95,700; imp - \$10,700. Appellant disagreed with the assessor

recommendation of a \$2,500 reduction to the land value due to site quality and said the value should be reduced to \$97,300. After some discussion, Bigelow moved to reduce the land portion by \$20,200 but the motion failed without support. Vigen/Cersine moved to reclassify the land quality to the lowest possible category resulting in a total reduction of \$6,300 to the land for a new EMV of \$101,100. (6-1, Bigelow)

George Anderson, 302 N Summit, Gilbert, MN, 55741, parcel code 725-48-50 (Unorganized 60-19). Current EMV: land - \$129,900; imp - \$20,900. Appellant disagreed with the assessor recommendation to reduce the imp by \$3,100 for a new EMV of \$147,700. Bigelow/Cole moved to accept the assessor recommendation. (7-0)

Dan and Ann Carlson, 902 Timberline Lane, Duluth, MN, 55811, parcel code 317-112-110 (Town of Eagles Nest). Current EMV: land only - \$191,900. Appellant agreed with the assessor recommendation to reduce the EMV by \$36,700 for a new total of \$155,200. Bigelow/Vigen moved to accept the assessor recommendation (7-0)

Jeffrey Jokela, 815 Forest Avenue, Evanston, IL, 60202, parcel code 465-10-3194 (Town of Morse). Current EMV: land - \$499,200; imp - \$72,300. Appellant agreed with the assessor recommendation to reduce the land by \$81,200 and the imp by \$15,300 after reappraisal. Vigen/Bigelow moved to accept the assessor recommendation. (7-0)

At 7:00 p.m., Chair Clements recessed the Board until Thursday, June 17, 2010, at 10:00 a.m., in the Mt. Iron Community Center, Hwy 169, Mt. Iron, MN.

At 10:00 a.m., the Board of Equalization reconvened in the Mt. Iron City Council Chambers, Mt. Iron Community Center, Hwy 169, Mt. Iron, MN, with all members present.

Little Johnson Lake Association, Mark Peterson, representative, 5800 Kehtel Road, Duluth, MN, 55811. The below listed 28 parcels (located in Unorganized 67-18 and 68-18) were eligible for appeal . Vigen/Cersine moved to accept the assessor recommendation for the following reductions/changes – all parcels will be reappraised next year. (7-0)

<u>Parcel code</u>	<u>Current EMV</u>		<u>Recommended EMV</u>		<u>Value Chg</u>
	Land	Imp	Land	Imp	
717-10-2540	\$137,400	\$0.00	\$137,400	\$0.00	\$0.00
717-10-2620	\$131,500	\$64,500	\$108,500	\$53,300	-\$34,200
717-10-3000	\$103,600	\$26,400	\$85,500	\$21,800	-\$22,700
717-10-3020	\$147,500	\$38,500	\$121,900	\$31,900	-\$32,200
717-10-3040	\$116,100	\$7,600	\$116,000	\$7,600	-\$100
717-10-3041	\$93,400	\$11,200	\$77,200	\$11,200	-\$16,200
717-10-3100	\$110,900	\$60,700	\$91,600	\$50,100	-\$29,900
717-10-3105	\$51,200	\$0.00	\$42,400	\$0.00	-\$8,800
717-10-3106	\$51,200	\$0.00	\$42,400	\$0.00	-\$8,800
717-10-3120	\$70,000	\$0.00	\$70,000	\$0.00	\$0.00

717-10-3200	\$105,300	\$3,100	\$87,000	\$2,500	-\$18,900
717-10-3202	\$85,900	\$41,000	\$70,900	\$104,800	-\$22,100
717-10-3205	\$64,200	\$11,300	\$53,100	\$9,400	-\$13,000
717-10-3210	\$88,600	\$21,000	\$73,200	\$17,400	-\$19,000
717-10-3212	\$53,100	\$16,700	\$43,900	\$13,800	-\$12,100
717-10-3215	\$38,400	\$.00	\$31,700	\$.00	-\$6,700
717-10-3216	\$68,200	\$17,100	\$56,400	\$14,100	-\$14,800
717-10-3217	\$10,100	\$.00	\$8,300	\$.00	-\$1,800
717-10-2650	\$7,000	\$.00	\$6000	\$.00	-\$1,000
717-10-3110	\$10,000	\$.00	\$8,700	\$.00	-\$1,300
717-10-2710	\$13,800	\$.00	\$12,000	\$.00	-\$1,800
717-10-2800	\$22,400	\$2,800	\$19,500	\$2,800	-\$2,900
717-10-2350	\$100,300	\$31,500	\$100,300	\$31,500	\$.00
717-10-2180	\$38,400	\$.00	\$31,700	\$.00	-\$6,700
717-10-3480	\$95,800	\$17,100	\$95,800	\$17,100	\$.00
717-10-5200	\$153,800	\$123,600	\$153,700	\$123,600	-\$100
716-10-30	\$17,400	\$.00	\$17,400	\$.00	\$.00
716-10-110	\$73,400	\$13,000	\$73,400	\$13,000	\$.00

Steve Schutte, Box 663, Gilbert, MN, 55741, parcel code 387-90-540 (Town of Greenwood). Current EMV: land - \$265,100; imp - \$45,200. Appellant agrees with the assessor recommendation to reduce the land by \$4,000 and the imp by \$900 for a new EMV of \$305,400. Vigen/Bigelow moved to accept the assessor recommendation. (7-0)

Jon Pettinelli, 1102 7th Avenue North, Virginia, MN, 55792, parcel codes 679-11-410, 390 and 450 (Unorganized 59-16). Current EMVs: parcel 410 Rec 1, land - \$33,300; imp - \$10,100; parcel 410 Rec 2, land only - \$14,100; parcel 390, land only - \$25,700; parcel 450, land only - \$20,200. Appellant agreed with the assessor recommendations to reduce the land portion of parcel 410 Rec 1 by \$14,400 for a new EMV of \$29,000 and to increase the land for parcel 390 by \$10,000 for a new EMV of \$35,700. Bigelow/Doyle moved to accept the assessor recommendation. (7-0)

Mathew M. Casey, 3860 Bald Eagle Drive, Ely, MN, 55731, parcel code 270-10-4837 (Town of Breitung). Current EMV: land only - \$29,200. Appellant agreed with the assessor recommendation to reclassify the property as Rural Vacant Land. Vigen/Cersine moved to accept the assessor recommendation. (7-0)

Leonard Gentilini, 4434 Lakeside Drive, Eveleth, MN, 55734, parcel code 340-180-670 (Town of Fayal). Current EMV: land - \$19,700; imp - \$204,400. Appellant agreed with the assessor recommendation to reduce the imp by \$26,800 for a new EMV of \$197,300 because of assessment corrections and needed repairs. Bigelow/Conradi moved to accept the assessor recommendation (7-0)

Dan Quinn, 6671 129th Street West, Apple Valley, MN, 55124. The appellant agreed with the below listed recommendations of the assessor for the multiple parcels all located in Unorganized 59-16. The assessor recommendation included establishing a new value

tier that would be applied to all properties of more than 200 acres in the same unorganized area. Bigelow/Conradi moved to accept the assessor recommendations. (4-3, with Vigen, Doyle and Cersine voting nay)

<u>Parcel code</u>	<u>Current EMV</u>		<u>Recommended EMV</u>		<u>Value Chg</u>
	Land	imp	Land	imp	
679-14-840 Rec 1	\$15,000	\$21,600	\$15,000	\$21,600	\$.00
679-14-840 Rec 2	\$21,700	\$.00	\$21,700	\$.00	\$.00
679-14-10	\$10,100	\$.00	\$7,100	\$.00	-\$3,000
679-14-40	\$18,200	\$.00	\$11,600	\$.00	-\$6,600
679-14-120	\$54,900	\$.00	\$35,100	\$.00	-\$19,800
679-14-160	\$24,500	\$.00	\$20,200	\$.00	-\$4,300
679-14-210	\$102,500	\$.00	\$86,400	\$.00	-\$16,100
679-14-260	\$54,900	\$.00	\$45,700	\$.00	-\$9,200
679-14-820	\$54,900	\$.00	\$48,100	\$.00	-\$6,800
679-14-850	\$28,900	\$.00	\$26,000	\$.00	-\$2,900
679-14-860	\$29,100	\$.00	\$24,800	\$.00	-\$4,300
679-14-890	\$27,700	\$.00	\$24,400	\$.00	-\$3,300
679-14-900	\$28,900	\$.00	\$26,000	\$.00	-\$2,900
679-14-915	\$10,600	\$.00	\$7,100	\$.00	-\$3,500
679-14-920	\$57,800	\$.00	\$38,400	\$.00	-\$19,400
679-14-940	\$115,500	\$.00	\$115,500	\$.00	\$.00

The below listed parcels located in Unorganized 59-16 will also be adjusted to the amounts indicated.

<u>Parcel ID Number</u>	<u>Current Assessment</u>			<u>Recommended Assessment</u>		
	Land	Imp.	Total	Land	Imp.	Total
679-0011-00960	47500		47500	37700		37700
679-0013-00001	83200		83200	60400		60400
679-0013-00005	96000		96000	76900		76900
679-0013-00009	86600		86600	64400		64400
679-0013-00013	102000		102000	85200		85200
679-0013-00330	94700		94700	75900		75900
679-0013-00450	109700		109700	96200		96200
679-0013-00510	87800		87800	66600		66600
679-0013-00540	17300		17300	10400		10400
679-0013-00560	52000		52000	31200		31200
679-0013-00570	82300		82300	59100		59100
679-0013-00610	104000		104000	88400		88400
679-0013-00650	23600		23600	18000		18000
679-0013-00670	64900		64900	47900		47900
679-0013-00690	82600		82600	59600		59600
679-0013-00730	182700		182700	141900		141900
679-0014-00050	78800		78800	64200		64200
679-0014-00090	85200		85200	63000		63000
679-0014-00870	14100		14100	12900		12900
679-0014-00910	8100		8100	7400		7400
679-0015-00010	221900		221900	200700		200700
679-0015-00170	48500		48500	39500		39500
679-0015-00190	53200		53200	48700		48700
679-0015-00220	17300		17300	10400		10400

679-0015-00230	36300		36300	32800		32800
679-0015-00250	23700		23700	19000		19000
679-0015-00260	26500		26500	24000		24000
679-0015-00270	47400	5400	52800	44900	5400	50300
679-0015-00300	102500		102500	86400		86400
679-0015-00410	109700		109700	96200		96200
679-0015-00455	108300		108300	94200		94200
679-0015-00530	57800		57800	52000		52000
679-0015-00550	30800		30800	27700		27700
679-0015-00570	78000		78000	66300		66300
679-0015-00600	18800		18800	12300		12300
679-0015-00610	60000	1300	61300	46600		46600
679-0015-00650	67900		67900	56500		56500
679-0015-00680	18800		18800	12300		12300
679-0015-00690	81400		81400	62400		62400
679-0015-00715	8800		8800	8700		8700
679-0015-00730	9900		9900	8400		8400
679-0015-00770	130600		130600	116300		116300
679-0016-00060	57800		57800	52000		52000
679-0016-00100	57800		57800	52000		52000
679-0015-00713	4900		4900	4800		4800
679-0015-00110	7200		7200	7200		7200
679-0015-00630	27900		27900	19100		19100
679-0015-00695	6000		6000	5500		5500
679-0015-00740	114200	5500	119700	107900	5500	113400
679-0015-00780	263900		263900	206800		206800
	3400900		3413100	2788900		2799800

At 10:58 a.m., Chair Clements recessed the Board meeting for twenty minutes.

At 11:20 a.m., the Board of Equalization reconvened in the Mt. Iron City Council Chambers, Mt. Iron Community Center, Hwy 169, Mt. Iron, MN, with all members present.

Eugene Varani, 8795 Iron Jct. Road, P.O. Box 116, Iron, MN, 55751, parcel code 145-30-85 (City of Iron Junction). Current EMV: land - \$15,900; imp - \$104,300. Appellant disagreed with the assessor recommendation of no change to this parcel. After discussion, it was the consensus of the Board to refer/delay the appeal until later in the meeting to allow the assessor an opportunity to arrange for an interior inspection of the premises.

Marie Kreegier, 1918 41st Avenue East, Hibbing, MN, 55746, parcel code 139-20-4005 (City of Hibbing). Current EMV: land - \$22,800; imp - \$56,800. Appellant disagreed with the assessor recommendation to reduce the imp by \$4,600 because of the poor condition of the structure and she suggested an EMV of \$50,000 to \$55,000. After further discussion, Vigen/Doyle moved to reduce the imp by \$24,600 for a new EMV of \$55,000. (7-0)

Donald Esler, 5955 Trigstad Road, Aurora, MN, parcel codes 677-12-640 and 641 (Unorganized 57-16). Current EMV: parcel 640, land - \$51,900; imp - \$1,200; parcel 641, land - \$22,900; imp - \$158,800. Appellant disagreed with the assessor

recommendation of no changes to these two parcels. After further discussion, it was determined each parcel was assessed for a drilled well that did not exist. Vigen/Bigelow moved to reduce the land of each parcel by \$2,500 for a new total EMV of \$229,800 to reflect the lack of a drilled well. (7-0)

At 1:00 p.m., Chair Clements recessed the Board for five minutes.

At 1:10 p.m., the Board reconvened in the Mt. Iron City Council Chambers with all members present.

Pratt-Volden Post #239, 229 Chestnut Street, Virginia, MN, 55792, parcel code 90-10-3710 – 2 Records (City of Virginia). Current EMV: Record 1, land - \$5,000; imp - \$31,900; Record 2, land - \$10,000; imp - \$64,700. Appellant disagreed with the assessor recommendation of no changes to these parcel records and suggested a \$12,200 reduction to the imp. Bigelow/Cersine moved to accept the assessor recommendation (6-1, Clements voting nay)

At 1:30 p.m., Chair Clements recessed the Board until 2:20 p.m.

At 2:26 p.m., the Board reconvened in the Mt. Iron City Council Chambers with all members present.

Thomas Soderberg, 100 Lund Road, Cook, MN, 55771, parcel code 120-35-150 (City of Cook). Current EMV: land only - \$11,400. Appellant agreed with the assessor recommendation of a reduction of \$5,700 to the land for a new EMV of \$5,700. Vigen/Conradi moved to accept the assessor recommendation. (7-0)

Eugene Varani, 8795 Iron Jct. Road, P.O. Box 116, Iron, MN, 55751, parcel code 145-30-85 (City of Iron Junction). Current EMV: land – \$15,900; imp - \$104,300. This appeal was referred/delayed earlier in the meeting. The assessor was able to arrange for an interior inspection so Cole/Cersine moved to table the matter until 10:00 a.m. on Thursday, June 24, 2010, in the Duluth Courthouse pending results of the inspection. (7-0)

Frederick J. Sorgenfrei, 8724 Metsa Road, Cook, MN, 55723, parcel code 250-40-280 (Town of Beatty). Current EMV: land - \$337,000; imp - \$160,800. Appellant agreed with the assessor recommendation to reduce the land by \$13,000 for a new EMV of \$484,700 because of a lower quality of shoreline frontage. Bigelow/Doyle moved to accept the assessor recommendation. (7-0)

Duane and Wendy Pepin, 5035 30th Avenue South, Minneapolis, MN, 55417, parcel code 629-120-10 (Unorganized 65-13). Current EMV: land - \$109,700; imp - \$23,000. Appellant disagreed with the assessor recommendation of no change to this parcel. Bigelow/Cersine moved to accept the assessor recommendation. (7-0)

Philip and Dorothy Szewczyk, 1633 Brandywine Lane, Dixon, IL, 61021, parcel code 317-210-160 (Town of Eagles Nest). Current EMV: land - \$196,900; imp - \$47,300. Appellant agreed with the assessor recommendation to reduce the land by \$21,400 and the imp by \$7,100 for a new EMV of \$215,700 because of assessment corrections. Bigelow/Cersine moved to accept the assessor recommendation. (7-0)

James Sutherland, 1449 Walsh Road, Ely, MN, 55731, parcel code 317-10-4280 (Town of Eagles Nest). Current EMV: land - \$272,000; imp - \$200,000. Appellant agreed with the assessor recommendation to reduce the land by \$26,400 (10%) due to the lack of lot depth. Cersine/Cole moved to accept the assessor recommendation. (7-0)

Eshquagama Club, 6469 White Pine Lane, P.O. Box 518, Gilbert, MN, 55741, parcel codes 677-10-410, 677-11-10, 677-11-60 and 677-11-100 (Unorganized 57-16). Current EMVs: parcel 410 Record 1, land only \$21,900; parcel 410 Record 2, land only - \$14,600; parcel 10 Record 1, land only - \$56,500; parcel 10 Record 2, land only - \$63,700; parcel 60 Record 1, land only - \$1,400; parcel 60 Record 2, land only - \$14,800; parcel 100 Record 1, land only - \$23,700; parcel 100 Record 2, land only - \$27,000. Appellant agreed with the following assessor recommendations/reductions: parcel 410; reduce Record 1 by \$19,500 and increase Record 2 by \$1,100; parcel 10 Record 1- no changes; parcel 10 Record 2 – reduce by \$1,800; parcel 60 Record 1 – no changes; parcel 60 Record 2 – reduce by \$900; parcel 100 Record 1 – no change; parcel 100 Record 2 – reduce by \$3,100. (Total reduction is \$24,200 for a new total EMV of \$199,400). Bigelow/Cole moved to accept the assessor recommendation. (7-0)

Loren Johnson, 6605 Grand Avenue, Duluth, MN, 55807, parcel 440-10-3770 (Town of Meadowlands). Current EMV: land only - \$25,700. Appellant agreed with the assessor recommendation to reduce the land by \$4,800 and add \$500 to imp to account for two travel trailers located on the property (new EMV of \$21,400). Bigelow/Cole moved to accept the assessor recommendation. (7-0)

Joe and Margaret Jerulle, 2219 Sand Lake Drive, Hibbing, MN, 55746, parcel code 752-10-711 (Unorganized 55-21). Current EMV: land - \$15,000; imp - \$102,700. This matter was tabled at the June 15 meeting to allow the assessor time to determine whether the property could be sold as a stand-alone commercial entity. Although planning and zoning indicated that it could be sold as a stand alone, the property would be difficult to market. Appellant agreed with the assessor recommendation to reduce the imp by \$46,200 for a new EMV of \$71,500. Bigelow/Conradi moved to accept the assessor recommendation. (5-2, Cole and Cersine voting nay).

At 3:14 p.m., Chair Clements recessed the meeting until 10:00 a.m., Thursday, June 24, 2010, in the Duluth Courthouse.

At 10:07 a.m., the Board of Equalization reconvened in the County Boardroom, 2nd Floor, Courthouse, Duluth, MN, with all members present except Bigelow.

Eugene Varani, 8795 Iron Jct. Road, P.O. Box 116, Iron, MN, parcel code 145-30-85 (City of Iron Junction). This matter was tabled at the June 17 meeting until an interior inspection of the premises was completed. After inspecting the property, the assessor recommended a \$3,300 reduction to the imp for a new EMV of \$116,900. Vigen/Doyle moved to accept the assessor recommendation. (6-0)

James Pasek, 111 Selmsler Avenue, Cloquet, MN, 55720, parcel code 165-20-100 (City of Meadowlands). Current EMV: land - \$31,200; imp - \$61,000. Appellant agreed with the assessor recommendation to reduce the imp by \$60,000 for a new EMV of \$32,200 because the structure, an old school, is damaged beyond repair and of no value other than salvage. Vigen/Cole moved to accept the assessor recommendation. Cole offered a friendly amendment – accepted by the makers – to reclassify the property as homestead. (6-0)

Douglas Blom, 4030 West 15th Street Lane, Greeley, CO, 80634, parcel code 10-1480-2370 (City of Duluth). Current EMV: land - \$37,700; imp - \$427,300. Appellant disagreed with the assessor recommendation to reduce the imp by \$33,000 for a new EMV of \$432,000. Doyle/Cole moved to accept the assessor recommendation. (6-0)

Daniel O. Ahonen, 224 North 24th Avenue East, Duluth, MN, 55812, parcel code 10-4740-490 (City of Duluth). Current EMV: \$84,800; imp - \$394,600. Appellant agreed with the assessor recommendation to reduce the imp by \$36,700 for a new EMV of \$442,700. Vigen/Doyle moved to accept the assessor recommendation. (6-0)

Richard Cihoski, 1169 West 2nd Street, Duluth, MN, 55806, parcel codes 10-1160-435 and 440. Current EMVs: parcel 435, land - \$7,100; imp - \$31,400; parcel 440, land only - \$6,900. Appellant disagreed with the assessor recommendation of no changes to these parcels. After some discussion, Vigen/Doyle moved to reduce the imp by \$6,800 on parcel 435 for a new EMV of \$38,600. (6-0)

Lisa Culver, 3319 Shasta Avenue, Anoka, MN, 55303, parcel code 320-160-60 (Town of Ellsburg). Current EMV: land - \$92,900; imp - \$117,100. Appellant agreed with the assessor recommendation to reduce the land by \$5,000 and the imp by \$5,000 for a new EMV of \$200,000. Conradi/Cersine moved to accept the assessor recommendation (5-0, with Vigen abstaining).

David and Kathryn Pierson, 18643 Jasmine Way, Lakeville, MN, 55044, parcel code 315-10-1810 (Duluth Township). Current EMV: land - \$96,000; imp - \$157,800. Appellant disagreed with the assessor recommendation to reduce the land by \$2,000 and the imp by \$6,500 for a new EMV of \$245,300 because of a shared well and some structural problems. Vigen/Cole moved to accept the assessor recommendation. (6-0)

Dennis and Irene Udovich, 12503 Sethers Road, Gheen, MN, 55740, parcel codes 758-10-230 (2 records) and 759-90-615 (Unorganized 63-21 and 64-21). Current EMVs: parcel 230 Record 1, land - \$9,600; imp - \$26,000; parcel 230 Record 2, land only - \$29,000; parcel 615, land only - \$2,000. Appellant agreed with the assessor

recommendation to reduce the value of parcel 759-90-615 by \$1,200 for a new EMV of \$800. Vigen/Cole moved to accept the assessor recommendation. (6-0)

Vigen/Doyle moved to reconsider the decision made regarding the Richard Cihoski appeal (6-0). The motion to reduce the imp by \$6,800 was back on the floor for discussion. Duluth Assessor John Gellately explained that the appellant also asked for the property to be reclassified as homestead. After some discussion, Vigen/Doyle moved to affirm the earlier reduction but not change the classification to homestead. (6-0)

Bernadine Rent, 710 NW 5th Street, Chisholm, MN, 55719, parcel codes 20-200-3160 and 3185 (City of Chisholm). Current EMVs: parcel 3160, land - \$5,500; imp - \$55,500; parcel 3185, land only - \$4,000. Appellant agreed with the assessor recommendation to the assessor recommendation to reduce the imp by \$4,100 for a new EMV of \$60,900. Cersine/Doyle moved to accept the assessor recommendation. (6-0)

Richard and Sharon McGuire, 1268 108th Avenue West, Coon Rapids, MN, 55433, parcel codes 734-10-1880 (2 records) and 1890 (Unorganized 60-20). Current EMVs: parcel 1880 Record 1, land - \$25,100; imp - \$11,200; parcel 1880 Record 2, land only - \$22,100; parcel 1890, land only - \$35,600. Appellants agreed with the following assessor recommendations: parcel 1880 Record 1, increase the land by \$2,500 and reduce the imp by \$1,500; parcel 1890, reduce the land by \$2,200. The new total EMV will be \$92,800 with parcel 1880 Record 2 remaining unchanged. Doyle/Cersine moved to accept the assessor recommendation. (6-0)

Richard and Whitney Crettol, 7354 Comfort Pt. Rd., Britt, MN, parcel codes 713-15-2230 and 2250 (Unorganized 60-18). Current EMVs: parcel 2230, land - \$96,100; imp - \$205,700; parcel 2250, land - \$49,900; imp - \$13,700. Appellant agreed with the assessor recommendation for the following changes: parcel 2230, reduce the imp by \$10,000; parcel 2250, reduce the land by \$6,300. The new total EMV will be \$349,100. Cersine/Doyle moved to accept the assessor recommendation. (6-0)

Mock Family Trust, c/o Peter Mock, 1805 11th Avenue North, Virginia, MN, 55792, parcel code 698-40-1090 (Unorganized 63-17). Current EMV: land only - \$45,100. Appellant agreed with the assessor recommendation to reduce the land by \$24,400 for a new EMV of \$20,700. Cole/Doyle moved to accept the assessor recommendation. (6-0)

Charles Adams, 2440 Florida Avenue, Humboldt, IA, 50548, parcel codes 141-10-5160, 5250, 5280 and 5130 (City of Hibbing). Current EMVs: parcel 5160, land only - \$23,300; parcel 5250, land only - \$23,300; parcel 5280, land only - \$23,300; parcel 5130, land only - \$23,300. Appellant agreed with the assessor recommendation to reduce the land values of each parcel by \$4,800 because the parcels are swamp. The new total EMV will be \$74,000. Cersine/Cole moved to accept the assessor recommendation. (5-0, with Vigen temporarily away from the meeting).

Scott and Pam Lande, 5231 Woodstock Avenue, Golden Valley, MN, 55422, parcel code 15-50-1330 (City of Biwabik). Current EMV: land - \$4,600; imp - \$99,000. Appellant

agreed with the assessor recommendation to reduce the imp by \$19,100 for a new EMV of \$84,500 because of structural issues. Vigen/Cersine moved to accept the assessor recommendation. (6-0)

Charles and Joann Pernu, 22038 Ladeene Avenue, Torrence, CA, 90503, parcel code 725-60-140 (Unorganized 60-19). Current EMV: land - \$132,500; imp - \$61,600. Appellant agreed with the assessor recommendation to reduce the land by \$4,000 because of the lack of a drilled well on the property. Doyle/Cersine moved to accept the assessor recommendation. (6-0)

Daniel Kerelko, 11520 Hwy 8, Floodwood, MN, 55736, parcel code 750-10-1980 (Unorganized 52-21). Current EMV: land only - \$26,200. The assessor was unable to contact the appellant but recommended a reduction of \$5,400 to the land value for a new EMV of \$20,800 because of the presence of swamp land. Vigen/Doyle moved to accept the assessor recommendation. (6-0)

Kristen Bergstrand, 6419 Savanna Road, Floodwood, MN, 55736, parcel code 750-10-3630 (Unorganized 52-21). Current EMV: land - \$30,000; imp - \$98,400. Appellant disagreed with the assessor recommendation of no change to this parcel and asked for a reduction to \$109,000. Vigen/Cole moved to accept the assessor recommendation. (6-0)

Stanley Peterson, P.O. Box 115, Melrude, MN, 55766, parcel codes 320-10-4840 and 4850 (Town of Ellsburg). Current EMV: parcel 4840, land - \$53,900; imp - \$212,700; parcel 4850, land only - \$17,700. Appellant agreed with the assessor recommendation to reduce the imp for parcel 4840 by \$44,300 because of an assessment correction. Parcel 4850 would remain unchanged. Vigen/Doyle moved to accept the assessor recommendation. (6-0)

Christopher Campbell, 7049 Three Lakes Road, Canyon, MN, 55717, parcel codes 673-10-880, 673-20-140, 80, 160 and 10 (Unorganized 53-14). Current EMVs: parcel 880, land only - \$78,400; parcel 140, land - \$89,100; imp - \$268,000; parcel 80, land - \$140,000; imp - \$60,900; parcel 160, land only - \$23,000; parcel 10, land only - \$109,100. Appellant agreed with the assessor recommendation to assess the parcels as three sites instead of five distinct parcels resulting in a total reduction of \$136,900 for a new total EMV of \$631,600. Recommended reductions include: parcel 880, reduce the land by \$38,000; parcel 140, reduce the imp by \$58,000; parcel 80, reduce the imp by \$14,400; parcel 160, reduce the land by \$18,100; parcel 10, reduce the land by \$8,400. Vigen/Cersine moved to accept the assessor recommendation. (6-0)

Ross Gustafson, 8767 Pequaywan Lake Road, Duluth, MN, 55803, parcel code 620-10-3840 (Unorganized 54-13). Current EMV: land - \$116,600; imp - \$114,500. Appellant agreed with the assessor recommendation to reduce the land by \$7,100 and the imp by \$17,000 for a new EMV of \$207,000. Vigen/Cole moved to accept the assessor recommendation. (6-0)

At 12:25 p.m., Chair Clements recessed the Board to 1:30 p.m.

At 1:35 p.m., the Board of Equalization reconvened in the County Boardroom, 2nd Floor, Courthouse, Duluth, MN, with all members present except Bigelow.

Steven Oksa, 6944 Lake Elora Drive, Canyon, MN, 55717, parcel code 673-10-933 (Unorganized 53-16). Current EMV: land only - \$75,700. Appellant agreed with the assessor recommendation to reduce the land by \$8,400 for a new EMV of \$67,300. Vigen/Doyle moved to accept the assessor recommendation. (6-0)

Sheila LaVoie, 4436 Lilac Road, Gilbert, MN, 55741, parcel code 677-12-40 (Unorganized 57-16). Current EMV: land - \$91,700; imp - \$80,200. Assessor was unable to contact the appellant and recommended no changes to this parcel. Vigen/Cersine moved to accept the assessor recommendation. (6-0)

Eric Hillman, 714 Ridgewood Road, Duluth, MN, 55804, parcel code 450-80-60 (Town of Midway). Current EMV: land - \$36,700; imp - \$131,800. Appellant agreed with the assessor recommendation to reduce the imp by \$6,600 for a new EMV of \$161,900. Vigen/Conradi moved to accept the assessor recommendation. (6-0)

Eric Hillman, 714 Ridgewood Road, Duluth, MN, 55804, parcel codes 395-10-4001 and 4002 (City of Hermantown). Current EMVs: parcel 4001, land - \$37,600; imp - \$389,400; parcel 4002, land - \$37,400; imp - \$374,300. Appellant agreed with the assessor recommendations to reduce the imp to parcel 4001 by \$77,600 and parcel 4002 by \$76,200 for a new total EMV of \$684,900 because of construction quality and application of an income approach to the properties. Vigen/Cersine moved to accept the assessor recommendations. (6-0)

Patrick Murphy, P.O. Box 385, Crosslake, MN, 56442, parcel codes 730-10-3940, 3941, 3942, 3943, 3944 and 3945 (Unorganized 67-19). Current EMVs: parcel 3940, land only - \$57,500; parcel 3941, land - \$51,600; imp - \$3,600; parcel 3942, land only - \$48,600; parcel 3943, land only - \$48,300; parcel 3944, land only \$48,300; parcel 3945, land only - \$48,300. Appellant agreed with the assessor recommendation to assess the properties as contiguous ownership resulting in the following reductions and a new total EMV of \$107,300; parcel 3940 - reduce the land by \$45,500; parcel 3942 – reduce the land by \$38,200; parcel 3943 – reduce the land by \$38,400; parcel 3944 – reduce the land by \$38,400; parcel 3945 – reduce the land by \$38,400 (parcel 3941 to remain unchanged). Vigen/Conradi moved to accept the assessor recommendation. (6-0)

American Legion, Al Marx, 108 Anchor Street, Proctor, MN, 55810, parcel code 185-190-230 (City of Proctor). Current EMV: land - \$49,900; imp - \$79,800. Appellant agreed with the assessor recommendation to reduce the imp by \$45,600 for a new EMV of \$84,100. Vigen/Conradi moved to accept the assessor recommendation (5-0, with Clements abstaining).

Building D, Inc., Ron Anderson, MGP Mgmt, Inc. 525 Lake Avenue South, Duluth, MN, 55802. This appeal consisted of three separate properties all located within the City of Duluth.

- 1) Parcel codes 10-742-80 and 10-4320-20. Current EMVs: parcel 20, land \$929,700; imp - \$502,900; parcel 80, land only - \$99,700. Appellant agrees with the following assessor recommendations; parcel 20, reduce the land by \$26,800 and the imp by \$242,500; parcel 80, reduce the land by \$13,000. The new total EMV will be \$1,250,000. Vigen/Doyle moved to accept the assessor recommendation. (6-0)
- 2) Parcel code 10-742-40. Current EMV: land - \$1,134,800; imp - \$33,200. Appellant disagreed with the assessor recommendation to reduce the land by \$142,600 and the imp by \$3,100 for a new EMV of \$1,022,300. Appellant requested the EMV be reduced to \$521,000. After further discussion, Vigen/Doyle moved to accept the assessor recommendation. (5-1, Cole)
- 3) Parcel codes 10-4350-130, 140, 150, 160, 190 and 200. Current EMVs: parcel 130, land only - \$432,000; parcel 140, land only - \$96,000; parcel 150, land only - \$96,000; parcel 160, land only - \$96,000; parcel 190, land only - \$288,000; parcel 200, land only - \$96,000. Appellant disagreed with the assessor recommendation to reduce the land value of the parcels by \$379,500 because of location and site issues. Appellant suggested a value \$535,000 because of the properties are used as a parking lot and the underlying ground may have serious environmental issues. After lengthy discussion, Vigen/Cersine moved to accept the assessor recommendation but the motion failed on a tie vote (3-3, with Conradi, Doyle and Clements voting nay.) Doyle/Clements moved to reduce the total EMV to \$605,000 as follows: parcel 130 - \$237,000; parcel 140 - \$52,600; parcel 150 - \$52,600; parcel 160 - \$52,600; parcel 190 - \$157,900; parcel 200 - \$52,600. (4-2, with Cole and Cersine voting nay).

Bill and Judy Williams, P.O. Box 332, Babbitt, MN, 55706, parcel code 610-0000-9210 (Unorganized 61-12). Current EMV: land - \$0 (lease); imp - \$169,700. Appellant disagreed with the assessor recommendation of no changes to this parcel. The assessor said there are statutory restrictions regarding U.S. Forest Service leases that prohibit considering the lease as a detriment to the value. After further discussion, Cole/Vigen moved to reduce the imp by 20% for an EMV of \$135,800. (4-2, with Doyle and Clements voting nay).

Joseph H. Leek, 1618 Vermilion Road, Duluth, MN, 55812, parcel code 10-680-10 (City of Duluth). Appellant was represented by Mike Cowles, Attorney. Current EMV: land - \$257,100; imp - \$781,200. Appellant disagreed with the assessor recommendation to reduce the land by \$13,200 and the imp by \$23,400 for a new EMV of \$1,001,700. Attorney Cowles suggested an EMV of \$820,000 as more appropriate. Conradi/Clements moved to reduce the imp by 18.28%. After further discussion, the makers amended their motion by setting the reduction at 17.3% or \$179,600. The entire reduction will be taken off improvements for a new EMV of \$858,700. (5-0, with Vigen abstaining)

Scott, Samuel Malasko Family, Suzzette Malasko, 160 Acacia Lake Drive, Brownsville, TX, 78521-4905, parcel code 250-110-250 (Town of Beatty). Current EMV: land - \$334,700; imp - \$166,800. Appellant disagreed with the assessor recommendation to reduce the imp by \$12,300 for a new EMV of \$489,200. Cole/Vigen moved to reduce the imp by an additional 5% or \$37,400 for a new EMV of \$464,100. (6-0)

Priscilla Budik, 1307 Dunberry Center, Eagan, MN, 55123, parcel codes 270-30-10, 20, 30, 40, 50, 60, 70, 80 and 90 (Town of Breitung). Current EMVs: parcel 10, land - \$213,500; imp - \$8,800; parcel 20, land only - \$190,600; parcel 30, land only - \$115,700; parcel 40, land only - \$123,100; parcel 50, land only - \$150,700; parcel 60, land only - \$170,200; parcel 70, land only - \$179,000; parcel 80, land only - \$173,100; parcel 90, land only - \$152,900. Appellant agreed with the following recommendations for reduction by the assessor: parcel 10, reduce land by \$700 and imp by 6,700; parcel 20, reduce land by \$16,600; parcel 30, reduce land by \$6,800; parcel 40, reduce land by \$300; parcel 50, reduce land by \$9,700; parcel 60, reduce land by \$2,600; parcel 70, reduce land by \$5,100; parcel 80, reduce land by \$8,600; parcel 90 to remain unchanged. Total reductions are \$57,100, the new total EMV will be \$1,420,500 and the reductions are recommended because of the poor condition of a structure on parcel 10 and the quality of shoreline frontage for the other parcels. Vigen/Cersine moved to accept the assessor recommendation. (5-0, with Cole abstaining)

At 5:10 p.m., Chair Clements recessed the Board for five minutes.

At 5:20 p.m., the Board reconvened in the County Boardroom, 2nd Floor, Courthouse, Duluth, MN, with all members present.

Karen Williams, 6313 North Temple, Indianapolis, IN, 46220, parcel code 610-10-1565 (Unorganized 61-12). Current EMV: land - \$77,900; imp - \$18,900. Appellant disagreed with the assessor recommendation of no changes to this parcel. Vigen/Cole moved to accept the assessor recommendation. (6-0)

Tom and Mireille Coleman, 809 Everett Drive, Stillwater, MN, 55082, parcel code 610-11-3050 (Unorganized 61-12). Current EMV: land only - \$71,900. Appellant agreed with the assessor recommendation to reduce the EMV by \$15,800 (\$56,100) because of land grade issues. Vigen/Doyle moved to accept the assessor recommendation. (6-0)

Paul Smith, 2121 Sunrock Road, Ely, MN, 55731, parcel code 465-20-860 and 910 (Town of Morse). Current EMVs: parcel 860, land - \$98,600; imp - \$115,400; parcel 910, land only - \$5,000. Appellant agreed with the assessor recommendation to reduce the land by \$16,200 and the imp by \$8,500 for parcel 860 and the land by \$2,300 for parcel 910 for a total EMV of \$192,000. Vigen/Cersine moved to accept the assessor recommendation. (6-0)

Gary and Susan Peterson, 12644 Sable Drive, Burnsville, MN, 55337, parcel code 465-155-100 (Town of Morse). Current EMV: land - \$105,200; imp - \$32,200. Appellant

disagreed with the assessor recommendation of no change to this parcel. Vigen/Cersine moved to accept the assessor recommendation. (5-0, with Cole abstaining)

William and Susan Skarda, 414 Arrowhead Drive, Lino Lakes, MN, 55014, parcel code 625-17-60 (Unorganized 61-13). Current EMV: land - \$280,800; imp - \$54,900. Appellant disagreed with the assessor recommendation to reduce the land by \$13,800 for a new EMV of \$321,000. Vigen/Cersine moved to accept the assessor recommendation. (6-0)

Sue Spencer, 302 East Harvey Street, Ely, MN, 55731, parcel code 613-10-2680 (Unorganized 64-12). Current EMV: land - \$418,300; imp - \$152,400. Appellant disagreed with the assessor recommendation of no changes to this parcel. Cole/Vigen moved to accept the assessor recommendation. (5-0, with Cersine abstaining).

Vigen/Cerzine moved to accept the following list of appellants who, after being contacted by the assessor, agreed no changes were required and withdrew their appeals. (6-0)

CBAE #	PARCEL CODE			OWNER	LAND	BLDG	TOTAL
2	570	12	4600	SANVIK, PAUL & CORDELLIA	122,600	33,900	156,500
2	570	12	4600	SANVIK, PAUL & CORDELLIA	4,400	0	4,400
3	525	10	3560	NORLANDER, DUGAN	24,100	50,700	74,800
3	525	10	3560	NORLANDER, DUGAN	20,200	0	20,200
3	525	30	70	NORLANDER, DUGAN	32,900	0	32,900
3	525	30	100	NORLANDER, DUGAN	26,000	0	26,000
5	310	10	1970	KLEIN, TED	9,300	0	9,300
5	310	10	1985	KLEIN, TED	41,300	162,600	203,900
5	310	10	1985	KLEIN, TED	1,400	0	1,400
5	310	10	1960	KLEIN, TED	3,000	0	3,000
5	310	10	1990	KLEIN, TED	13,900	0	13,900
7	310	10	540	POUPORE, FRANCIS	21,100	14,000	35,100
7	310	10	540	POUPORE, FRANCIS	46,800	0	46,800
8	400	10	5670	MIERNICKI, KEITH	38,900	0	38,900
8	400	10	5710	MIERNICKI, KEITH	39,800	55,000	94,800
8	400	10	5710	MIERNICKI, KEITH	37,100	0	37,100
8	400	10	5700	MIERNICKI, KEITH	45,100	0	45,100
8	400	10	5680	MIERNICKI, KEITH	23,100	0	23,100
8	400	10	5690	MIERNICKI, KEITH	11,200	11,200	24,400
8	400	10	5740	MIERNICKI, KEITH	45,000	0	45,000
11	90	91	955	ROMOSZ, RON	6800	82,900	89,700
12	375	6010	48330	STOCKE, MARY ANN	104,600	461,900	566,500
15	375	10	705	DEBOLT, RICHARD	153,900	513,300	667,200
17	465	20	2545	PARISH, JOHN L	1,277,400	628,900	1,906,300
18	387	396	90	BERQUIST, JAMES R	89,800	67,500	157,300

20	290	10	3860	NIGRO, TONY	30,000	0	30,000
20	290	10	3863	NIGRO, TONY	38,800	173,000	211,800
24	370	92	182	OZANICH, GREG	11,000	0	11,000
24	370	80	765	OZANICH, GREG	130,100	163,500	293,600
26	502	20	2770	GRANQUIST, THEODORE	62,400	49,500	111,900
26	502	26	30	GRANQUIST, THEODORE	2,600	0	2,600
28	502	20	2780	PETERSON, ARNE	63,500	37,900	101,400
28	502	26	40	PETERSON, ARNE	2,800	0	2,800
29	90	153	40	BUSHA, DANIEL	9,300	100,700	110,000
49	665	10	4890	BUDOLFSON, THOMAS	518,300	34,700	553,000
49	665	10	4890	BUDOLFSON, THOMAS	140,800	0	140,800
49	665	10	4860	BUDOLFSON, THOMAS	41,100	0	41,100
53	530	10	76	NELSON, ROSE	30,200	123,400	153,600
57	750	10	5770	PETRUK, PAULA	38,600	73,300	111,900
57	750	10	5770	PETRUK, PAULA	11,800	0	11,800
57	750	10	5800	PETRUK, PAULA	11,200	0	11,200
57	750	10	5800	PETRUK, PAULA	2,900	0	2,900
57	750	10	5760	PETRUK, PAULA	1,300	0	1,300
57	750	10	5760	PETRUK, PAULA	31,400	0	31,400
57	750	10	5750	PETRUK, PAULA	27,300	0	27,300
57	750	10	5750	PETRUK, PAULA	5,200	0	5,200
57	750	10	5740	PETRUK, PAULA	36,800	0	36,800
57	750	10	5740	PETRUK, PAULA	1,000	0	1,000
57	750	10	5850	PETRUK, PAULA	23,200	0	23,200
57	750	10	5850	PETRUK, PAULA	3,400	0	3,400
57	750	10	5890	PETRUK, PAULA	24,500	0	24,500
58	677	11	173	KOSKIE, KATHIE	64,200	8,200	72,400
60	677	16	710	GOODEN, SUSAN	19,300	0	19,300
60	677	16	860	GOODEN, SUSAN	24,300	0	24,300
60	677	16	870	GOODEN, SUSAN	33,000	0	33,000
60	677	16	900	GOODEN, SUSAN	53,500	0	53,500
65	698	84	70	HERR, STEPHEN	441,000	362,300	803,300
65	698	84	60	HERR, STEPHEN	64,300	0	64,300
69	752	10	3389	MATHENY, DEBRA	2,500	0	2,500
77	520	17	666	STROMGREN, MARCIE	56,000	526,200	582,200
77	520	17	661	STROMGREN, MARCIE	21,200	0	21,200
83	387	307	490	CLINES, LARRY	122,900	54,000	176,900
83	387	307	500	CLINES, LARRY	130,100	41,100	171,200
83	387	307	510	CLINES, LARRY	167,300	56,100	223,400
83	387	307	480	CLINES, LARRY	130,100	84,100	214,200

87	570	10	650	JOHNSON, RALPH	52,700	143,900	196,600
87	570	10	650	JOHNSON, RALPH	17,700	0	17,700
96	10	2710	6071	FREY, DALE	11,000	0	11,000
104	757	10	340	LITTLEFORK RIVER- WM POLLARD	48,300	0	48,300
106	698	77	30	MOCH, PETER	172,800	0	172,800
109	677	15	950	HENDRICKSON, BETTY	97,900	13,600	111,500
109	677	15	950	HENDRICKSON, BETTY	48,000	0	48,000
111	677	14	24	MANNILA, TONY	33,200	95,100	128,300
112	510	30	450	PLUSKWIK, ROBERT	28,800	0	28,800
112	510	30	490	PLUSKWIK, ROBERT	43,600	0	43,600
112	510	30	4923	PLUSKWIK, ROBERT	261,000	33,800	294,800
112	510	30	4930	PLUSKWIK, ROBERT	68,900	0	68,900
115	660	6000	52515	COSTELLO, TOM	105,200	87,800	193,000
116	250	20	3160	HERBERT, PETER	96,600	0	96,600
118	387	245	40	CASKINETTE, JOE & MAXINE	430,000	359,200	789,200
119	660	6000	39500	SIEMSEN, DALE	75,500	95,100	170,600
121	698	10	1130	SCHOCH, DONALD	627,700	19,900	647,600
121	698	10	1130	SCHOCH, DONALD	374,700	0	374,700
121	698	10	1280	SCHOCH, DONALD	478,600	0	478,600
122	530	10	930	HENKE, JACK	37,600	156,800	194,400
122	530	10	930	HENKE, JACK	15,100	0	15,100
122	530	10	810	HENKE, JACK	41,600	0	41,600
123	735	10	1991	SQUILLACE, KEVIN	9,200	0	9,200
131	660	6000	57350	STAUBER, TONY	104,100	272,900	377,000
138	380	10	4470	OLSON, JAMES H	40,600	0	40,600
139	660	6000	57520	KAISER, TOM	91,300	302,500	393,800
141	660	6000	54620	SMITH, GERALD G	86,200	0	86,200
149	725	40	240	GIANLORENZI, MARION	163,500	11,700	175,200

With no further appeals to consider, Vigen/Doyle moved to approve the following resolution:

COUNTY BOARD RESOLUTION NO. 317

RESOLVED, that the assessment rolls from the several assessment districts of the County of St. Louis, Minnesota, for the year 2010, to-wit: Cities of Aurora, Babbitt, Biwabik, Brookston, Buhl, Chisholm, Cook, Duluth, Ely, Eveleth, Floodwood, Gilbert, Hermantown, Hibbing, Hoyt Lakes, Iron Junction, Kinney, Leonidas, McKinley, Meadowlands, Mountain Iron, Orr, Proctor, Tower, Virginia, and Winton; and Towns of Alango, Alborn, Alden, Angora, Arrowhead, Ault, Balkan, Bassett, Beatty, Biwabik,

Breitung, Brevator, Camp 5, Canosia, Cedar Valley, Cherry, Clinton, Colvin, Cotton, Crane Lake, Culver, Duluth, Eagle's Nest, Ellsburg, Elmer, Embarrass, Fayal, Fairbanks, Field, Fine Lakes, Floodwood, Fredenberg, French, Gnesen, Grand Lake, Great Scott, Greenwood, Halden, Industrial, Kabetogama, Kelsey, Kugler, Lakewood, Lavell, Leiding, Linden Grove, McDavitt, Meadowlands, Midway, Morcom, Morse, Ness, New Independence, Normanna, North Star, Northland, Owens, Pequaywan, Pike, Portage, Prairie Lake, Rice Lake, Sandy, Solway, Stoney Brook, Sturgeon, Toivola, Van Buren, Vermilion Lake, Waasa, White, Willow Valley, Wuori and all the Unorganized Towns, as returned by the respective assessors and local Boards of Review, are hereby ordered placed upon the tax lists by the County for the year 2010, subject to changes as may be ordered by the Minnesota Tax Committee.

YEAS: Vigen, Conradi, Doyle, Cersine, Cole and Chair Clements – 6
NAYS: None
ABSENT: Bigelow – 1

At 5:40 p.m., Cersine/Conradi moved to adjourn the 2010 Special Board of Appeal and Equalization. (6-0)

Paul Tynjala, Deputy County Auditor/Clerk of County Board

(Seal)

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

JULY, 2010

OFFICIAL PROCEEDINGS OF THE MEETING
OF THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF ST. LOUIS, MINNESOTA,
HELD ON JULY 6, 2010

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 6th day of July, 2010, at 9:39 a.m., in the County Board Room, Duluth, Minnesota, with the following members present: Commissioners Dennis Fink, Steve O'Neil, Chris Dahlberg, Mike Forsman, Peg Sweeney, and Chair Steve Raukar – 6. Absent: Commissioner Nelson – 1.

Chair Raukar asked for a moment of silence to honor U.S. troops serving throughout the world and their families at home as well as all persons whose lives are adversely affected by war.

Chair Raukar 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 Heltzer, Duluth, Minnesota, from the "We Are Watching" organization expressed concerns regarding Commissioner Fink's involvement in recent state legislation related to Fish Lake.

Anita Stech, Duluth, Minnesota, invited commissioners to attend a Civility Training Workshop on Saturday, July 17, 2010, at Pilgrim Congregational Church in Duluth.

At 9:44 a.m. Commissioner Nelson joined the meeting.

Commissioner Sweeney, support by Commissioner O'Neil, moved to approve the consent agenda; seven yeas, zero nays.

Commissioner Dahlberg, supported by Commissioner O'Neil, moved to approve a resolution amending the Northeast Minnesota Projects to End Long-term Homelessness and to accept state funding in the amount of \$736,000 for fiscal year 2011. Public Health and Human Services Deputy Director Shelley Saukko described the project and said Hearth Connections focuses on homeless issues and utilizes mobile teams and site-based providers. In response to concerns from Commissioner Fink about the salary gap, Public Health and Human Services Director Ann Busche said Hearth Connections budgeted \$164,000 for salaries and they will fund the difference from the grant salary cap of \$125,000. After lengthy discussion, the resolution was approved; seven yeas, zero nays. Resolution No. 335.

Commissioner O'Neil, supported by Commissioner Nelson, moved to approve a resolution reappointing Mr. Don Potter to the Cook-Orr-Healthcare District Board of Directors for a three-year term ending December 31, 2013; seven yeas, zero nays. Resolution No. 336.

Commissioner Sweeney, supported by Commissioner Dahlberg, moved a resolution amending St. Louis County Civil Services Rules, as approved by the St. Louis County Civil Service Commission; seven yeas, zero nays. Resolution No. 337.

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

Commissioner Forsman, supported by Commissioner Nelson, moved to award a bid for combined roadway construction and pavement resurfacing on CSAH 77 and CSAH 104 near Tower. Administrator Kevin Gray said state and federal approval is still pending and should be resolved by the next board meeting. Commissioner Forsman, supported by Commissioner Nelson, moved to table the matter for one week; seven yeas, zero nays.

Commissioner Forsman, supported by Commissioner Sweeney, moved a resolution awarding a bid for bridge construction near Cherry to Northland Constructors of Duluth, LLC, on their low bid of \$573,056.50 (.91% below the engineers estimate); seven yeas, zero nays. Resolution No. 339.

Commissioner Sweeney, supported by Commissioner Nelson, moved to approve a resolution accepting a 2010 Technology Initiatives Grant in the amount of \$300,000 from the U.S. Department of Justice, Office of Community Oriented Policing Services (COPS). St. Louis County Sheriff Ross Litman emphasized the grant is to fund a mobile data system, not a voice system. Sheriff Litman said there are two grants, one for \$300,000 and one for \$500,000, noting the mobile system covers a six county region; seven yeas, zero nays. Resolution No. 340.

Commissioner Sweeney, supported by Commissioner O'Neil, moved to approve a resolution accepting the second COPS 2010 Technology Initiatives Grant in the amount of \$500,000; seven yeas, zero nays. Resolution No. 341.

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

Kevin Gray, County Administrator, and Robert Krepps, Land Commissioner, submitting Board Letter 10-219, Utility Easement across State Tax Forfeited Land to Great River Energy and Lake Country Power for electrical transmission line between Tower and Orr, Minnesota.—[59093](#)

Kevin Gray, County Administrator, and Martha Watson, Employee Relations Director, submitting Board Letter 10-232, Civil Service Rule Amendments.—[59094](#)

State of Minnesota Federal Boating Safety Supplement Grant Agreement, Contract No. B44219.—[10-461](#)

Home and Community-Based Waiver Services Contract, Contract No. 14742, between the St. Louis County Board of Commissioners and Dana Johnson d/b/a Rising Sun Vista.—[10-462](#)

Home and Community-Based Waiver Services Contract, Contract No. 14650, between the St. Louis County Board of Commissioners and ARC Northland.—[10-463](#)

Home and Community-Based Waiver Services Contract, Contract No. 14561, between the St. Louis County Board of Commissioners and Homes of Hope.—[10-464](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14566B, between St. Louis County Public Health and Human Services Department and Heartland Homes of Duluth, LLC.—[10-465](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14625A, between St. Louis County Public Health and Human Services Department and The Lamb House, Inc.—[10-466](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14639A, between St. Louis County Public Health and Human Services Department and Residential Services of NE MN, Inc.—[10-467](#)

Group Residential Housing Rate Agreement, Contract No. 50842, between the St. Louis County Board of Commissioners and RSI – Bailey’s.—[10-468](#)

Group Residential Housing Rate Agreement, Contract No. 50809, between the St. Louis County Board of Commissioners and RSI – Endion East - #1.—[10-469](#)

Group Residential Housing Rate Agreement, Contract No. 50810, between the St. Louis County Board of Commissioners and RSI – Endion West - #2.—[10-470](#)

Group Residential Housing Rate Agreement, Contract No. 50836, between the St. Louis County Board of Commissioners and RSI – Francis - #2.—[10-471](#)

Group Residential Housing Rate Agreement, Contract No. 50832, between the St. Louis County Board of Commissioners and RSI – Lillian - #4.—[10-472](#)

Group Residential Housing Rate Agreement, Contract No. 50839, between the St. Louis County Board of Commissioners and RSI – Wicklow - #5.—[10-473](#)

Group Residential Housing Rate Agreement, Contract No. 50840, between the St. Louis County Board of Commissioners and RSI – Piedmont - #6.—[10-474](#)

Group Residential Housing Rate Agreement, Contract No. 50811, between the St. Louis County Board of Commissioners and RSI – Westbrook - #9.—[10-475](#)

Group Residential Housing Rate Agreement, Contract No. 50841, between the St. Louis County Board of Commissioners and RSI – Cook - #10.—[10-476](#)

Group Residential Housing Rate Agreement, Contract No. 50838, between the St. Louis County Board of Commissioners and RSI – Harvey - #13.—[10-477](#)

Group Residential Housing Rate Agreement, Contract No. 50843, between the St. Louis County Board of Commissioners and RSI – Willow - #14.—[10-478](#)

Group Residential Housing Rate Agreement, Contract No. 50844, between the St. Louis County Board of Commissioners and RSI – Marigold - #16.—[10-479](#)

Group Residential Housing Rate Agreement, Contract No. 50845, between the St. Louis County Board of Commissioners and RSI – Silver Lake - #17.—[10-480](#)

Group Residential Housing Rate Agreement, Contract No. 50837, between the St. Louis County Board of Commissioners and RSI – Apple Ridge - #18.—[10-481](#)

Group Residential Housing Rate Agreement, Contract No. 50858, between the St. Louis County Board of Commissioners and Residential Services of NE MN, Inc. (Chester Creek).—[10-482](#)

Group Residential Housing Rate Agreement, Contract No. 50859, between the St. Louis County Board of Commissioners and Residential Services of NE MN, Inc., (Hunter’s Park).—[10-483](#)

Group Residential Housing Rate Agreement, Contract No. 50860, between the St. Louis County Board of Commissioners and Residential Services of NE MN, Inc., (Jefferson).—[10-484](#)

Group Residential Housing Rate Agreement, Contract No. 50861, between the St. Louis County Board of Commissioners and Residential Services of NE MN, Inc., (Maple Ridge).—[10-485](#)

Group Residential Housing Rate Agreement, Contract No. 50862, between the St. Louis County

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

Board of Commissioners and Residential Services of NE MN, Inc., (Morley Park).—[10-486](#)

Group Residential Housing Rate Agreement, Contract No. 50863, between the St. Louis County Board of Commissioners and Residential Services of NE MN, Inc., (Oregon Creek).—[10-487](#)

Group Residential Housing Rate Agreement, Contract No. 50833, between the St. Louis County Board of Commissioners and Heartland Homes of Duluth - #1.—[10-488](#)

Group Residential Housing Rate Agreement, Contract No. 50834, between the St. Louis County Board of Commissioners and Heartland Homes of Duluth - #2.—[10-489](#)

Group Residential Housing Rate Agreement, Contract No. 50835, between the St. Louis County Board of Commissioners and Heartland Homes of Duluth - #3.—[10-490](#)

Grant Agreement, Contract No. 20899, between the St. Louis County Board of Commissioners and Occupational Development Center, Inc. (ODC) for Statewide Minnesota Family Investment Program (MFIP) Employment Services and Diversionary Work Program Services (DWP).—[10-491](#)

Addendum to Purchase Agreement, Contract No. 14758A, between the St. Louis County Board of Commissioners and Pioneer Recovery Center, LLC, for Consolidated Chemical Dependency Treatment Fund Services.—[10-492](#)

St. Louis County On-Line Software Subscriber Agreement between St. Louis County, Auditor's Office, and Karen J. Olson, Olson Law Office.—[10-493](#)

Funding Agreement between St. Louis County and the City of Cook for a matching Federal Aviation Administration Grant for the reconstruction and extension of the Cook Airport runway.—[10-494](#)

Addendum to Purchase Agreement, Contract No. 14774A, between the St. Louis County Board of Commissioners and Minnesota Teen Challenge, Inc., d/b/a Minnesota Teen Challenge Northland Campus for Consolidated Chemical Dependency Treatment Fund Services.—[10-495](#)

Home and Community-Based Waiver Services Contract, Contract No. 14781, between the St. Louis County Board of Commissioners and Charles Gargano and Brenda Gargano, d/b/a Aspen Grove Adult Foster Care.—[10-496](#)

Home and Community-Based Waiver Services Contract, Contract No. 14749, between the St. Louis County Board of Commissioners and Gerald Carr and Theresa Carr, d/b/a Transitus House, LLC.—[10-497](#)

Home and Community-Based Waiver Services Contract, Contract No. 14786, between the St. Louis County Board of Commissioners and Cherish, Inc.—[10-498](#)

Addendum to Professional Services Agreement, Contract No. 30125A, between the St. Louis County Public Health and Human Services Department and Shelly Anderson.—[10-499](#)

Addendum to Professional Services Agreement, Contract No. 30126A, between the St. Louis County Public Health and Human Services Department and Gerald P. Maurer.—[10-500](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14546A, between the St. Louis County Public Health and Human Services Department and Healthstar Home Health, Inc., d/b/a HealthStar Staffing.—[10-501](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14666A, between the St. Louis County Public Health and Human Services Department and Expanding

Horizons, Inc.—10-502

Addendum to Purchase of Services Contract, Contract No. 14506, between the St. Louis County Public Health and Human Services Department and Range Mental Health Center for Child Mental Health – Targeted Case Management (Child MH-TCM).—10-503

Group Residential Housing Rate Agreement, Contract No. 50847, between the St. Louis County Board of Commissioners and Expanding Horizons – Observation.—10-504

Group Residential Housing Rate Agreement, Contract No. 50848, between the St. Louis County Board of Commissioners and Expanding Horizons – Heights.—10-505

Group Residential Housing Rate Agreement, Contract No. 50849, between the St. Louis County Board of Commissioners and Expanding Horizons – Endion.—10-506

Group Residential Housing Rate Agreement, Contract No. 50846, between the St. Louis County Board of Commissioners and Expanding Horizons – Chester Bowl.—10-507

Group Residential Housing Rate Agreement, Contract No. 50850, between the St. Louis County Board of Commissioners and Expanding Horizons – 1222.—10-508

Managed Care Services Agreement between St. Louis County and CorVel Healthcare Corporation for Workmens' Compensation Medical Bill Review.—10-509

Upon motion of Commissioner Sweeney, supported by Commissioner O'Neil, Resolutions No. 318 through 334 and No. 338 were unanimously adopted as follows:

BY COMMISSIONER SWEENEY:

WHEREAS, Great River Energy will be constructing a 69kV transmission line between Tower and Orr to upgrade the electrical delivery system in this area of St. Louis County and Lake Country Power will underbuild on this line; and

WHEREAS, Great River Energy and Lake Country Power have requested that St. Louis County grant a transmission line utility easement across state tax forfeited land; and

WHEREAS, exercising the easement will not conflict with public use of land; and

WHEREAS, Minn. Stat. § 282.04, Subd. 4, authorizes the St. Louis County Auditor to grant easements for such purposes.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the County Auditor to grant a transmission line utility easement to Great River Energy and Lake Country Power as described in Exhibits A and B in County Board File No. 59093.

RESOLVED FURTHER, the granting of this easement is conditioned upon payment of \$15,178 land use fee, \$265 timber damages, and \$92 recording fee; for a total of \$15,535 to be deposited into Fund 240 (Forfeited Tax Fund).

Adopted July 6, 2010. No. 318

RESOLVED, that the St. Louis County Board authorizes the appropriate county officials to enter into an agreement with Minnesota Power and American Transmission Company LLC, and any amendments approved by the County Attorney's office for SAP 69-656-011, County Project 8291, whereby Minnesota Power will pay a match of up to \$150,000, and American Transmission Company will pay a match of up to \$50,000 of the actual project costs. Funds from Minnesota Power and American Transmission Company will be receipted into Fund 220, Agency 220203, Object 583100.

Adopted July 6, 2010. No. 319

WHEREAS, the Public Works Department's 2010 budget includes replacement of grader blades, cutting edges, plow shoes, pick blades and bits; and

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

WHEREAS, the Public Works Department requested Purchasing to issue a Request for Bids for grader blades, cutting edges, plow shoes, pick blades and bits which were received on June 8, 2010 with the following results:

<u>Category 1 (grader blades)</u>	
Ziegler, Inc., Duluth, MN	\$ 47,773.80
<u>Category 2 (wing and one way cutting edges and plow shoes)</u>	
St. Joseph Equipment, Duluth, MN	\$106,816.40
<u>Category 3 (pick blades and bits)</u>	
St. Joseph Equipment, Duluth, MN	\$ 37,303.52

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board authorizes the purchase of grader blades from Ziegler, Inc., at the prices submitted in Bid No. 4895 in the amount estimated at \$47,773.80 plus State of Minnesota sales tax; and cutting edges, plow shoes, pick blades and bits from St. Joseph Equipment at the prices submitted in Bid No. 4895 in the amount estimated at \$144,119.92, plus State of Minnesota sales tax for a total cost to the county of \$205,086.45, payable from Fund 200, Agency 207001, Object 657000.

RESOLVED FURTHER, the St. Louis County Board authorizes two additional one year extensions based upon mutually agreeable prices and terms.

Adopted July 6, 2010. No. 320

RESOLVED, that the St. Louis County Board approves the applications for abatements, correction of assessed valuations and taxes plus penalty and interest, and any additional accrual, identified in County Board File No. 59036.

Adopted July 6, 2010. No. 321

RESOLVED, that the St. Louis County Board, pursuant to the recommendation of the Civil Service Commission on June 14, 2010, adopts the class of Contract and Procurement Specialist, Grade 17 of the Civil Service Basic Unit Pay Plan.

Adopted July 6, 2010. No. 322

WHEREAS, the State of Minnesota is accepting applications for the state's 2010 Iron Range Pilot Project Enforcement Grant program; and

WHEREAS, the St. Louis County Sheriff's Office is willing to accept the responsibilities of grantee and fiscal agent for this grant.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes application and acceptance of the 2010 Iron Range Pilot Project Enforcement Grant.

RESOLVED FURTHER, that if received, the grant will be accounted for in Fund 100, Agency 129999, Grant 12917, Year 2010, and St. Louis County will act as the fiscal agent for the grant partners.

Adopted July 6, 2010. No. 323

WHEREAS, bids have been received by the County Auditor for the following project:

SP 69-596-005, CP 3723, located on TH 169/135 in Tower, MN.

WHEREAS, bids were opened in the County Board Room at 10:00 a.m., June 14, 2010, and the lowest responsible bidder determined.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the award on the above project to the low bidder.

<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
KGM Contractors, Inc.	P.O. Box 7 Angora, MN 55703	\$3,901,327.89

**PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS
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“due to damage or decay in county property that cannot be allowed to wait for the time required to advertise for bids, or if the public health, safety, or welfare would suffer by delay”; and
WHEREAS, since the jail security system has been “damaged” by its obsolescence, and failure of the jail security system would require the reassignment of Correction Officers from their normal security duties, compromising existing security procedures at the jail; and
WHEREAS, Unique Security Incorporated, Montgomery, Alabama, provided the low bid proposal in an amount of \$130,130.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the appropriate county officials to execute an agreement with Unique Security Incorporated, Montgomery, Alabama, in the amount of \$130,130, for the purchase of equipment, software, operator stations, software, touch screens, interface controllers and other components, including installation, warranty, and training for the County Jail security system upgrade final phase, payable from Fund 400, Agency 400032.

Adopted July 6, 2010. No. 327

RESOLVED, that the workers’ compensation report of claims by employees for work-related injuries, dated June 18, 2010, on file in the office of the County Auditor, identified as County Board File No. 59016, is hereby received and ratified as payable from Fund 730, Agency 730001.

Adopted July 6, 2010. No. 328

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 Marana's Myrtle Lake Resort, Portage Township, to sell/serve outside the designated serving area of the County Liquor License for the date of July 24, 2010, as per application on file in the office of the County Auditor, identified as County Board File No. 59021.

Adopted July 6, 2010. No. 329

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. 59075 is hereby approved and the County Auditor is authorized to issue the license to the applicant:

Grand Lake Volunteer Fire Department, Town of Grand Lake, Temporary On-Sale 3.2

Percent Malt Liquor License No. TB1038, for August 14, 2010.

Adopted July 6, 2010. No. 330

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. 59075 is hereby approved and the County Auditor is authorized to issue the license to the applicant:

Babbitt Lions Club, Town of Embarrass, Temporary On-Sale 3.2 Percent Malt Liquor

License No. TB1039, for August 28 and 29, 2010.

Adopted July 6, 2010. No. 331

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 temporary on-sale intoxicating liquor license is hereby approved, on file in the office of the County Auditor, identified as County Board File No. 59021:

Bear River Fair Committee, Morcom Township, Temporary On-Sale Intoxicating Liquor

License No. TL1012, for August 20, 21 & 22, 2010.

Adopted July 6, 2010. No. 332

RESOLVED, that pursuant to Ordinance No. 28, Section 11, Subdivision 11.06, authorization is hereby granted to Bil-Mar's Supper Club, Inc., d/b/a Bil-Mar's Supper Club, Inc., Unorganized Township 55-21, to sell/serve outside the designated serving area of the County Liquor License for the date of July 24, 2010, as per application on file in the office of the County Auditor, identified as County Board File No. 59021.

Adopted July 6, 2010. No. 333

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of June 22, 2010, are hereby approved.

Adopted July 6, 2010. No. 334

RESOLVED, St. Louis County Board Resolution No. 10-215, dated May 4, 2010, which authorized the sale of state tax forfeited parcels, is amended to change the legal description to the following:

Tract #4

THAT PART OF LOTS 6 THROUGH 10 LYING WLY OF A LINE BEG AT A PT ON THE NLY LINE OF LOT 6 A DISTANCE OF 79.46 FT ELY OF NW COR THENCE DEFLECT TO THE RIGHT AND CONTINUE SELY ALONG A STRAIGHT LINE TO A PT ON NLY LINE OF LOT 10 BLOCK 23 LYING 125 FT ELY OF NW COR OF LOT 10 THENCE SELY ALONG A STRAIGHT LINE TO A PT ON SLY LINE OF LOT 16 BLOCK 23 LYING 125 FT ELY OF SW COR OF LOT 16 AND THERE TERMINATING **also** THAT PART OF LOT 11 LYING WLY OF A LINE BEG AT A PT ON THE NLY LINE OF LOT 6 A DISTANCE OF 79.46 FT ELY OF NW COR THENCE DEFLECT TO THE RIGHT AND CONTINUE SELY ALONG A STRAIGHT LINE TO A PT ON NLY LINE OF LOT 10 BLOCK 23 LYING 125 FT ELY OF NW COR OF LOT 10 THENCE SELY ALONG A STRAIGHT LINE TO A PT ON SLY LINE OF LOT 16 BLOCK 23 LYING 125 FT ELY OF SW COR OF LOT 16 AND THERE TERMINATING, REARR/BLK 23 HUNTERS GRASSY POINT ADD TO DULUTH

Tract #5

THAT PART OF LOTS 12 THROUGH 16 LYING WLY OF A LINE BEG AT A PT ON THE NLY LINE OF LOT 6 A DISTANCE OF 79.46 FT ELY OF NW COR THENCE DEFLECT TO THE RIGHT AND CONTINUE SELY ALONG A STRAIGHT LINE TO A PT ON NLY LINE OF LOT 10 BLOCK 23 LYING 125 FT ELY OF NW COR OF LOT 10 THENCE SELY ALONG A STRAIGHT LINE TO A PT ON SLY LINE OF LOT 16 BLOCK 23 LYING 125 FT ELY OF SW COR OF LOT 16 AND THERE TERMINATING, REARR/BLK 23 HUNTERS GRASSY POINT ADD TO DULUTH

Adopted July 6, 2010. No. 338

BY COMMISSIONER DAHLBERG:

WHEREAS, the State of Minnesota has appropriated funding for supportive housing programs that serve individuals, unaccompanied youth, and families experiencing homelessness; and

WHEREAS, a regional proposal submitted by Aitkin, Carlton, Cook, Itasca, Koochiching, Lake, and St. Louis Counties, and the Bois Forte, Fond du Lac, and Grand Portage Bands of the Minnesota Chippewa was awarded grant funds beginning in 2009 to provide services to end long-term homelessness; and

WHEREAS, for SFY 2011, the State of Minnesota awarded \$736,009 to St. Louis County and wishes to continue to contract with the county to serve as fiscal agent for the NE Minnesota Project to end Long-Term Homelessness; and

WHEREAS, St. Louis County wishes to continue to contract with Hearth Connection to manage and administer the NE Minnesota Project to End Long-Term Homelessness.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes an amendment to the current contract with the State of Minnesota to serve as fiscal agent for the NE Minnesota Project to End Long-Term Homelessness from July 1, 2010 to June 30, 2011.

RESOLVED FURTHER, that the St. Louis County Board amends the current contract with the State of Minnesota to receive \$736,009 for continuation of the NE Minnesota Project to End Long-Term Homelessness from July 1, 2010 to June 30, 2011, with funds to be deposited into Fund 230, Agency 232001, Grant 23205, Object 530640, Project 99999999, Year 2009.

RESOLVED FURTHER, that the St. Louis County Board amends the current contract with Hearth Connection to manage and administer the NE Minnesota Project with funds for the contract period to be expended from Fund 230, Agency 232001, Grant 23205, Object 607200, Project 99999999, Year

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

2009.

Unanimously adopted July 6, 2010. No. 335**BY COMMISSIONER O'NEIL:**

WHEREAS, St. Louis County has received a request from the Cook Hospital Administrator asking that Mr. Don Potter be reappointed to the Cook-Orr Healthcare District Board of Directors to represent unorganized townships in the Cook Hospital Healthcare District; and

WHEREAS, the County Board acts as the Township Board for all unorganized townships.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners reappoints Mr. Don Potter to the Cook-Orr Healthcare District Board of Directors to represent unorganized townships in the Cook Hospital Healthcare District; for a three year term ending December 31, 2013.

Unanimously adopted July 6, 2010. No. 336**BY COMMISSIONER O'NEIL:**

WHEREAS, the St. Louis County Civil Service Rules are in need of revision; and

WHEREAS, the proposed amendments to the St. Louis County Civil Service Rules were approved by the St. Louis County Civil Service Commission following a public hearing on May 10, 2010.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the amended St. Louis County Civil Service Rules, as contained in County Board File No. 59094.

Unanimously adopted July 6, 2010. No. 337**BY COMMISSIONER FORSMAN:**

WHEREAS, bids have been received by the County Auditor for the following project:

MP 661-3743, CP 3743, located on Bridge 69691 over the West Two River between CSAH No. 25 and CR 313 (Macon Rd.).

WHEREAS, bids were opened in the County Board Room at 10:00 a.m., June 21, 2010, and the lowest responsible bidder determined.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the award on the above project to the lowest bidder.

<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
Northland Constructors of Duluth, LLC	4843 Rice Lake Rd. Duluth, MN 55803	\$573,056.50

RESOLVED FURTHER, that the Chairman of the County Board, the County Auditor, and the County Attorney are authorized to approve the Contractor's Performance Bonds and to execute the bonds and contract for the above listed project payable from Fund 200, Agency 203227, Object 652800.

Unanimously adopted July 6, 2010. No. 339**BY COMMISSIONER SWEENEY:**

WHEREAS, the U.S. Department of Justice through the Office of Community Oriented Policing Services has made available funding for certain qualified technology programs; and

WHEREAS, St. Louis County was invited to participate in the 2010 COPS Technology Initiative program and has been chosen to receive grant funding of \$300,000; and

WHEREAS, the St. Louis County Sheriff's Office will be able to purchase needed interoperable communications equipment that will enhance its mobile data network and information sharing capabilities.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes application and acceptance of the 2010 Technology Grant in the amount of \$300,000 from the U.S. Department of Justice, Office of Community Oriented Policing Services (COPS), to be accounted for in Fund 100, Agency 129999, Grant 12934, Year 2010.

Unanimously adopted July 6, 2010. No. 340

BY COMMISSIONER SWEENEY:

WHEREAS, the U.S. Department of Justice through the Office of Community Oriented Policing Services has made available funding for certain qualified technology programs; and

WHEREAS, St. Louis County was invited to participate in the 2010 COPS Technology Initiative program and has been chosen to receive grant funding of \$500,000; and

WHEREAS, the St. Louis County Sheriff's Office will be able to purchase needed interoperable communications equipment that will enhance its mobile data network and information sharing capabilities.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes application and acceptance of the second 2010 Technology Grant in the amount of \$500,000 from the U.S. Department of Justice, Office of Community Oriented Policing Services (COPS), to be accounted for in Fund 100, Agency 129999, Grant 12934#2, Year 2010.

Unanimously adopted July 6, 2010. No. 341

At 11:00 a.m., July 6, 2010, Commissioner Nelson, supported by Commissioner O'Neil, moved to adjourn the meeting; seven yeas, zero nays.

Steve Raukar, Chair of the Board
of County Commissioners

Attest:

Donald Dicklich, County Auditor
and Ex-Officio Clerk of the Board
of County Commissioners

(Seal of the County Auditor)

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

**OFFICIAL PROCEEDINGS OF THE MEETING
OF THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF ST. LOUIS, MINNESOTA,
HELD ON JULY 13, 2010**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 13th day of July, 2010, at 9:33 a.m., in the County Board Room, Duluth, Minnesota, with the following members present: Commissioners Dennis Fink, Steve O'Neil, Chris Dahlberg, Mike Forsman, Peg Sweeney, Keith Nelson and Chair Steve Raukar – 7. Absent: None.

Chair Raukar asked for a moment of silence to honor U.S. troops serving throughout the world and their families at home as well as all persons whose lives are adversely affected by war.

Commissioner Fink presented the words of wisdom with quotes from Thomas Jefferson and Ben Franklin.

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

Commissioner Sweeney, support by Commissioner O'Neil, moved to approve the consent agenda; seven yeas, zero nays.

Commissioner Dahlberg, supported by Commissioner Sweeney, moved to approve a resolution authorizing the Public Health and Human Services Department to accept a Minnesota Family Investment Program (MFIP) Supported Work Allocation in the amount of \$280,671. The amount of \$140,335 will be allocated to the 2010 budget and the balance to 2011. Administrator Gray said this was moved without recommendation to allow Commissioner Fink an opportunity to have questions answered. Commissioner O'Neil gave an example of how MFIP has helped people achieve success, citing a story of a young woman who went on to get a degree and a good paying job. Commissioner Fink said all his questions were answered. After further discussion, the resolution was approved; seven yeas, zero nays. Resolution No. 357.

Commissioner Forsman, supported by Commissioner Sweeney, moved to award a bid for combined roadway construction and pavement resurfacing on CSAH 77 and CSAH 104 near Tower. Commissioner Forsman said this was tabled from last week pending MNDOT approval. Administrator Kevin Gray said approval was granted and he credited Public Works and contractors for their efforts; seven yeas, zero nays. Resolutions No. 358.

Commissioner Nelson, supported by Commissioner Sweeney, moved to suspend the rules to consider a resolution for creation of the St. Louis County Recovery Zone and designating the local allocation of Recovery Zone Economic Development Bonds of St. Louis County to the Town of Grand Lake; seven yeas, zero nays.

Commissioner Nelson, supported by Commissioner Sweeney, moved to approve a resolution authorizing creation of a Recovery Zone and allocating Recovery Zone Economic Development Bonds of St. Louis County to Grand Lake in the amount of \$805,000 for additions to the existing town hall and fire hall. Administrator Gray said Recovery Zone Bonds must be issued by January 1, 2011. Duayne Anderson, Grand Lake Township Supervisor, said citizens of Grand Lake Township voted to approve the sale of up to \$805,000 of bonds for the town and fire hall additions; seven yeas, zero nays. Resolution No. 360.

Commissioner O'Neil, supported by Commissioner Sweeney, moved to approve a resolution to participate in the Public Employees Retirement Association Phased Retirement Option (PRO). Administrator Gray said PRO is a tool to retain people eligible to retire whose skills may be needed by the county, noting appointments are in one-year increments up to five years. Administrator Gray

said he will provide periodic reports on PRO utilization, adding only about 100 out of 1700 county employees are potentially eligible to participate. Employee Relations Director Martha Watson said PRO employees must be at least 62 years old, are limited to working 1044 hours per year and must be current employee about to retire in order to be eligible. Administrator Gray said the county board has to formally approve a resolution in order to participate. After further discussion about policy, procedure and possible amendments, the resolution was approved; seven yeas, zero nays. Resolution No. 361.

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

Kevin Gray, County Administrator, and Robert Krepps, Land Commissioners, submitting Board Letter No. 10-247, Request to Use Procedures for the Classification of State Tax Forfeited Land.—59095

Kevin Gray, County Administrator, and Barbara Hayden, Planning and Development Director, submitting Board Letter No. 10-254, Creation of the St. Louis County Recovery Zone and Designating the Local Allocation of the Recovery Zone Economic Development Bonds of St. Louis County to the Town of Grand Lake.—59096

St. Louis County Special Board of Appeal and Equalization for the Assessment Year of 2010 Payable 2011.—59097D

Commissioner Fink's Words of Wisdom presentation of quotes from Thomas Jefferson and Ben Franklin.—59098

Professional Services Contract between St. Louis County and Fond du Lac Tribal and Community College for *Introduction to Strengths*.—10-510

Professional Services Contract between St. Louis County and Sister Kay O'Neil for *Wake Up! Don't Go Back to Sleep!*—50-511

Professional Services Contract between St. Louis County and Sister Michelle Meyers for *Wake Up! Don't Go Back to Sleep!*—10-512

Professional Services Contract between St. Louis County and Ted Schick for *You're in Charge Now*.—10-513

Professional Services Contract between St. Louis County and Karen Keenan for *Peer to Supervisor*.—10-514

Professional Services Contract between St. Louis County and Karen Alseth for *Mindfulness-Based Stress Reduction Program*.—10-515

Professional Services Contract between St. Louis County and Angie VanDeHey for *Access Forms, Access Consultant, Word Formatting 2007, Word Forms 2003, Word Forms 2007*.—10-516

Community Development Block Grant 2010 Agreement between St. Louis County and Arrowhead Economic Opportunity Agency for AEOA Homeownership Assistance Program.—10-517

Community Development Block Grant 2010 Agreement between St. Louis County and Arrowhead Economic Opportunity Agency for AEOA Single Family Rehabilitation Program.—10-518

Community Development Block Grant 2010 Agreement between St. Louis County and Arrowhead Economic Opportunity Agency for AEOA Homeless Youth Services.—10-519

**PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS
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Community Development Block Grant 2010 Agreement between St. Louis County and Arrowhead Economic Opportunity Agency for AEOA Homeless Shelter Operations.—[10-520](#)

Community Development Block Grant 2010 Agreement between St. Louis County and the City of Tower for Tower North Area Infrastructure.—[10-521](#)

Community Development Block Grant 2010 Agreement between St. Louis County and SOAR Career Solutions for SOAR Employment Services.—[10-522](#)

Community Development Block Grant 2010 Agreement between St. Louis County and North St. Louis County Habitat for Humanity for NSLC Habitat Building Program Site Acquisition.—[10-523](#)

Community Development Block Grant 2010 Agreement between St. Louis County and Range Transitional Housing, Inc., for Range Transitional Housing.—[10-524](#)

Community Development Block Grant 2010 Agreement between St. Louis County and the City of Leonidas for Leonidas 2nd Avenue Improvement.—[10-525](#)

Community Development Block Grant 2010 Agreement between St. Louis County and Legal Aid Service of Northeastern Minnesota for Legal Aid Housing Counseling, Information & Litigation.—[10-526](#)

Community Development Block Grant 2010 Agreement between St. Louis County and Northern Communities Land Trust to develop safe, quality, and affordable owner-occupied housing.—[10-527](#)

Community Development Block Grant 2010 Agreement between St. Louis County and the Town of Biwabik for Biwabik Township Fire Hall ADA Compliancy rehabilitation project.—[10-528](#)

Community Development Block Grant 2010 Agreement between St. Louis County and Range Women's Advocates for Range Women's Advocates Children's Program.—[10-529](#)

Agreement No. 92665, SP 69-00185, CP 97041, between the County of St. Louis and Duluth, Missabe and Iron Range Railway Company for Railroad Crossing Signals and Gates on County Road 223 (Munger Shaw Road).—[10-530](#)

Agreement No. 92668, SP 69-00188, CP 21439, between the County of St. Louis and the Duluth, Winnipeg and Pacific Railway Company for Railroad Crossing Signals and Gates on County State Aid Highway 87 (East Leander Road).—[10-531](#)

Contract for County-State Aid Highway Projects between the County of St. Louis and KGM Contractors, Inc., for SAP 69-624-016, CP 9290, Bituminous Pavement Milling and Reclamation, Bituminous Surfacing, Geo Fabric, Aggregate Base and Aggregate Shouldering on CSAH 24.—[10-532](#)

Agreement for Professional Services between St. Louis County and Barr Engineering Company for Wetland Delineation, Report, Mitigation, Phase 1 Archaeology Survey, Threatened & Endangered Species Survey, of County Road 23 in the City of Babbitt (MP 623-91417, CP 91417).—[10-533](#)

Upon motion of Commissioner Sweeney, supported by Commissioner O'Neil, Resolutions No. 342 through 356 were unanimously adopted as follows:

BY COMMISSIONER SWEENEY:

WHEREAS, St. Louis County purchases day training and habilitation and semi-independent living services for residents with developmental disabilities (mental retardation and/or related conditions);

and

WHEREAS, the Department of Public Health and Human Services has agreements with the following day training and habilitation providers and semi-independent living service providers; and WHEREAS, the Department wishes to renew these agreements; and

WHEREAS, the Minnesota Department of Human Services has mandated counties to maintain present reimbursement rates for day training and habilitation and semi-independent living services providers for the period July 1, 2010 through June 30, 2011;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes agreements with:

- 1) day training and habilitation service providers (as listed below) to be paid from:
 Fund: 230
 Agency: 232006
 Object: 604800
- 2) semi-independent living service providers (as listed below) to be paid from:
 Fund: 230
 Agency: 232006
 Object: 605200

at the following rates (reflecting no increase or decrease) for the period July 1, 2010 through June 30, 2011:

DAY TRAINING & HABILITATION

<u>Program Name</u>	<u>Full Day Program</u>	<u>Partial Day Program</u>	<u>Round Trip Daily Transport</u>	<u>Full Day Program & Transport</u>
Access to Employment Too, Inc.	\$ 86.05	\$ 64.54	\$ 7.52	\$ 93.57
CHOICE, Unlimited – CHOICE	\$ 73.39	\$ 55.04	\$ 8.10	\$ 81.49
CHOICE, Unlimited – OPTIONS	\$102.30	\$ 76.73	\$10.80	\$113.10
East Range DAC	\$ 64.97	\$ 48.73	\$11.59	\$ 76.56
Floodwood Services & Training, Inc.	\$ 65.54	\$ 49.16	\$ 5.77	\$ 71.31
MSOCS Duluth – Airpark Products & Services	\$118.71	\$ 89.03	\$ 9.83	\$128.54
MSOCS Duluth – Lincoln Park Life Skills	\$ 91.46	\$ 68.59	\$13.69	\$105.15
MSOCS Range Area Vocational Supports	\$117.53	\$ 88.15	\$16.65	\$134.18
Range Center, Inc.	\$ 84.52	\$ 63.39	\$ 6.08	\$ 90.60
UDAC, Inc.	\$ 63.91	\$ 47.93	\$ 9.90	\$ 73.81
	<u>Level</u>	<u>Hourly Rate*</u>		
Pinewood, Inc. – Duluth	A	\$28.44		
	B	\$13.92		
	C	\$10.96		
	D	\$ 9.76		

* Pinewood, Inc.-Duluth was formerly a Rule 75 pilot program and is allowed to have hourly rates.

SEMI-INDEPENDENT LIVING SERVICES (SILS)

<u>Per Hour</u>	
Duluth Regional Care Center	\$26.45
Empowerment Services of Minnesota, Inc. (Employer of Record)	\$14.89
HOMES, Inc. - Hibbing	\$26.45
HOMES, Inc. - Virginia	\$26.45
Innovative Living, Inc.	\$26.45
Trillium Services, Inc.	\$26.45

Adopted July 13, 2010. No. 342

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

WHEREAS, the St. Louis County Planning Commission held a public hearing regarding the preliminary plat of Caribou Pines Estate on October 9, 2008, and granted preliminary approval for the plat; and

WHEREAS, the final prints have been submitted and conform with the requirements set forth by the Planning Commission.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board grants final approval to the plat of Caribou Pines Estate, located in Section 18, Township 51 North, Range 15 West (Canosia).

Adopted July 13, 2010. No. 343

RESOLVED, that St. Louis County Board Resolution No. 10-110, adopted on March 2, 2010, authorizing a land exchange involving certain Class "B" Lands owned by the State of Minnesota for certain lands owned by Dale and Vera Johnson is amended to change items five (5) and six (6) to the following:

5. The St. Louis County Land Department has hired a Certified General Appraiser to appraise the properties proposed for exchange. Said appraisals indicated that the parcel to be transferred from the State of Minnesota is valued at \$46,000, and the parcels to be transferred from Dale and Vera Johnson to the State of Minnesota are valued at \$46,500, resulting in a difference of \$500. Said appraisals are hereby accepted and adopted by the Board of Commissioners.

6. Dale and Vera Johnson have agreed to waive the \$500 difference at the time of closing, pursuant to Minnesota Statutes, Section 94.344, Subdivision 5, and have filed a Waiver of Payment for the difference in value.

Adopted July 13, 2010. No. 344

WHEREAS, Minn. Stat. § 282.241 provides that state tax forfeited land may be repurchased by the previous owners subject to payment of delinquent taxes and assessments with penalties, interest and costs; and

WHEREAS, the applicant, Vernon Hames, Jr., has applied to repurchase state tax forfeited land; and WHEREAS, the applicant was the owner of record at the time of forfeiture, and is eligible to repurchase the property; and

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

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the repurchase application by Vernon Hames, Jr., on file in County Board File No. 59058, subject to payments including total taxes and assessments of \$3,147.78, service fee of \$114, deed tax of \$10.11, deed fee of \$25, and recording fee of \$46; for a total of \$3,342.89, to be deposited into Fund 240 (Forfeited Tax Fund).

Adopted July 13, 2010. No. 345

WHEREAS, the Duluth Housing and Redevelopment Authority has requested to purchase the following described state tax forfeited land for the appraised value of \$19,500, plus fees, for the purpose of acquisition and demolition:

Legal: Lot 10 also All of Lot 11 & Lot 12 Ex Ely 8 ft, Block 128, Portland Division of
Town of Duluth
City of Duluth
Parcel Codes: 10-3850-1260, 1270
0.21 Acres
LDKEYS: 70360 and 70361

WHEREAS, Minn. Stat. § 282.01, Subd. 1(a), authorizes the sale of state tax forfeited land to an organized governmental subdivision for any public purpose for which the subdivision is authorized to acquire property; and

WHEREAS, the parcels of land have not been withdrawn from sale pursuant to Minn. Stat. §§

85.012, 92.461, 282.01, Subd. 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 state tax forfeited land, as described, to the Duluth Housing and Redevelopment Authority (HRA) for the appraised value of \$19,500 plus the following fees: 3% assurance fee of \$585, deed fee of \$25, deed tax of \$64.35, recording fee of \$92, and administrative fee of \$150, for a total of \$20,416.35 to be deposited into Fund 240 (Forfeited Tax Fund).

RESOLVED FURTHER, that the St. Louis County Auditor shall offer for sale at public auction the state tax forfeited land described herein if the Duluth HRA does not purchase the land by August 30, 2010.

Adopted July 13, 2010. No. 346

WHEREAS, the Land Department has reviewed a request from Rodney Politano for a non-exclusive roadway easement across state tax forfeited land for access to private land; and

WHEREAS, there are no reasonable alternatives to obtain access to his 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 Board authorizes the County Auditor, pursuant to Minn. Stat. § 282.04, Subd. 4(a), to grant a non-exclusive roadway easement to Rodney Politano as described as follows:

A 33 foot wide roadway easement over and across all that part of lots 44, 70, 71, 72, 73, 93, 109, and 110, in the plat of LAKE VERMILION CLUB PLAT ONE, that lies within 16.5 feet on either side of the following described centerline:

Commencing at the southwest corner of the plat of LAKE VERMILION CLUB PLAT ONE, a.k.a. the southwest corner of the NE1/4 of SE1/4, Section 22, Township 62 North, Range 16 West of the Fourth Principal Meridian; thence S 89°38'00" E, along the south line of said plat and said NE1/4 of SE1/4, a distance of 845.34 feet to the centerline of an existing drive and the point of beginning; thence N 15°35'07" W, along said centerline, a distance of 261.48 feet; thence N 3°46'11" E, along said centerline, a distance of 78.46 feet; thence N 23°44'48" E, along said centerline, a distance of 252.02 feet; thence N 54°41'54" E, along said centerline, a distance of 317.30 feet to the centerline of Everett Point Road and there terminating. This described centerline runs from the south edge of LAKE VERMILION CLUB PLAT ONE to the centerline of the existing Everett Point Road. The intent of this description is to convey only that part of said centerline that crosses the above mentioned lots. The linear distance across the said lots is 402 feet, more or less. The area is .27 acres, more or less.

RESOLVED FURTHER, the granting of this easement is conditioned upon payment of an \$810 land use fee, \$150 administrative fee, and \$46 recording fee, for a total of \$1,006 to be deposited into Fund 240 (Forfeited Tax Fund).

Adopted July 13, 2010. No. 347

WHEREAS, the St. Louis County Public Works Department plans to reconstruct 4.14 miles of County State Aid Highway (CSAH) No. 4 (County Project 9282, SP 69-604-60) in Colvin Township; and

WHEREAS, it is necessary for the county to obtain additional highway right of way in order to perform road reconstruction between CSAH No. 108 and 0.7 mile north of County Road 340; and

WHEREAS, St. Louis County Highway Plat No. 30 as authorized by County Board Resolution No. 08-175 adopted April 1, 2008 has been prepared and recorded in the office of the St. Louis County Recorder; and

WHEREAS, the following numbered parcel of said Highway Right of Way Plat has not been acquired by negotiation and direct purchase:

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

Parcel
19

Owners
Richard K. Listemaa and Cheryl E. Listemaa
Husband and wife

As more completely described in attached Exhibit A

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board, pursuant to Minn. Stat. Chapter 163.02, et al., authorizes the County Attorney to proceed under Minn. Stat. Chapter 117.02, et al., to acquire the necessary highway right of way by eminent domain proceedings, payable from Fund 220, Agency 220173, Objects 636500 and 636600.

EXHIBIT A

Road Number - 4
Parcel 19

SP 069-604-060
County Project - CP 9282

Property Legal Description:

East Half of Southwest Quarter of Southwest Quarter, Section 22, Township 56, Range 15.

Rights to be Acquired:

A PERMANENT EASEMENT for highway purposes over, under, and across that part of the above described property shown as Parcels 19 and 19A on the plat designated as St. Louis County Highway Plat No. 30, on file and on record in the Office of the County Recorder in and for the County of St. Louis, Minnesota.

Said Permanent easement contains approximately 1.49 acre of existing highway right of way and 1.07 acre of additional highway right of way.

Together with a TEMPORARY EASEMENT for highway purposes over, under and across that part of the above described property shown as TEMPORARY EASEMENT on Parcels 19 and 19A on the plat designated as St. Louis County Highway Right of Way Plat No. 30, on file and on record in the Office of the County Recorder in and for the County of St. Louis, Minnesota.

Said temporary easement contains approximately 0.22 acre and shall expire December 31, 2015. Adopted July 13, 2010. No. 348

WHEREAS, bids have been received by the County Auditor for the following project:

MP 10026, Central Crushing 2010 located at various locations in central St. Louis County.

WHEREAS, bids were opened in the County Board Room at 10:00 a.m., May 3, 2010, and the lowest responsible bidder determined.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the award 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 55374-9461	\$229,335.00

RESOLVED FURTHER, that the County Board Chair, County Auditor, and County Attorney are authorized to approve the Contractor's Performance Bonds and to execute the bonds and contract for the above listed project payable from:

Fund 200, Agency 201064, Object 650200	\$155,085.00
Fund 210, Agency 210034, Object 650200	\$ 74,250.00

With additional revenue budgeted for expense:

Toivola Township Fund 200, Agency 201064, Object 551573	\$ 2,730.00
Ellsberg Township Fund 200, Agency 201064, Object 551574	\$ 2,925.00

Cedar Valley Township Fund 200, Agency 201064, Object 551568 \$ 2,730.00
Adopted July 13, 2010. No. 349
(To correct payable funding listed on Resolution No. 242, adopted May 11, 2010.)

RESOLVED, that pursuant to Minn. Stat. § 349.213, Subd. 2, the St. Louis County Board approves the following Lawful Gambling License Application (Pull-tabs and Pull-tabs with dispensing device) on file in the office of the County Auditor, identified as County Board File No. 59051, for the following organization:

Hermantown Little League to operate out of The Blue Max, Fredenberg Township, 6139
Lavaque Road, Duluth, MN 55803, *NEW*.
Adopted July 13, 2010. No. 350

RESOLVED, that the St. Louis County Board approves the applications for abatements, correction of assessed valuations and taxes plus penalty and interest, and any additional accrual, identified in County Board File No. 59036.
Adopted July 13, 2010. No. 351

WHEREAS, Odyssey Development of Duluth, Minnesota, requested to purchase surplus non-conforming county fee land property adjacent to County State Aid Highway No. 61 north of Duluth; and

WHEREAS, St. Louis County Board Resolution No. 07-570 dated October 23, 2007, authorized the above described property transfer with an incorrect legal description; and

WHEREAS, the property is legally described as follows:

All that part of Government Lots 3 and 4 in Section 02, Township 51 North, Range 12 West, St. Louis County, Minnesota, lying within the southerly 100 feet of the Right-of-Way of C.S.A.H. Highway No. 61 (A.K.A. Scenic 61) as now laid out, west of County Road 222 (A.K.A. Stoney Point Road) as now laid out and east of the following described line: Commencing at the West Quarter Corner of said Section 2 and running thence on an assumed bearing of South 01 degrees 11 minutes 00 seconds East along the west line of said Government Lot 4 a distance of 1224.25 feet to the southerly Right-of-Way line of said C.S.A.H. No. 61; thence along the southerly Right-of-Way line of said C.S.A.H. No. 61 North 68 degrees 57 minutes 06 seconds East 499.73 feet; thence along a tangential curve to the right, having a radius of 2517.38 feet, a Delta Angle of 12 degrees 26 minutes 16 seconds and an arc length of 546.47 feet to the POINT OF BEGINNING; thence from said POINT OF BEGINNING North 01 degrees 11 minutes 00 seconds West and parallel with said west line of Government Lot 4 a distance of 100.81 feet and there terminating.

St. Louis County reserves to itself all iron ore and other valuable minerals in and upon the lands, with right to explore for, mine and remove the iron ore and other valuable minerals in accordance with Minn. Stat. § 373.01.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board amends Resolution No. 07-570 with the above legal description.

RESOLVED FURTHER, that pursuant to the requirements and procedures of Minn. Stat. § 373.01 Subdivision 1(h), the appropriate county officials are authorized to execute a quit claim deed, conveying the above listed property to Odyssey Development, Inc.

Adopted July 13, 2010. No. 352

RESOLVED, that the St. Louis County Board authorizes application and acceptance of the 2010 Bureau of Justice Assistance, Justice Assistance Grant, in coordination with the City of Duluth, in the amount of \$65,731, with funds to be accounted for in Fund 100, Agency 129999, Grant 12915, Year 2010.

RESOLVED FURTHER, that the St. Louis County Board authorizes the execution of a Memorandum of Understanding with the City of Duluth regarding allocation of funding from the 2010 Justice Assistance Grant Program.

Adopted July 13, 2010. No. 353

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

WHEREAS, Laws of Minnesota 2010, Chapter 389, Article 9, requires the County Board to hold a public meeting with proper notification for the purpose of classifying or reclassifying state tax forfeited land, and allow any person or agency possessing pertinent information to make or submit comments and recommendations about the pending classification or reclassification; and

WHEREAS, after allowing testimony, the County Board may classify, reclassify, or delay taking action on any parcel or parcels; and

WHEREAS, the County Board may by resolution elect to use the procedures provided in paragraphs (g), (h), and (i) of the new legislation whereby the classification or reclassification and sale of state tax forfeited land will be deemed approved if the County Board does not receive notice of the governing body's disapproval within 60 days of the date on which the resolution is delivered to the clerk of the municipality or town, with a public meeting required only if the governing body disapproves of the classification or reclassification and sale.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board elects to use the classification and reclassification procedures provided in paragraphs (g), (h), and (i), instead of the procedures provided in paragraphs (b), (c), and (d) of Minn. Stat. § 282.01, Subd. 1, as amended in Laws of Minnesota 2010, Chapter 389, Article 9.

Adopted July 13, 2010. No. 354

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, dated July 2, 2010, on file in the office of the County Auditor, identified as County Board File No. 59016, is hereby received and ratified as payable from Fund 730, Agency 730001.

Adopted July 13, 2010. No. 355

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. 59024, are hereby approved and the County Auditor shall issue checks in the following amounts:

June 2010		
100	General Fund	\$3,764,207.52
147	Namakan Basin Sewer System	23,015.00
149	Personnel Service Fund	265.00
150	Sheriff's Nemesis Fund Group	11,099.00
160	MN Trail Assistance	46,299.51
168	Sheriff's State Forfeitures	8,156.50
170	Boundary Waters-Forfeitures	5,000.00
173	Emergency Shelter Grant	38,760.98
179	Enhanced 9-1-1	20,349.90
180	Law Library	20,950.85
183	City/County Communications	345.36
184	Extension Service	23,156.09
200	Public Works	3,474,436.71
210	Road Maint – Unorg Townships	11,095.31
220	State Road Aid	2,103,727.36
230	Public Health & Human Services	5,312,773.55
240	Forfeited Tax	253,206.20
250	St. Louis County HRA	11,741.05
260	CDBG Grant	306,907.02
270	Home Grant	58,285.82
290	Forest Resources	195,251.17
309	Capital Improve Bonds 2004A	185,906.25
310	AJC Refunding Bonds 2004C	2,975.00
311	Capital Improve Bonds 2005A	90,377.50
312	Law Enforce Refund Bonds 2005B	33,625.00
313	Cap Imp Cross Ref Bonds 2006A	147,093.75
314	Capital Equipment Notes 2007	52,800.00

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

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315	Capital Equipment Notes 2008A	51,187.50
316	Capital Improve Bonds 2008B	231,130.00
400	County Facility	115,537.53
405	Public Works Building Const	37,000.00
407	Public Works - Equipment	18,168.74
433	Dul CH – Begin Phase III HVAC	5,332.36
438	2008B Capital Improvement Bond	455,789.63
600	Environmental Services	466,832.31
616	On-Site Waste Water Division	25,003.37
625	Chris Jensen Health & Rehab	142,581.59
640	Plat Books	42.00
700	Printing	6,624.65
705	Postage Office Supplies	2,233.18
715	County Garage	57,598.65
720	Property Casualty Liability	5,186.91
730	Workers Compensation	214,200.94
750	Management Info Systems	242,978.72
760	Telecommunications	80,607.98
770	Retired Employees Health Ins	1,953.56
900	State of Minnesota	1,577,658.07
902	Courts	178,705.53
908	City and Towns Taxes	15,770,624.00
909	Tax Refunds	120,944.68
910	School Districts Taxes	8,358,149.00
911	Taxes and Penalties	11,207,839.50
925	Arrowhead Regional Corrections	1,050,329.37
955	Community Health Board	373,321.61
985	Collective Local Collaborative	163,422.90
989	Regional Railroad Authority	108,970.12
990	Northern Cities Land Use	809.91
992	Permits to Carry-Firearms	392.62
994	Sheriff Forfeits/Evidence	393.00
998	MPL-DUL Train Alliance	22,477.31
		<u>\$57,295,834.64</u>

Adopted July 13, 2010. No. 356

BY COMMISSIONER DAHLBERG:

WHEREAS, the Minnesota Department of Human Services has allocated additional funds to counties and tribes for Minnesota Family Investment Program (MFIP) supported work activities for state fiscal years 2010 and 2011; and

WHEREAS, the county was notified that it was allocated MFIP Supported Work funding in the amount of \$280,671 for the period July 1, 2010 through June 30, 2011, to be used for supported work activities.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the Public Health and Human Services Department to accept an MFIP Supported Work allocation in the amount of \$140,335, to be placed in 2010 budget expenditures Fund 230, Agency 232020, Object 603800, and budgeted revenues in Fund 230, Agency 232020, Object 540213 for the period July 1, 2010 through December 31, 2010.

RESOLVED FURTHER, that the Public Health and Human Services Department will work with Administration to ensure the balance of \$140,336 is incorporated into the proposed 2011 budget to be expended January 1, 2011 through June 30, 2011.

Unanimously adopted July 13, 2010. No. 357

BY COMMISSIONER FORSMAN:

WHEREAS, bids have been received by the County Auditor for the following combined project:

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

SP 69-677-009(low), CP 1277, State Proj. No. STPX 6910(236) located on CSAH No. 77 (Angus Rd.) from T.H. 169 to CSAH 104, near Tower, MN;

SP 69-704-004, CP 1278, State Proj. No. STPX 6910(237) located on CSAH No. 104 (Lake Vermilion Rd.) from CSAH No. 77 (Angus Rd.) to 3.44 mi. east near Tower, MN.

WHEREAS, bids were opened in the County Board Room at 10:00 a.m., June 21, 2010, and the lowest responsible bidder determined.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the award on the above project to the low bidder:

<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
KGM Contractors, Inc.	P.O. Box 7 Angora, MN 55703	\$1,677,740.84

RESOLVED FURTHER, that the Chairman of the County Board, the County Auditor, and the County Attorney are authorized to approve the Contractor's Performance Bonds and to execute the bonds and contract for the above listed project payable from:

SP 69-677-009(low), CP 1277: Fund 220, Agency 220246, Object 652700 \$ 662,186.61

SP 69-704-004, CP 1278: Fund 220, Agency 220247, Object 652700 \$1,015,554.23

Unanimously adopted July 13, 2010. No. 358

[RESOLUTION NO. 359 PURPOSELY OMITTED]

BY COMMISSIONER NELSON:

WHEREAS, the American Recovery and Reinvestment Act of 2009 (ARRA) revised the Internal Revenue Code (Code) to create Recovery Zone Bonds which can only be issued for certain "qualified economic development purposes" in a Recovery Zone; and

WHEREAS, for purposes of §§1400U-1 and 1400U-2 of the Code, the term "recovery zone" means any area designated by the issuer as having significant unemployment, rate of home foreclosures, or general distress; and

WHEREAS, §1400U-2 (c) of the Code defines the term "qualified economic development purpose" to mean any expenditure for purposes of promoting development or other economic activity in a recovery zone, including (1) capital expenditures paid or incurred with respect to property located in the recovery zone, and (2) expenditures for public infrastructure and construction of public facilities; and

WHEREAS, before any Recovery Zone Bonds can be issued, the county must designate the area in which a capital project is financed by Recovery Zone Bonds as a Recovery Zone; and

WHEREAS, the St. Louis County Recovery Zone has been identified through data analysis to include the HUD designated eligible areas of the City of Duluth and the remainder of St. Louis County to be economically stressed as evidenced by increasing unemployment rates and housing foreclosures; and

WHEREAS, St. Louis County was allocated \$4,059,000 of Recovery Zone Bond volume cap limitation for use in the Recovery Zone Economic Development Bond Program; and

WHEREAS, I.R.S. Notice 2009-50 provides that for this purpose, any state, county, or large municipality that receives a volume cap allocation for Recovery Zone Economic Development Bonds may make these designations of recovery zones in any reasonable manner as it shall determine in good faith at its discretion; and

WHEREAS, the St. Louis County Board supports the effort of the Town of Grand Lake to construct additions to the existing town hall and fire hall located within the St. Louis County Recovery Zone; and

WHEREAS, the County Board desires to allocate up to \$805,000 of St. Louis County's recovery zone bond allocation to the Town of Grand Lake to help finance the construction of additions to the existing town hall and fire hall (Project) within the Town of Grand Lake; and

WHEREAS, the County Board desires to designate the Town of Grand Lake as the issuer of all Recovery Zone Bonds for the project; and

WHEREAS, the county will not be responsible for any costs of the Project, nor shall it be deemed to constitute a general obligation to the county, and neither the full faith and credit nor the taxing power of the county shall be pledged to the payment to the Bonds.

NOW, THEREFORE, BE IT RESOLVED, by the St. Louis County Board, State of Minnesota, that:

Section 1: The County Board designates HUD eligible areas of the City of Duluth and the remainder of the County as a Recovery Zone under §1400U-1 due to increasing unemployment rates and housing foreclosures ("St. Louis County Recovery Zone").

Section 2: The County Board designates the Town of Grand Lake as its agent to issue Recovery Zone Bonds in the St. Louis County Recovery Zone.

Section 3: The County Board authorizes and directs \$805,000 of St. Louis County's allocation of its Recovery Zone Economic Development Bonds to the Town of Grand Lake for the issuance of bonds to finance the Project. This allocation will terminate on August 31, 2010 unless the bonds are issued on or before August 31, 2010.

Section 4: The County Board authorizes and directs the appropriate county officials to sign, deliver, or file any documents, agreements, or certificates in connection with the designation of the Recovery Zone and the designation of the Town of Grand Lake as the issuer of the Recovery Zone Bonds, as may be required by ARRA, the Code, the Treasury Regulations promulgated under the Code, and any other applicable statute or regulation, as the County Auditor deems necessary and appropriate.
Unanimously adopted July 13, 2010. No. 360

BY COMMISSIONER O'NEIL:

WHEREAS, the 2009 Minnesota Legislature adopted Minn. Stat. §353.371 allowing for phased retirements by eligible Public Employee Retirement Association members; and
WHEREAS, the County could benefit by the phased retirement of employees in some circumstances.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners authorizes the County's participation in the phased retirement program in accordance with Minn. Stat. §353.371 and Public Employee Retirement Association policies and procedures.

FURTHER RESOLVED, that County Administration and department heads have discretion in determining to whom phased retirement options will be offered and are authorized to create temporary non-complement positions for that purpose.

FURTHER RESOLVED, that the County Board directs the County Administrator and Employee Relations Director to develop and implement procedures to administer the phased retirement program.

Unanimously adopted July 13, 2010. No. 361

At 10:40 a.m., July 13, 2010, Commissioner Nelson, supported by Commissioner O'Neil, moved to adjourn the meeting; seven yeas, zero nays.

Steve Raukar, Chair of the Board
of County Commissioners

Attest:

Donald Dicklich, County Auditor
and Ex-Officio Clerk of the Board
of County Commissioners

(Seal of the County Auditor)

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

**OFFICIAL PROCEEDINGS OF THE MEETING
OF THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF ST. LOUIS, MINNESOTA,
HELD ON JULY 27, 2010**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 27th day of July, 2010, at 9:40 a.m., in the Hibbing City Council Chambers, Hibbing, Minnesota, with the following members present: Commissioners Dennis Fink, Steve O'Neil, Mike Forsman, Peg Sweeney, Keith Nelson and Chair Steve Raukar – 6. Absent: Commissioner Chris Dahlberg – 1.

Chair Raukar asked for a moment of silence to honor U.S. troops serving throughout the world and their families at home as well as all persons whose lives are adversely affected by war.

Chair Raukar presented the words of wisdom with quotes from an article by Dr. John W. Baer, "The Pledge of Allegiance – A Short History". Chair Raukar noted changes over the years to Francis Bellamy's original version of the Pledge of Allegiance.

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

Will Sandstrom, Madison, WI, asked the county board to pass a resolution directing the sheriff's office to look at his property. Mr. Sandstrom also applauded the board for supporting the removal of the timber wolf from the endangered species list.

Bob Tammen, Soudan, MN, said a few kind words about the timber wolf, noting they take care of the deer population on his property.

Commissioner Sweeney, supported by Commissioner Fink, moved to approve the consent agenda; six yeas, zero nays.

Commissioner Forsman, supported by Commissioner Nelson, moved to table award of bid for County Project No. 3721, Multi-Use Trail in Fayal Township. Commissioner Forsman said the project needs to be tabled for one week pending state approval; six yeas, zero nays.

Commissioner Nelson, supported by Commissioner O'Neil, moved to suspend the rules to authorize additional space for the new Ely area St. Louis County Services Center; six yeas, zero nays.

Commissioner Forsman, supported by Commissioner Nelson, moved to authorize leasing an additional 1,940 square feet of county office space in the new St. Louis County Services building in Ely, MN. Administrator Gray said the space is owned by Irresistible Ink Properties, Inc., and leasing this space gives the county an opportunity to save money through subletting. In response to a question from Commissioner Sweeney, Property Director Tony Mancuso said there have been conversations on a lease-to-purchase option, but the current goal is to sign the lease and acquire the space because the current space needs to be vacated by the end of 2010. Director Mancuso said the additional space is needed to complete the project which includes a conference room, reconfigured office space and additional common space. Director Mancuso said subleases are based on a formula and must be approved by the county board. Commissioner Fink suggested removing the sublease dollar amount. The makers agreed to amend the motion by taking out the sublease dollar amount and replacing with "a portion will be offset by the sublease"; six yeas, zero nays. Resolution No. 375.

Chair Raukar recognized Paul Tynjala, Clerk of the County Board and Elections Director, on his retirement and presented a gift. Paul Tynjala thanked board for the recognition. Chair Raukar thanked retiring Clerk Tynjala for his diligence and guidance at the board meetings. Commissioner Fink said Paul Tynjala was also the re-count official in his elections role and was impressed by his

dedication. County Auditor Don Dicklich also thanked Tynjala for his 32 years of service to the county.

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

Kevin Gray, County Administrator, submitting Board Letter 10-256, Removing the Minnesota Gray Wolf from the List of Endangered Species and letter from Gerald M. Tyler, Ely, MN.—[59099](#)

Kevin Gray, County Administrator, submitting Board Letter 10-257, Revised Structure and Operation of St. Louis County Organization.—[59100](#)

Commissioner Steve Raukar, Chair, submitting *The Pledge of Allegiance – A Short History* by Dr. John W. Baer, quoted during Chair Raukar's "Words of Wisdom" presentation.—[59101](#)

Community Development Block Grant 2010 between St. Louis County and Virginia Salvation Army for the Virginia Salvation Army Supper Club.—[10-534](#)

Community Development Block Grant 2010 between St. Louis County and the Sexual Assault Program of Northern St. Louis County for Sexual Assault Youth Outreach Services.—[10-535](#)

Community Development Block Grant 2010 between St. Louis County and Floodwood Services and Training for an ADA infrastructure project to rehabilitate the Floodwood Senior Center.—[10-536](#)

Community Development Block Grant 2010 between St. Louis County and Accessible Space, Inc., for rehabilitation of Winston Courts Apartments.—[10-537](#)

Community Development Block Grant 2010 between St. Louis County and Northeast Entrepreneur Fund, Inc., to provide assistance to micro-enterprise businesses and low- and moderate-income individuals wanting to start a business.—[10-538](#)

Community Development Block Grant 2010 between St. Louis County and the Town of Grand Lake for an ADA infrastructure project to rehabilitate the Grand Lake Community Center.—[10-539](#)

Community Development Block Grant 2010 between St. Louis County and the City of Hibbing for an infrastructure project to rehabilitate an existing combined storm sewer and sanitary sewer manhole structure.—[10-540](#)

Community Development Block Grant 2010 between St. Louis County and Hibbing Salvation Army for Hibbing Salvation Army Melting Pot Meals Program.—[10-541](#)

Community Development Block Grant 2010 between St. Louis County and the City of Cook for the cook City Lift Station Replacement.—[10-542](#)

Home Investment Partnership Program 2010 HOME grant between St. Louis County and Kootas Community Action, Inc., for Home Ownership Assistance.—[10-543](#)

Agreement between St. Louis County and AFSCME Council 5, representing St. Louis County Merit System Basic Unit Employees for 2010-2011.—[10-544](#)

Agreement between St. Louis County and AFSCME Council 5, representing St. Louis County Basic Unit Employees for 2010-2011.—[10-545](#)

Cooperative Agreement between the County of St. Louis and the City of Proctor for SP 69-597-005, CP 3700, Kirkus Street Construction.—[10-546](#)

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

Amendment to Agreement for Professional Services between St. Louis County and Charles Hardtke extending the term of the agreement through December 31, 2010.—[10-547](#)

Employee Development Training Contract between St. Louis County and Ann Harrington for *Active Listening* (2 sessions) and *Respectful Workplace* (1 session).—[10-548](#)

Employee Development Training Contract between St. Louis County and Ward Melenich for *Excel Forms 2007* (2 sessions) and *Excel Forms 2003* (2 sessions).—[10-549](#)

St. Louis County Land Department Service Contract between St. Louis County and Pro Lawn & Landscaping for the cleaning out of tax forfeited property during the term of June 9, 2010 through April 30, 2011. Sites to be determined in the City of Duluth.—[10-550](#)

Purchase Agreement between St. Louis County and Jail Holding, LLC, for the old St. Louis County Jail building located at 521 West 2nd Street, Duluth, Minnesota.—[10-551](#)

Addendum to Purchase Agreement, Contract No. 14754A, between the St. Louis County Board of Commissioners and Arrowhead Center, Inc., for Consolidated Chemical Dependency Treatment Fund Services.—[10-552](#)

Addendum to Purchase Agreement, Contract No. 14771A, between the St. Louis County Board of Commissioners and Range Mental Health Center for Consolidated Chemical Dependency Treatment Fund Services.—[10-553](#)

Group Residential Housing Rate Agreement, Contract No. 50864, between the St. Louis County Board of Commissioners and REM Arrowhead, Inc., (Twin Pines).—[10-554](#)

Home and Community-Based Waiver Services Contract, Contract No. 14787, between the St. Louis County Board of Commissioners and Cynthia A. Lund, RN.—[10-555](#)

Home and Community-Based Waiver Services Contract, Contract No. 14789, between the St. Louis County Board of Commissioners and Paulette M. O'Leary, LPN.—[10-556](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14546B, between the Public Health and Human Services Department and Healthstar Home Health, Inc., d/b/a HealthStar Staffing.—[10-557](#)

Agreement for Professional Services between Arrowhead Regional Corrections and Scalzo Architects for Arrowhead Regional Corrections Facilities Roof Repair.—[10-558](#)

FY 2010 Justice Assistance Grant Agreement between St. Louis County and the City of Duluth.—[10-559](#)

Cooperative Agreement between St. Louis County and Minnesota Power and American Transmission Company, LLC, for S.A.P. 69-656-011, CP 8291, for improvements on CSAH 56 (Morris Thomas Rd) in the City of Hermantown.—[10-560](#)

County-State Aid Highway Project Contract between the County of St. Louis and Northland Constructors of Duluth, LLC, for MP 661-3743, Bridge No. 69691 and approaches over West Two River, 4 miles South of Cherry, MN.—[10-561](#)

County-State Aid Highway Project Contract between the County of St. Louis and KGM Contractors, Inc., for SP 69-596-005 [incl. SP 6913-33(TH135), SP 6903-15(TH1/169), SP 6903-69682(TH1)] CP 3723, MN #HPPHH185(001), reconstruction located on Trunk Highway 169/135 in Tower,

MN.—10-562

Upon motion of Commissioner Sweeney, supported by Commissioner Fink, Resolutions Numbered 362 through 374 and Resolution Numbered 317 (assigned out of order), as submitted to this Board on the Consent Agenda, were unanimously adopted as follows:

BY COMMISSIONER SWEENEY:

WHEREAS, under the provisions of Minn. Stat. § 282.341, Subd. 1, a contract for deed to repurchase state tax forfeited land previously cancelled may be reinstated by the previous contract holder subject to payment of installments, taxes, assessments, penalties, costs, and interest; and WHEREAS, The Estate of Ina McKerrihan (c/o Gladys Eral) has requested to reinstate its contract to repurchase state tax forfeited land; and WHEREAS, less than 50 percent of the basic sale price was paid prior to cancellation; therefore, County Board approval is required for reinstatement.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the reinstatement of Contract C22100072 by the Estate of Ina McKerrihan (c/o Gladys Eral) in the amount of \$8,442.61 to be deposited into Fund 240 (Forfeited Tax Fund).

Adopted July 27, 2010. No. 362

WHEREAS, the City of Eveleth has requested to purchase the following described state tax forfeited land for the appraised value of \$9,000, plus fees:

Legal: Lot 4, Block 94, Neville Addition to Eveleth
City of Eveleth
Parcel Code: 40-145-420
0.21 Acres
LDKEY: 70368

WHEREAS, Minn. Stat. § 282.01, Subd. 1(a), authorizes the sale of state tax forfeited land to an organized governmental subdivision for any public purpose for which the subdivision is authorized to acquire property; 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 Minn. Stat. § 282.01, Subd.1; and

WHEREAS, said parcels of land have not been withdrawn from sale pursuant to Minn. Stat. §§ 85.012, 92.461, 282.01, Subd 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 reclassification and sale of the state tax forfeited land, as described, to the City of Eveleth for the appraised value of \$9,000 plus the following fees: 3% assurance fee of \$270, deed fee of \$25, deed tax of \$29.70, recording fee of \$46, and administration fee of \$150, for a total of \$9,520.70 to be deposited into Fund 240 (Forfeited Tax Fund).

RESOLVED FURTHER, that the County Auditor shall offer for sale at public auction the state tax forfeited land described herein if the City of Eveleth does not purchase the land by September 30, 2010.

Adopted July 27, 2010. No. 363

WHEREAS, Mr. Ted Stefanich has requested a non-exclusive roadway easement across state tax forfeited land to access private land; and

WHEREAS, there are no reasonable alternatives to obtain access to Mr. Stefanich's property; and WHEREAS, exercising the easement will not cause significant adverse environmental or natural resource management impacts; and

WHEREAS, Minn. Stat. § 282.04, Subd. 4(a) allows for the granting of private easements across state tax forfeited land for such purposes.

NOW, THEREFORE, BE IT RESOLVED, the County Auditor, pursuant to Minn. Stat. § 282.04, Subd. 4(a) is authorized to grant a non-exclusive roadway easement across state tax forfeited land to Ted Stefanich described as follows:

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

A 33 foot wide access easement over and across that part of the Northeast Quarter of Section 6, T62N, R13W, St. Louis County, Minnesota, lying within 16.5 feet on either side of the following described centerline:

Assuming the North/South One-quarter line of said Section 6 to bear S2°13'11"E, and commencing at the North ¼ of said Section 6; thence S51°03'05"E, a distance of 3078.30 feet to the centerline of Balsam Lane and the point of beginning; thence S27°11'04"W, a distance of 86.04 feet; thence S45°51'24"W, a distance of 331.00 feet to a tangential curve concave to the east; thence southerly along said curve with a radius of 200 feet, a distance of 141.62 feet; thence S5°17'06"W, a distance of 102.18 feet; thence S13°48'42"W, a distance of 136.00 feet to the North line of Government Lot 8 in said Section 6 and there terminating. The length of the above easement totals ±800 feet.

RESOLVED FURTHER, the granting of this easement is conditioned upon payment of a \$915 land use fee, \$150 administration fee and \$46 recording fee, for a total of \$1,111 to be deposited into Fund 240 (Forfeited Tax Fund).

Adopted July 27, 2010. No. 364

RESOLVED, that the St. Louis County Board approves the applications for abatements, correction of assessed valuations and taxes plus penalty and interest, and any additional accrual, identified in County Board File No. 59036.

Adopted July 27, 2010. No. 365

WHEREAS, bids have been received by the County Auditor for the following project:

SAP 69-611-016, CP 8282 located on CSAH No. 11, CR 284 (Ugstad/Stark & Proctor Streets) in Proctor, MN.

WHEREAS, bids were opened in the County Board Room at 10:00 a.m., July 12, 2010, and the lowest responsible bid determined.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the award on the above project to the low bidder.

<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
Utility Systems of America, Inc.	1280 Industrial Park Dr. P.O. Box 706 Eveleth, MN 55734-0706	\$2,586,131.25

RESOLVED FURTHER, that the appropriate county officials are authorized to approve the Contractor's Performance Bonds and to execute the bonds and contract for the above listed project payable from:

Fund 220, Agency 220101, Object 652700	\$ 807,925.41
Fund 200, Agency 203229, Object 652800	\$ 200,000.00

With additional revenue budgeted for expense:

Midway Township: Fund 220, Agency 220101, Rev. Obj. 551536	\$1,451,032.84
Payable from: Fund 220, Agency 220101, Object 652700	
City of Proctor: Fund 220, Agency 220101, Rev. Obj. 551502	\$ 127,173.00
Payable from: Fund 220, Agency 220101, Object 652700	

Adopted July 27, 2010. No. 366

WHEREAS, bids have been received by the County Auditor for the following project:

SAP 69-624-015, CP 8572 located on CSAH 24 between C.R. 425 and Crane Lake, MN.

WHEREAS, bids were opened in the County Board Room at 10:00 a.m., July 12, 2010, and the lowest responsible bidder determined.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the award on the above project to the low bidder.

<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
Landwehr Construction, Inc.	P.O. Box 1086 St. Cloud, MN 56302	\$533,788.98

RESOLVED FURTHER, that the appropriate county officials are authorized to approve the Contractor's Performance Bonds and to execute the bonds and contract for the above listed project payable from Fund 220, Agency 220129, Object 652700.

With additional revenue budgeted for expense:
Crane Lake Water & Sanitary District:
Fund 220, Agency 220129, Rev. Object 58310 \$4,713.08
Adopted July 27, 2010. No. 367

WHEREAS, bids have been received by the County Auditor for the following project:
SP 69-724-004, MN Project TEAX 6910(223), CP 9322 located on CSAH 124 (River Street) between T.H. 53 and 0.27 mi. N. in Cook, MN.
WHEREAS, bids were opened in the County Board Room at 10:00 a.m., July 12, 2010, and the lowest responsible bidder determined.
NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the award on the above project to the lowest bidder.

<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
Mesabi Bituminous, Inc.	P.O. Box 7 Gilbert, MN 55741	\$189,474.00

RESOLVED FURTHER, that the appropriate county officials are authorized to approve the Contractor's Performance Bonds and to execute the bonds and contract for the above listed project payable from Fund 220, Agency 220205, Object 652700.
With additional revenue budgeted for expense:
City of Cook: Fund 220, Agency 220205, Rev. Obj. 551534 \$51,611.60
Adopted July 27, 2010. No. 368

RESOLVED, that the St. Louis Board of Commissioners join in support of removing the Minnesota Gray Wolf from the list of endangered species under the Endangered Species Act with the State of Minnesota, the State of Wisconsin, Senator Amy Klobuchar, Senator Al Franken, Minnesota Congressman James Oberstar, Minnesota Congressman Tim Walz, Minnesota Congressman Collin Peterson, Minnesota Congresswoman Michelle Bachman, Minnesota Congressman Erik Paulsen, Minnesota Congressman John Kline, and the U.S. Sportsmen's Alliance.
RESOLVED FURTHER, that the resolution will be submitted to Secretary of the Interior Ken Salazar, 1849 C Street, N.W., Washington, D.C. 20240.
Adopted July 27, 2010. No. 369

WHEREAS, St. Louis County Board Policies (Administration, Chapter 2) identify the responsibilities of the County Administrator to include the examination of "the structure and operation of the county organization and recommend consolidation or combination of offices, positions, divisions, departments or other units under the direction of the County Board"; and
WHEREAS, the role of the County Administrator is to champion an operational model leading the organization toward a successful structural change outcome focused on improved customer service for our citizens, and an organization that is easier to understand and navigate; and
WHEREAS, this will involve reorganizing county operations through consolidating like functions and existing units to best position the county for a future defined by fewer resources to enhance its ability to streamline and embrace innovation, creating an organization that can be more efficient and productive.
NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board approves the revised

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

structure and operation of the county organization reflected in the organizational diagram proposed by the County Administrator, found in County Board File No. 59100.

Adopted July 27, 2010. No. 370

RESOLVED, that the appraisal reports for the sale of timber to be offered at SEALED BID TIMBER AUCTION, numbered Tracts 1 through 30 (totaling \$607,429.95), as submitted by the Land Commissioner, on file in the office of the County Auditor, identified as County Board File No. 59017, are approved and the County Auditor is authorized to carry out the recommendations as listed in said appraisal reports.

Adopted July 27, 2010. No. 371

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of July 6, 2010, are hereby approved.

Adopted July 27, 2010. No. 372

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of July 13, 2010, are hereby approved.

Adopted July 27, 2010. No. 373

RESOLVED, that the official proceedings of the St. Louis County Special Board of Appeal and Equalization for the Assessment Year of 2010 Payable 2011 meeting of June 15, 2010, are hereby approved.

Adopted July 27, 2010. No. 317

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, dated July 16, 2010, on file in the office of the County Auditor, identified as County Board File No. 59016, is hereby received and ratified as payable from Fund 730, Agency 730001.

Adopted July 27, 2010. No. 374

BY COMMISSIONER FORSMAN:

WHEREAS, St. Louis County Ely area offices have been serving the public for the past 22 years from the JFK Addition of the Ely School District, which will be decommissioned by the end of 2010; and

WHEREAS, County Board Resolution No. 09-595, dated December 22, 2009, authorized the negotiation and execution of a ten year lease with Irresistible Ink Properties, Plymouth, MN, for approximately 5,500 square feet of county office space in a building located at 320 Miners Lake Drive, Ely, Minnesota; and

WHEREAS, the county engaged the services of an architect and engineer to design new office space to consolidate services for County Administration, Veterans Services, Assessor, Environmental Services, and Public Health & Human Services (PHHS) offices; and

WHEREAS, it has become clear that the county must occupy the entire 7,440 square feet of the building to accommodate the needs of the resident departments and building operations, including common areas and circulation consisting of lobbies, communication/data room, electrical & mechanical rooms, restrooms, hallways, vestibules, break room, conference room, and storage areas; and

WHEREAS, the County Auditor and the Attorney's Office have recommended that the County Board provide authorization for the lease of an additional 1,940 square feet, for a total of 7,440 square feet, since the required amount of space in the design plan exceeds the original authorization established by Resolution No. 09-595.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the lease of an additional 1,940 square feet of county office space, adding to the 5,500 square feet that was approved by County Board Resolution 09-595, dated December 22, 2009, for a total gross lease space of 7,440 square feet from Irresistible Ink Properties, Plymouth, MN, at an annual gross cost of \$144,886, of which a portion will be offset by the sublease to the Ely area AEOA, which is collocating in the building.

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RESOLVED FURTHER, funding is available from County Administration Veterans - Fund 100, Agency 124001, Commissioner - Fund 100, Agency 104001, County Public Health and Human Services - Fund 100, Agency 230011, County Assessor - Fund 100, Agency 118001, and County Environmental Services - Fund 616, Agency 616001.
Adopted July 27, 2010. No. 375

At 10:28 a.m., July 27, 2010, Commissioner Sweeney, supported by Commissioner O'Neil, moved to adjourn the meeting; six yeas, zero nays.

Steve Raukar, Chair of the Board
of County Commissioners

Attest:

Donald Dicklich, 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, 2010

**OFFICIAL PROCEEDINGS OF THE MEETING
OF THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF ST. LOUIS, MINNESOTA,
HELD ON AUGUST 3, 2010**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 3rd day of August, 2010, at 9:35 a.m., in the County Board Room, Courthouse, Duluth, Minnesota, with the following members present: Commissioners Dennis Fink, Steve O'Neil, Mike Forsman, Peg Sweeney, Keith Nelson and Chair Steve Raukar – 6. Absent: Commissioner Chris Dahlberg – 1.

Chair Raukar asked for a moment of silence to honor U.S. troops serving throughout the world and their families at home as well as all persons whose lives are adversely affected by war.

Commissioner O'Neil presented the words of wisdom with quotes from Barbara Jordan, former Congresswoman, Paul Wellstone, and Mary Lou Anderson, an educator.

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

Will Sandstrom, Madison, WI, asked the county board to consider resolutions to reduce or stop illegal immigration, and to grandfather in people with original homesteads to lower property taxes.

Commissioner Sweeney, supported by Commissioner Forsman, moved to approve the consent agenda. At the request of Commissioner O'Neil, item 12, Amended Policy of Post-Retirement Health Savings Plan for Elected Officials, was removed from the consent agenda for separate consideration under Central Management and Intergovernmental Committee; six yeas, zero nays.

Commissioner Nelson, supported by Commissioner Forsman, moved to award bid for County Project No. 3721, Multi-Use Trail in Fayal Township, to Mesabi Bituminous, Inc., Gilbert, MN, on their low bid of \$427,256.00. Commissioner Nelson said there is a ground-breaking ceremony for the trail at 10:00 am, Friday, August 6, 2010, at Veteran's Park, next to the Fayal Town Hall; six yeas, zero nays. Resolution No. 391.

Commissioner O'Neil, supported by Commissioner Fink, made a motion to remove from the agenda and refer to administration a resolution amending the Policy of Post-Retirement Health Savings Plan for Elected Officials. Commissioner O'Neil said the policy requires additional revisions; six yeas, zero nays.

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

Kevin Gray, County Administrator, and Barbara Hayden, Planning and Development Director, submitting Board Letter 10-260, Amend Ordinance 46, County Zoning Maps (Bassett Township).—

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59102

Kevin Gray, County Administrator, and Mark Monacelli, County Recorder, submitting Board Letter 10-261, Approval of Registered Land Survey No. 96 (Town of Portage).—59103

Kevin Gray, County Administrator, and Robert Krepps, Land Commissioner, submitting Board Letter 10-262, Roadway Easement to MN-DNR across State Tax Forfeited Land (Unorganized 64-17, Beatty, and Portage Townships).—59104

Kevin Gray, County Administrator, and Robert Krepps, Land Commissioner, submitting Board Letter 10-263, Roadway Easement to Potlatch Corp. across State Tax Forfeited Land (Unorganized 64-17, Beatty, and Portage Townships).—59105

Kevin Gray, County Administrator, and Robert Krepps, Land Commissioner, submitting Board Letter 10-364, Roadway Easement across State School Trust Land (Unorganized 64-17, Beatty, and Portage Townships).—59106

Kevin Gray, County Administrator, and Martha Watson, Employee Relations Director, submitting Board Letter 10-270, New Job Class – Business Improvement Manager.—59107

Word of Wisdom Chosen by Commissioner Steve O'Neil: Quotes by Barbara Jordan, Paul Wellstone, and Mary Lou Anderson.—59108

Grant Agreement between the County of St. Louis and the Minnesota Department of Employment and Economic Development for Construction Grant for the St. Louis County Fairgrounds Project under the Redevelopment Grant Program, General Obligation Bond Proceeds.—10-563

Home and Community-Based Waiver Services Contract, Contract No. 14808, between the St. Louis County Board of Commissioner and Servants of Seniors.—10-564

Home and Community-Based Waiver Services Contract, Contract No. 14672, between the St. Louis County Board of Commissioners and Transitions Plus, Inc.—10-565

Home and Community-Based Waiver Services Contract, Contract No. 14791, between the St. Louis County Board of Commissioners and Andrew Shofner and Sharon Shofner.—10-566

Group Residential Housing Rate Agreement, Contract No. 50852, between the St. Louis County Board of Commissioners and Expanding Horizons – 1222 1/2.—10-567

Group Residential Housing Rate Agreement, Contract No. 50853, between the St. Louis County Board of Commissioners and Heartland Homes of Duluth – Morningside.—10-568

Group Residential Housing Rate Agreement, Contract No. 50865, between the St. Louis County Board of Commissioners and Duluth Regional Care Center, Inc. (South Grove).—10-569

Grant Agreement, Contract No. 20908, between the St. Louis County Board of Commissioners and Northeast Minnesota Office of Job Training.—10-570

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14785A, between the Public Health and Human Services Department and Bachinski & Sons Builders, Inc., d/b/a Cover-All Construction.—10-571

Addendum to Contract No. 14505 between the St. Louis County Public Health and Human Services Department and Human Development Center for Child Mental Health – Targeted Case Management (Child MH-TCM).—10-572

Agreement for Professional Services between St. Louis County and Superior Design & Planning to assist with the coordination of the Juvenile Detention Assessment Initiative (JDAI).—10-573

Agreement for Professional Services between St. Louis County and Pam Hughes to assist with the coordination of the Juvenile Detention Assessment Initiative (JDAI).—10-574

Lease agreement between St. Louis County and Irresistible Ink Properties for 7,440 square feet of county office space located at 320 Miners Lake Drive, Ely, Minnesota, known as the Ely Area St. Louis County Services Center.—10-575

Upon motion by Commissioner Sweeney, supported by Commissioner Forsman, Resolutions numbered 376 through 390, as submitted to this Board on the Consent Agenda, were unanimously adopted as follows:

BY COMMISSIONER SWEENEY:

WHEREAS, on October 8, 2009, and July 8, 2010, the St. Louis County Planning Commission held public hearings regarding a request to rezone portions of Township 59 North, Range 12 West; and WHEREAS, the St. Louis County Planning Commission recommends approval of the rezoning.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves rezoning for the south half of Section 9 and that portion of Section 16 lying north of Forest Road 113, Township 59 North, Range 12 West (Bassett), from Industrial, IND-4, to Forest Agricultural Management, FAM-1, effective September 3, 2010.

Adopted August 3, 2010. No. 376

WHEREAS, the Registrar of Titles is authorized to require Registered Land Survey No. 96 pursuant to Minn. Stat. § 508.47; and

WHEREAS, the County Surveyor and Examiner of Titles have approved Registered Land Survey No. 96; and

WHEREAS, the final prints have been submitted for filing.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board grants final approval to Registered Land Survey No. 96 located in Government Lot 2, Section 29, Township 65 North, Range 18 West of the Fourth Principal Meridian (Town of Portage).

Adopted August 3, 2010. No. 377

WHEREAS, St. Louis County, the Minnesota Department of Natural Resources (DNR), and Potlatch Corporation are implementing the Elbow-Winchester-Ban Lakes Cooperative Easement Project; and WHEREAS, St. Louis County has been approached by the DNR to implement a cooperative easement exchange whereby the DNR will gain non-exclusive access across state tax forfeited lands and St. Louis County will gain non-exclusive access across State School Trust lands; and

WHEREAS, exercising the easement will not cause significant adverse environmental or natural resource management impacts and will not conflict with public use of the land; and

WHEREAS, Minn. Stat. § 282.04, Subd. 4, allows for the granting of roadway easements across state tax forfeited land for such purposes.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the County Auditor, pursuant to Minn. Stat. § 282.04, Subd. 4, to grant a non-exclusive roadway easement across state tax forfeited lands described in County Board File No. 59104 to the Minnesota Department of Natural Resources in exchange for a roadway easement granted to St. Louis County across State School Trust lands.

Adopted August 3, 2010. No. 378

WHEREAS, St. Louis County, the Minnesota Department of Natural Resources, and Potlatch Corporation are implementing the Elbow-Winchester-Ban Lakes Cooperative Easement Project; and

WHEREAS, St. Louis County has been approached by Potlatch Corporation to implement a cooperative easement exchange whereby Potlatch will gain non-exclusive access across state tax forfeited lands and St. Louis County will gain non-exclusive access across Potlatch lands; and

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WHEREAS, there are no reasonable alternatives to obtain access to Potlatch lands; and
 WHEREAS, exercising the easement will not cause significant adverse environmental or natural resource management impacts; and
 WHEREAS, Minn. Stat. § 282.04, Subd. 4(a), allows for the granting of private easements across state tax forfeited land for such purposes.
 NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the County Auditor, pursuant to Minn. Stat. § 282.04, Subd. 4(a), to grant a non-exclusive roadway easement across state tax forfeited lands described in County Board File No. 59105 to Potlatch Corporation in exchange for a roadway easement granted to St. Louis County across Potlatch Corporation lands.
 Adopted August 3, 2010. No. 379

WHEREAS, St. Louis County, the Minnesota Department of Natural Resources, and Potlatch Corporation are implementing the Elbow-Winchester-Ban Lakes Cooperative Easement Project; and
 WHEREAS, St. Louis County has been approached by Potlatch Corporation to apply to the State of Minnesota for a roadway easement over State School Trust lands as part of a cooperative easement exchange; and
 WHEREAS, the State of Minnesota does not have statutory authority to grant easements across School Trust lands to private interests; it can only grant easements to government entities; and
 WHEREAS, the County Land Department, the State of Minnesota, and Potlatch Corporation will be solely responsible for ongoing road maintenance necessary to conform to forest road standards through a comprehensive maintenance agreement.
 NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the Public Works Department to request a non-exclusive roadway easement across State School Trust lands from the Minnesota Department of Natural Resources as described in County Board File No. 59106.
 Adopted August 3, 2010. No. 380

WHEREAS, Michael Williams and Mark J. Larson have requested a non-exclusive roadway easement across state tax forfeited land; and
 WHEREAS, there are no reasonable alternatives to obtain access to their properties; and
 WHEREAS, exercising the easement will not cause significant adverse environmental or natural resource management impacts; and
 WHEREAS, Minn. Stat. § 282.04, Subd. 4(a), allows for the granting of private easements across state tax forfeited land for such purposes; and,
 WHEREAS, the appraised value of the easement was accounted for in Easement No. E13050012 which did not include all benefited parties.
 NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board authorizes the County Auditor, pursuant to Minn. Stat. § 282.04, Subd. 4(a), to grant the following non-exclusive roadway easement to Michael Williams and Mark J. Larson:

A 66.00 foot wide easement for ingress and egress over and across Government Lot 3 and Government Lot 4 of Section 06, Township 62 North, Range 12 West of the Fourth Principal Meridian, St. Louis County, Minnesota, the centerline of which is described as follows: Assuming the North Line of said Government Lot 3 to bear South 89 ° 09' 42" East, and from the Northwest Corner of said Government Lot 3, being also the Northwest Corner of said Section 06, run South 89 ° 09' 42" East, a distance of 955.68 feet to the POINT OF BEGINNING of said centerline easement.

Thence along said centerline:

South 14 ° 56' 12" East, a distance of 106.66 feet;
 South 28 ° 10' 35" East, a distance of 30.99 feet;
 South 48 ° 50' 58" East, a distance of 95.71 feet;
 South 50 ° 18' 09" East, a distance of 78.00 feet;
 South 11 ° 26' 24" East, a distance of 77.34 feet;
 South 03 ° 21' 54" West, a distance of 98.18 feet;
 South 48 ° 42' 15" West, a distance of 96.88 feet;
 South 54 ° 48' 12" West, a distance of 63.41 feet;
 South 64 ° 53' 46" West, a distance of 191.03 feet;

South 58 ° 29' 07" West, a distance of 41.38 feet;
South 49 ° 56' 33" West, a distance of 70.18 feet;
South 43 ° 37' 45" West, a distance of 137.76 feet;
South 57 ° 57' 35" West, a distance of 106.57 feet;
South 81 ° 32' 39" West, a distance of 253.13 feet;
South 62 ° 52' 24" West, a distance of 86.65 feet;
South 38 ° 28' 39" West, a distance of 83.25 feet;
South 21 ° 46' 14" West, a distance of 63.87 feet;
South 10 ° 46' 21" West, a distance of 312.69 feet;
South 29 ° 06' 32" West, a distance of 55.45 feet;
South 55 ° 56' 07" West, a distance of 68.87 feet;
South 90 ° 00' 00" West, a distance of 22 feet, more or less to the West Line of said
Government Lot 4 and there terminate.

RESOLVED FURTHER, the granting of this easement is conditioned upon payment of \$100 administration fee and \$46 recording fee, for a total of \$146, to be deposited into Fund 240 (Forfeited Tax Fund).

Adopted August 3, 2010. No. 381

WHEREAS, Minn. Stat. § 282.241 provides that state tax forfeited land may be repurchased by the previous owners subject to payment of delinquent taxes and assessments with penalties, interest and costs; and

WHEREAS, the applicant, Raymond F. Davidson, of Hibbing, Minnesota, has applied to repurchase state tax forfeited lands; and

WHEREAS, the applicant was the owner of record at the time of forfeiture, and is eligible to repurchase the properties; and

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

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the repurchase application by Raymond F. Davidson, of Hibbing, Minnesota, on file in County Board File No. 59058, subject to payments including total taxes and assessments of \$197.53, service fee of \$114, deed tax of \$1.65, deed fee of \$25, and recording fee of \$46; for a total of \$384.18, to be deposited into Fund 240 (Forfeited Tax Fund).

RESOLVED FURTHER, that the St. Louis County Board approves the repurchase application by Raymond F. Davidson on file in County Board File No. 59058, subject to payments including total taxes and assessments of \$2,730.78, service fee of \$114, deed tax of \$9.01, deed fee of \$25, and recording fee of \$46; for a total of \$2,924.79, to be deposited into Fund 240 (Forfeited Tax Fund).

Adopted August 3, 2010. No. 382

WHEREAS, the contracts with Tracy Olson of Gilbert, Minnesota, and Charles Pettinelli of Virginia, Minnesota, for the repurchase of state tax forfeited land are in default for nonpayment of taxes and/or installments; and

WHEREAS, the purchasers were properly served with Notice of Cancellation of Contract by civil process and have failed to cure the default for lands legally described as:

Tracy Olson

CITY OF GILBERT
LOTS: 1 and 2, BLOCK: 17
GILBERT
Parcel Code: 60-10-3850
C22070128

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

Charles Pettinelli

CITY OF VIRGINIA
THAT PART OF SE 1/4 OF SW 1/4 LYING S OF VIRGINIA RD EX WLY 265 FEET
SEC 7 TWP 58 RGE 17
Parcel Code: 90-180-445
C22070129

WHEREAS, Minn. Stat. §§ 282.04, Subd. 2(d) and 504B.271, authorizes the County Auditor to dispose of abandoned personal property; and

WHEREAS, the previous owners of the property will be notified by posting of property or by mail.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the cancellation of contracts C22070128 and C22070129 for the repurchase of state tax forfeited land described above, according to the provisions of Minn. Stat. § 282.01, Subd. 5 and Minn. Stat. § 282.40, and according to the procedures of Minn. Stat. § 559.21.

RESOLVED FURTHER, that the St. Louis County Board authorizes the County Auditor to dispose of abandoned personal property from the above described state tax forfeited properties.

Adopted August 3, 2010. No. 383

WHEREAS, quotes have been received by the St. Louis County Public Works Department for the following project:

MP 508-92368, County Project 92368, for project materials for a bridge on County Road 508 in Cedar Valley Township, length 0.1 mi.

WHEREAS, the quotes were received in the County Public Works Facility in Virginia, Minnesota, and the lowest quote determined.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the quote for concrete culverts.

<u>LOW QUOTE</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
Hancock Concrete Products, LLC Concrete Culverts	17 Atlantic Ave Hancock, MN 56244	\$53,650.78

RESOLVED FURTHER, that the Chairman of the County Board, the County Auditor, and the Purchasing Department are authorized to approve the contractor's quote for the above listed project payable from Fund 200, Agency 203231, Object 651000 for concrete culverts.

Adopted August 3, 2010. No. 384

RESOLVED, that the St. Louis County Board approves the applications for abatements, correction of assessed valuations and taxes plus penalty and interest, and any additional accrual, identified in County Board File No. 59036.

Adopted August 3, 2010. No. 385

RESOLVED, that the St. Louis County Board, pursuant to the recommendation of the Civil Service Commission on May 10, 2010, adopts the class of Business Improvement Manager, Grade 26 of the Confidential Unit Pay Plan.

Adopted August 3, 2010. No. 386

WHEREAS, the State of Minnesota has made available funding for agencies to acquire in-car video cameras for law enforcement vehicles; and

WHEREAS, the St. Louis County Sheriff wishes to use squad video as a business practice to document crime and promote impartial policing.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes acceptance of the 2010 Minnesota In-Car Camera Grant from the State of Minnesota Dept. of Public Safety in the amount of \$55,000 for the purchase of eleven (11) in-car video cameras, to be accounted for in Fund 100, Agency 129999, Grant 12947, Year 2010, with the required match monies of \$3,300 to be paid from the Sheriff's Forfeiture Funds, Fund 168.

RESOLVED FURTHER, that the Sheriff and appropriate county officials are authorized to execute

necessary agreements with the Minnesota Department of Public Safety, Office of Traffic Safety, and Minnesota Sheriff's Association regarding acceptance of this grant.
Adopted August 3, 2010. No. 387

WHEREAS, on April 13, 2010, the St. Louis County Board adopted Resolution No. 10-189, authorizing a joint powers agreement with the State of Minnesota, Bureau of Criminal Apprehension (BCA), for an eCharging adapter project for the period March 10, 2010 to June 30, 2010; and WHEREAS, the eCharging project needs additional time and the state requires an amended joint powers agreement.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes an amended Joint Powers Agreement with the Minnesota Bureau of Criminal Apprehension for the adapter project extending the project to September 30, 2010.
Adopted August 3, 2010. No. 388

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. 59017, is approved and the County Auditor is authorized to carry out the recommendation as listed in said appraisal report.
Adopted August 3, 2010. No. 389

RESOLVED, that pursuant to Ordinance No. 28, Section 11, Subdivision 11.06, authorization is hereby granted to Erceg Enterprises, Inc., d/b/a Saginaw Grand Lake Station, Solway Township, to sell/serve outside the designated serving area of the County Liquor License for the dates of August 13, 14 and 15, 2010, as per application on file in the office of the County Auditor, identified as County Board File No. 59021.
Adopted August 3, 2010. No. 390

BY COMMISSIONER NELSON:

WHEREAS, bids have been received by the County Auditor for the following project:
SP 69-090-024, MN Project TEAX 6910(230), CP 3721 located near the Intersection of T.H. 53 and C.R. 132 in Fayal Twp.

WHEREAS, bids were opened in the County Board Room at 10:00 a.m., July 12, 2010, and the lowest responsible bidder determined.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the award on the above project to the low bidder.

<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
Mesabi Bituminous, Inc.	P.O. Box 728 Gilbert, MN 55741	\$427,256.00

RESOLVED FURTHER, that the appropriate county officials are authorized to approve the Contractor's Performance Bonds and to execute the bonds and contract for the above listed project payable from Fund 220, Agency 220239, Object 652700.

With additional revenue budgeted for expense:
Regional Rail Authority: Fund 220, Agency 220239, Rev. Obj. 583101 \$ 85,451.20
Unanimously adopted August 3, 2010. No. 391

At 9:54 a.m., August 3, 2010, Commissioner Nelson, supported by Commissioner O'Neil, moved to adjourn the meeting; six yeas, zero yeas.

Steve Raukar, Chair of the Board
of County Commissioners

Attest:

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

Donald Dicklich, County Auditor
and Ex-Officio Clerk of the Board
of County Commissioners

(Seal of the County Auditor)

**OFFICIAL PROCEEDINGS OF THE MEETING
OF THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF ST. LOUIS, MINNESOTA,
HELD ON AUGUST 10, 2010**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 10th day of August, 2010, at 9:32 a.m., in the Mt. Iron Community Center, Mt. Iron, Minnesota, with the following members present: Commissioners Steve O'Neil, Chris Dahlberg, Mike Forsman, Peg Sweeney, Keith Nelson and Chair Steve Raukar – 6. Absent: Commissioner Dennis Fink – 1.

Chair Raukar asked for a moment of silence to honor U.S. troops serving throughout the world and their families at home as well as all persons whose lives are adversely affected by war.

The City of Mt. Iron's mayor, Gary Skalko, addressed the Board and thanked them for bringing the County Board's business to the local areas and allowing people to be involved.

Commissioner Nelson presented the words of wisdom noting despite the difficult economic times, it doesn't cost money to show kindness, patience, compassion and respect.

Commissioner Sweeney, supported by Commissioner O'Neil, moved to approve the consent agenda. At the request of Commissioner Dahlberg, item 11, authorization to rebuild County parking areas in downtown Duluth, was removed from the consent agenda for separate consideration under the Finance & Budget Committee; six yeas, zero nays.

Commissioner Nelson, supported by Commissioner Dahlberg, moved to approve a Lawful Gambling application for a one day raffle for Confidence Learning Center. The raffle will be held on August 20, 2010, at Red Swan Catering and Event Center in Duluth; six yeas, zero nays. Resolution No. 409.

Commissioner Nelson, supported by Commissioner O'Neil, moved to approve Consent Agenda item 11, authorizing County officials to enter into an agreement with Veit Companies of Duluth, in the amount of \$459,900, for the rebuilding and improvement of County parking areas in downtown Duluth. Administrator Gray informed the Board that repair was needed to improve waste water management, surface quality, and to consolidate and improve parking efficiency and safety. Commissioner Dahlberg questioned if this parking facility was the best investment when looking at all of the parking lots throughout St. Louis County that need improvement. Commissioner Forsman stated that the majority of the funds from the project come from County and Government Service Center employees paid parking spaces. Commissioner O'Neil stated that there could be liability issues if any injuries occur due to the unsafe conditions of the parking lot; six yeas, zero nays. Resolution No. 402.

Commissioner O'Neil, supported by Commissioner Sweeney, moved to approve the renewal of the agreement with the Secretary of State's office allowing the County Recorder's office to remain a satellite office for recording Uniform Commercial Code documents; six yeas, zero nays. Resolution No. 410.

At 9:59 a.m., Commissioner Raukar called a recess to enter into Committee of the Whole.

At 10:35 a.m., Commissioner Raukar reconvened the County Board meeting following the Committee of the Whole.

Commissioner Nelson, supported by Commissioner O'Neil, moved to approve the Committee of the Whole consent agenda; six yeas, zero nays.

The following Board and Contract files were created as a result of documents received at this Board

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

meeting:

Tax Increment Financing Reports for the year ending December 31, 2009.—59109

Kevin Gray, County Administrator, and Robert Krepps, Land Commissioner, submitting Board Letter 10-277 – Utility Easement across State Tax Forfeited Land to Great River Energy and Lake Country Power.—59110

Kevin Gray, County Administrator, and Tony Mancusco, Property Management Director, submitting Board Letter 10-281 – Utility Easement across County Fee Land to Great River Energy.—59111

Kevin Gray, County Administrator, and Mark Monacelli, County Recorder, submitting Board Letter 10-285 – Renewal of Uniform Commercial Code (UCC) Satellite Office Agreement.—59112

Agreement for Landfill Permit Major Modification Services between St. Louis County and Liesch Associates, Inc., to assist in development of documents needed to apply to the Minnesota Pollution Control Agency (MPCA) for a major modification to the Regional Landfill Permit #SW-405.—10-576

Contract for County-State Aid Highway (CSAH) Projects between the County of St. Louis and KGM Contractors, Inc., for SP 69-677-009(low), CP 1277, STPX 6910(236), SP 69-704-004, CP 1278, STPX 6910(237), Bituminous Pavement Reclamation, Bituminous Surfacing and Aggregate Shouldering.—10-577

Contract for County-State Aid Highway Projects between the County of St. Louis and Utility Systems of America, Inc., for SAP 69-611-016, CP 8282, Grading, Aggregate Base, Curb & Gutter, PM Bit. Base & Surface, Storm Sewer, Sanitary Sewer Improvements, and Water Utility Improvements.—10-578

Grant Agreement between the Minnesota Institute of Public Health (MIPH) and St. Louis County Sheriff's Office to administer Alcohol Compliance Check and Alternate Underage Drinking Enforcement Grant program.—10-579

Upon motion of Commissioner Sweeney, supported by Commissioner O'Neil, Resolutions No. 392 through 401 and 403 through 408 were unanimously adopted as follows:

BY COMMISSIONER SWEENEY:

WHEREAS, under the provisions of Minn. Stat. § 282.341, Subd. 1, a contract for deed to repurchase state tax forfeited land previously cancelled may be reinstated by the previous contract holder subject to payment of installments, taxes, assessments, penalties, interest and costs; and WHEREAS, Joshua Beyer, of Duluth, Minnesota, has requested to reinstate Contract C22070170, cancelled on August 11, 2009, under new Contract C22100087 for property described as:

TOWN OF RICE LAKE
LOTS 50 & 51, BLOCK 2
COLMANS 4TH ACRE TRACT ADDN TO DULUTH
PARCEL CODE: 520-0090-00770

WHEREAS, less than 50% of the basic sale price was paid prior to cancellation, therefore, County Board approval is required for reinstatement.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the reinstatement of Contract C22100087 by Joshua Beyer in the amount of \$3,560.48, to be deposited into Fund 240 (Forfeited Tax Fund).

Adopted August 10, 2010. No. 392

WHEREAS, Patrick and Christina Falgier have requested an electric and phone utility easement across state tax forfeited land; and

WHEREAS, exercising the easement will not cause significant adverse environmental or natural resource management impacts and will not conflict with public use of the land; and

WHEREAS, Minn. Stat. § 282.04, Subd. 4, allows for the granting of utility easements across state tax forfeited land for such purposes.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the County Auditor, pursuant to Minn. Stat. § 282.04, Subd. 4, to grant the following utility easement to Patrick and Christina Falgier:

An easement 33 feet in width in Section 26, Township 52 North, Range 13 West, St. Louis County, Minnesota, described as the westerly 33.00 feet of the Northwest Quarter of the Northeast Quarter (NW 1/4 of NE 1/4) and the westerly 33.00 feet of the northerly 100.00 feet of the Southwest Quarter of the Northeast Quarter (SW 1/4 of NE 1/4) with a total length of approximately 1,411 feet and an area of 1.07 acres of land more or less.

RESOLVED FURTHER, the granting of this easement is conditioned upon payment of \$50 administration fee and \$46 recording fee, for a total of \$96, to be deposited into Fund 240 (Forfeited Tax Fund).

Adopted August 10, 2010. No. 393

WHEREAS, Great River Energy will be constructing a 69kV transmission line between Tower and Orr to upgrade the electrical delivery system in this area of St. Louis County and Lake Country Power will underbuild on this line; and

WHEREAS, Great River Energy and Lake Country Power have requested that St. Louis County grant a transmission line utility easement across state tax forfeited land; and

WHEREAS, exercising the easement will not conflict with public use of land; and

WHEREAS, Minn. Stat. § 282.04, Subd. 4, authorizes the County Auditor to grant easements for such purposes.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the County Auditor to grant a transmission line utility easement to Great River Energy and Lake Country Power as described in Exhibits A and B in County Board File No. 59110.

RESOLVED FURTHER, the granting of this easement is conditioned upon payment of \$16,060 land use fee, to be deposited into Fund 240 (Forfeited Tax Fund).

Adopted August 10, 2010. No. 394

WHEREAS, the St. Louis County Planning Commission held a public hearing regarding the preliminary plat of Hinden Acres on November 9, 2006, and granted preliminary approval for the plat; and

WHEREAS, the final prints have been submitted and conform with the requirements set forth by the Planning Commission.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board grants final approval to the plat of Hinden Acres, located in Sections 24 and 25, Township 63 North, Range 12 West (Morse).

Adopted August 10, 2010. No. 395

RESOLVED, that pursuant to Minn. Stat. § 349.213, Subd. 2, the St. Louis County Board approves the following Lawful Gambling License Application (raffles) on file in the office of the County Auditor, identified as County Board File No. 59051, for the following organization:

Gnesen Volunteer Fire Relief to conduct off-site gambling on October 23, 2010, at Gnesen Town Hall, 4011 West Pioneer Road, Duluth, MN 55803, Gnesen Township.

Adopted August 10, 2010. No. 396

WHEREAS, Great River Energy, a Minnesota cooperative corporation, will be constructing a 69 kilo-volt transmission line between Tower and Orr to upgrade the electrical delivery system in this area of St. Louis County; and

WHEREAS, Great River energy has requested that the St. Louis County Board grant a transmission

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

line utility easement across St. Louis County fee owned property; and
 WHEREAS, Minn. Stat. § 373.01, Subdivision 1(4), authorizes the County Auditor and the Chair of the St. Louis County Board to sell, lease, and convey real estate owned by the county.
 NOW, THEREFORE, BE IT RESOLVED, that pursuant to the requirements and procedures of Minn. Stat. § 373.01, Subdivision 1(4), the Chair of the County Board and the County Auditor are authorized to execute a transmission line utility easement to Great River Energy as described in Easement Numbers LC-TC-077A, LC-TC-060, LC-TC-048, and LC-TC-011, Exhibits A and B, on file in the Property Management Department office and in County Board File No. 59111.
 RESOLVED FURTHER, the granting of this easement is conditioned upon payment of \$10,560 land use fee, to be deposited in Fund 100, Agency 128014, Object 583100.
 Adopted August 10, 2010. No. 397

WHEREAS, additional crushing quantities have been requested by the City of Hibbing for County Project MP 10023, Crushing 2010, authorized by County Board Resolution No. 10-230, dated May 4, 2010; and
 WHEREAS, the City of Hibbing will be billed for the overrun in the amount of \$5,762.
 NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the increase in the revenue budget for expense in the amount of \$5,762 from the City of Hibbing into Fund 200, Agency 201063, Object 551504.
 Adopted August 10, 2010. No. 398

WHEREAS, the Public Works Department 2010 equipment budget includes purchase and installation of four plows, hitches, wings, and sanders for trucks previously purchased; and
 WHEREAS, the Purchasing Division requested State of Minnesota contract pricing from vendors selling this equipment and Bert's Truck Equipment of Moorhead, Minnesota, provided the lowest price of \$95,464 for the purchase and installation of these products.
 NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board authorizes the purchase and installation of four plows, hitches, wings, and sanders from Bert's Truck Equipment of Moorhead, Minnesota, for \$95,464 plus Minnesota State Sales tax of \$6,563.15, for a total of \$102,027.15, payable from Fund 437, Agency 437001, Object 665100.
 Adopted August 10, 2010. No. 399

WHEREAS, the St. Louis County Board has approved a revision to the organizational structure of St. Louis County as recommended by the County Administrator.
 NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board approves the following classification and compensation changes necessary to implement the organizational changes:

1. The title of the class, *County Recorder*, is changed to *Public Records and Property Valuation Director*, salary grade 29 on Pay Plan A1.
2. A new class, *Deputy Administrator-Operations and Budget*, is established and assigned to salary grade 28 on Pay Plan A1.
3. A new class, *Deputy Administrator-Governance and Policy* is established and assigned to salary grade 27 on Pay Plan A1.
4. A new class, *Communications Manager*, is established and assigned to salary grade 19 on Pay Plan A1.

RESOLVED FURTHER, that Management Compensation Pay Plan A1, contained in County Board File No. 59034, is adopted to replace the former Pay Plan U1.
 RESOLVED FURTHER, that these changes are effective the beginning of the first pay period following adoption.
 Adopted August 10, 2010. No. 400

WHEREAS, bids have been received by the County Auditor for the following combined projects:
 SAP 69-656-011 (Low), CP 8291 located on CSAH No. 56 from 0.25 mi. east of CR 889 (Solway Road) to CSAH No. 13 (Midway Road), west of Hermantown, MN.

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

260	CDBG Grant	145,940.72
270	Home Grant	34,185.30
290	Forest Resources	9,295.94
400	County Facility	73,103.83
407	Public Works - Equipment	6,000.00
438	2008B Capital Improvement Bond	370,999.87
600	Environmental Services	514,236.00
616	On-Site Waste Water Division	39,079.92
625	Chris Jensen Health & Rehab	1,514.38
700	Printing	10,438.32
705	Postage Office Supplies	21,741.48
715	County Garage	77,234.63
720	Property Casualty Liability	46,122.26
730	Workers Compensation	388,758.35
750	Management Info Systems	414,422.98
760	Telecommunications	104,488.55
770	Retired Employees Health Ins	2,386.67
825	Taconite Relief/Other	81,354.00
826	Taconite Production Tax	2,374,201.00
900	State of Minnesota	884,362.48
902	Courts	316,644.27
908	City and Towns Taxes	16,465,759.02
909	Tax Refunds	69,321.39
910	School Districts Taxes	6,160,049.76
925	Arrowhead Regional Corrections	1,483,771.91
955	Community Health Board	202,977.30
985	Collective Local Collaborative	49,142.09
989	Regional Railroad Authority	248,171.52
990	Northern Cities Land Use	782.72
992	Permits to Carry-Firearms	3,565.00
994	Sheriff Forfeits/Evidence	91.22
998	MPL-DUL Train Alliance	134,514.15
		\$47,208,914.61

Adopted August 10, 2010. No. 404

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 permit authorizing the consumption and display of intoxicating liquors is hereby approved, on file in the office of the County Auditor, identified as County Board File No. 59049;

FURTHER RESOLVED, permit is issued contingent upon confirmation with City of Ely, lessor, that they are aware of application and have discussed liability associated with issuance of permit.

Ely Nordic Ski Club, d/b/a Hidden Valley Chalet, Morse Township, Permit No. S1123.

Adopted August 10, 2010. No. 405

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of July 27, 2010, are hereby approved.

Adopted August 10, 2010. No. 406

RESOLVED, that the appraisal reports for the sale of timber to be offered at SEALED BID BLACK SPRUCE TOPS AUCTION Tracts 1 through 5 (totaling \$65,764.80), as submitted by the Land Commissioner, on file in the office of the County Auditor, identified as County Board File No. 59017, are approved and the County Auditor is authorized to carry out the recommendations as listed in said appraisal reports.

Adopted August 10, 2010. No. 407

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. 59021; FURTHER RESOLVED, that said license is approved contingent upon license holder paying real estate or personal property taxes when due; 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 is approved contingent upon Auditor's Office receiving township approval, and certificate of liquor liability insurance; FURTHER RESOLVED, that said license shall be effective through June 30, 2011: Red Swan Catering, LLC d/b/a Clearwater Grille & Event Center, Duluth Township, On-Sale Intoxicating Liquor License No. ON1141 and Sunday On-Sale Intoxicating Liquor License No. ONS1141.
Adopted August 10, 2010. No. 408

BY COMMISSIONER NELSON:

RESOLVED, that pursuant to Minn. Stat. § 349.213, Subd. 2, the St. Louis County Board approves the following Lawful Gambling License Application (raffles) on file in the office of the County Auditor, identified as County Board File No. 59051, for the following organization: Confidence Learning Center, 1620 Mary Fawcett Memorial Drive, East Gull Lake, MN 56401, to conduct off-site gambling on August 20, 2010, raffles, at Red Swan Catering and Event Center, 5135 North Shore Drive, Duluth, MN 55804, Duluth Township.
Unanimously adopted August 10, 2010. No. 409

BY COMMISSIONER NELSON:

WHEREAS, the downtown Duluth flat surface parking areas serve both the public in metered spaces, and county staff in designated areas. The expenses for all parking lot repairs are paid for from parking revenue sources; and
WHEREAS, the lots are deteriorated and are on severe slopes, have inefficient layout design and have no storm water management infrastructure; and
WHEREAS, this project will mitigate safety issues, Minnesota Pollution Control Agency storm water regulations, and begin a new 20 plus year life cycle for the Phase One area; and
WHEREAS, bids were opened on July 13, 2010, with Veit Companies of Duluth, Minnesota, as the lowest responsible bidder.
NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board authorizes the appropriate county officials to enter into an agreement for the rebuilding of downtown Duluth parking areas with Veit Companies of Duluth, Minnesota, in an amount of \$459,900, payable from Fund 100, Agency 128010, Object 660600, with the funds transferred from Fund Balance Designated for Parking, Fund 100, Object 311105.
Unanimously adopted August 10, 2010. No. 402

BY COMMISSIONER O'NEIL:

WHEREAS, pursuant to Minn. Stat. §§ 336.9-527 to 336.9-530, the County Recorder's office is permitted to function as a satellite office for the recording of Uniform Commercial Code documents; and
WHEREAS, a renewal of the agreement between the county and the Secretary of State's office has been presented, and the County Attorney's office has approved the agreement.
NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the renewal of the agreement with the Secretary of State's office allowing the County Recorder's office to remain a satellite office for recording Uniform Commercial Code documents.
Unanimously adopted August 10, 2010. No. 410

Upon motion of Commissioner Nelson, supported by Commissioner O'Neil, Resolutions No. 411

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

through 418, 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 NELSON:

WHEREAS, the St. Louis County Land Department has initiated an effort to curb the devastation of deer and rabbit browse on its one to five year old plantations through a budcapping application to tree seedlings; and

WHEREAS, the Land Department has identified 2,958 acres for treatment in 2010; and

WHEREAS, the Purchasing Division solicited bids for Budcapping Application on state tax forfeited lands for the year of 2010; and

WHEREAS, Superior Forestry Services of Tilly, AK, submitted the low bid of \$29,250.50 on four of twenty-two tracts and Northwoods Forestry of Eleva, WI, submitted the low bid of \$111,552 on eighteen tracts of twenty-two tracts.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the appropriate county officials to execute a contract with Superior Forestry Service of Tilly, AK, for \$29,250.50 and Northwoods Forestry of Eleva, WI, for \$111,552 for Budcapping Application on state tax forfeited lands during the fall of 2010, in accordance with the specifications of Bid No. 4905, payable from Fund 290, Agency 29001, subject to approval by the County Attorney.

Adopted August 10, 2010. No. 411

WHEREAS, the contracts with Seth and Jackie Lozano of Duluth, Minnesota, Brian Mickelson of Duluth, Minnesota, and Joseph Ogston of Duluth, Minnesota, for the purchase of state tax forfeited land are in default for nonpayment of taxes and/or installments; and

WHEREAS, the purchasers were properly served with Notice of Cancellation of Contract by civil process and have failed to cure the default for lands legally described as:

Seth and Jackie Lozano

CITY OF DULUTH

LOTS 31, 32, AND 33, BLOCK: 007

PRINCETON PLACE ADDITION TO DULUTH

Parcel Code: 10-3870-2670, 2680, 2690

C22060211

Brian Mickelson

CITY OF DULUTH

BLOCK 2, LOT 14, INC 1/2 VACATED NINA ST ADJ

SUNNYSIDE GARDENS OF DULUTH

Parcel Code: 10-4270-260

C22050032

Joseph Ogston

CITY OF DULUTH

MAPLE GROVE DULUTH,

LOTS 17, 19, 21, 22, 23, 24

Parcel Code: 10-3170-770, 790, 810

C22030068

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the cancellation of contracts for the purchase/repurchase of state tax forfeited land listed on file in County Board File No. 59038, according to the provisions of Minn. Stat. § 282.01, Subd. 5, and Minn. Stat. § 282.40, and according to the procedures of Minn. Stat. § 559.21.

Adopted August 10, 2010. No. 412

WHEREAS, Steven Verbick of Chisholm, Minnesota, has agreed that the contract for the purchase of state tax forfeited lands should be cancelled; and

WHEREAS, the purchaser voluntarily agreed to admission of service and waiver of time to cure default to the State of Minnesota; and

WHEREAS, Minn. Stat. §§ 282.04, Subd. 2(d), and 504B.271, authorizes the County Auditor to dispose of abandoned personal property; and

WHEREAS, the previous owners of the property will be notified by posting of property or by mail.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the cancellation of contract for purchase of state tax forfeited lands by Steven Verbick listed on file in County Board File No. 59038, according to the provisions of Minn. Stat. § 282.01, Subd. 5, and Minn. Stat. § 282.40, and according to the procedures of Minn. Stat. § 559.21.

RESOLVED FURTHER, that the St. Louis County Board authorizes the County Auditor to dispose of abandoned personal property from the above described state tax forfeited property.

Adopted August 10, 2010. No. 413

WHEREAS, quotes have been received by the St. Louis County Public Works Department for the following project:

SAP 69-599-027, County Project 3726, for project materials for a bridge on Township Road 5088 in Toivola Township, length 0.1 mi.

WHEREAS, quotes for concrete culverts were received with the lowest quote determined to be Cretex Concrete Products, Maple Grove, MN.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the following quote for concrete culverts and authorizes the appropriate county officials to approve the contractor's quote payable from Fund 220, Agency 220249, Object 65100.

<u>LOW QUOTE</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
Crete Concrete Products	6550 Wedgwood Rd. Maple Grove, MN 55311	\$67,202.57

Adopted August 10, 2010. No. 414

WHEREAS, quotes have been received by the St. Louis County Public Works Department for the following project:

SAP 69-616-050, County Project 86210, for project materials for a bridge on County State Aid Highway (CSAH) 16 south of Hibbing, MN, length 0.1 mi.

WHEREAS, quotes for concrete culverts were received with the lowest quote determined to be Cretex Concrete Products, Maple Grove, MN.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the following quote for concrete culverts and authorizes the appropriate county officials to approve the contractor's quote payable from Fund 220, Agency 220250, Object 65100.

<u>LOW QUOTE</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
Crete Concrete Products	6550 Wedgwood Rd. Maple Grove, MN 55311	\$68,093.27

Adopted August 10, 2010. No. 415

RESOLVED, that the St. Louis County Board approves the applications for abatements, correction of assessed valuations and taxes plus penalty and interest, and any additional accrual, identified in County Board File No. 59036.

Adopted August 10, 2010. No. 416

RESOLVED, that a public hearing will be held at 9:35 a.m. on Tuesday, September 7, 2010, 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 August 10, 2010. No. 417

WHEREAS, quotes will be received for materials by County Administration and the Public Works Director for the following emergency project:

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS
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MP 453-112327, County Project 112327, for lumber and steel piling materials for the replacement of County Bridge #608 on County Road 453 in Cherry Twp., length 0.1 mi.

WHEREAS, said quotes will be received in the County Public Works Facility in Duluth, MN; and

WHEREAS, in the judgment of the St. Louis County Board it is in the best interest of St. Louis County to award contracts to the lowest responsible firm offering the quote.

NOW, THEREFORE, BE IT RESOLVED, that County Administration and the Public Works Director/Highway Engineer are authorized to solicit quotes for lumber/timber materials, and that the Chairman of the County Board, the County Auditor, and the Purchasing Department are authorized to approve quotes for lumber/timber and to purchase such materials provided that the total purchase for lumber/timber is under \$100,000.00. In the event that the lumber/timber materials are over \$100,000.00, those materials will be formally bid according to Minnesota State Statutes. The Contract shall be payable from Fund 200, Agency 203234, Object 650500 for Lumber/Timber, and; RESOLVED FURTHER, that County Administration and the Public Works Director/Highway Engineer are authorized to solicit quotes for steel piling materials, and that the Chairman of the County Board, the County Auditor, and the Purchasing Department are authorized to approve quotes for steel piling and to purchase such materials provided that the total purchase for steel piling is under \$100,000.00. In the event that piling materials are over \$100,000.00, those materials will be formally bid according to Minnesota State Statutes. The Contract shall be payable from Fund 200, Agency 203234, Object 650600 Piling, Steel, and Wood.

Adopted August 10, 2010. No. 418

At 10:37 a.m., August 10, 2010, Commissioner Nelson, supported by Commissioner Dahlberg, moved to adjourn the meeting; six yeas, zero yeas.

Steve Raukar, Chair of the Board
of County Commissioners

Attest:

Donald Dicklich, 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, 2010

OFFICIAL PROCEEDINGS OF THE MEETING
OF THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF ST. LOUIS, MINNESOTA,
HELD ON SEPTEMBER 7, 2010

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 7th day of September, 2010, at 9:35 a.m., in the County Board Room, Duluth, Minnesota, with the following members present: Commissioners Dennis Fink, Steve O'Neil, Mike Forsman, Peg Sweeney, Keith Nelson and Chair Steve Raukar – 6. Absent: Commissioner Chris Dahlberg - 1

Chair Raukar asked for a moment of silence to honor U.S. troops serving throughout the world and their families at home as well as all persons whose lives are adversely affected by war.

At 9:35 a.m., a public hearing was convened pursuant to County Board Resolution No. 417, adopted August 10, 2010, to consider suspension/revocation of liquor licenses for failure to pay real or personal property taxes when due, pursuant to St. Louis County Liquor Ordinance No. 28.

County Attorney Melanie Ford presented the case. County Attorney Ford said The Blue Max, Inc. d/b/a The Blue Max, Fredenberg Township, is subject to liquor license suspension for failure to pay property taxes, in accordance with St. Louis County Ordinance No. 28. All required notices were sent to each establishment and required legal notice was published.

There were no representatives from the Blue Max in attendance and no one else gave testimony.

At 9:40 a.m., Commissioner Dahlberg joined the meeting.

At 9:45 a.m. Commissioner Nelson, support by Commissioner O'Neil, moved to close the hearing: seven yeas, zero nays.

Commissioner Nelson, supported by Commissioner Dahlberg, moved to approve the resolution. Commissioner Fink offered a friendly amendment to make the suspension effective 12:01 a.m., September 8, 2010. Commissioner Nelson did not accept as a friendly amendment. After further deliberations, Commissioner O'Neil offered a friendly amendment to extend the suspension to the end of business day, 4:30 p.m., September 7, 2010; the makers agreed, seven yeas, zero nays. Resolution No. 423.

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

Cheryl Skafte, from the Duluth Area YMCA's Five Points academic mentoring program, thanked County Attorney Melanie Ford for supporting the "Step Up for Students" Five Points program. Ms. Skafte said there are 150 students participating in the program at 14 sites in Duluth, Hermantown and Proctor. Ms. Skafte said they are currently recruiting mentors to be matched with students for academic and personal development.

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Commissioner Dahlberg presented the words of wisdom to inspire civic engagement with quotes from Plato and President Theodore Roosevelt.

Commissioner O'Neil, supported by Commissioner Sweeney, moved to approve the consent agenda; seven yeas, zero nays.

Commissioner Fink, supported by Commissioner Sweeney, moved to suspend the rules to authorize public sale of tax forfeited lands on October 14, 2010; seven yeas, zero nays.

Commissioner Fink, supported by Commissioner O'Neil, moved to authorize public sale of tax forfeited land on October 14, 2010, at 11:00 a.m. at the Miner Memorial Building in Virginia, MN. Land Commissioner Robert Krepps said the rules needed to be suspended due to the compressed time frame and the large number of structures needing appraisal prior to qualifying for this auction. In response to a question from Commissioner Fink, Land Commissioner Krepps said the non-conforming small parcels are difficult for the county to manage and hopefully getting them on auction gives adjacent landowners an opportunity to become aware of the property and purchase, if desired. Commissioner O'Neil noted eleven of the tax forfeit properties have houses on them. Land Commissioner Krepps said this is an increasing trend and likely due to the economy. After further discussion the resolution was approved; seven yeas, zero nays. Resolution No. 424.

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

Melanie Ford, County Attorney, submitting information regarding the public hearing to consider the suspension of liquor licenses due to failure to pay taxes when due.—[59113](#)

Cheryl Skafte, Duluth YMCA's Five Points academic mentoring program information.—[59114](#)

Commissioner Dahlberg's words of wisdom quote from Plato and President Theodore Roosevelt.—[59115](#)

Kevin Gray, County Administrator, and Robert Krepps, Land Commissioner, submitting Board Letter 10-297, Public Sale of State Tax Forfeited Lands on October 14, 2010.—[59116](#)

Board Letter No. 10-328, Property Tax Study Project Preliminary Revenue Raising Options (from Committee of the Whole meeting of Sept. 7, 2010).—[59117](#)

St. Louis County On-Line Software Subscriber Agreement between the County of St. Louis and First American CoreLogic.—[10-580](#)

Amendment to Joint Powers Agreement CFMS, Contract No. B41315, with the State of Minnesota, Bureau of Criminal Apprehension for an eCharging adapter project extending the project to September 30, 2010.—[10-581](#)

St. Louis County Community Wildfire Protection Plan (CWPP) dated August 12, 2008, as submitted by Sheriff's Office – Division of Emergency Management. —[10-582](#)

Grant Agreement, Contract No. 20904, between the St. Louis County Board of Commissioners and Fond Du Lac Reservation Business Committee for Family Group Decision Making (FGDM).—[10-583](#)

Grant Agreement, Contract No. 20906, between the St. Louis County Board of Commissioners and Arrowhead Economic Opportunity Agency for Supported Work.—[10-584](#)

Grant Agreement, Contract No. 20907, between the St. Louis County Board of Commissioners and the City of Duluth for Supported Work.—[10-585](#)

Group Residential Housing Rate Agreement, Contract No. 50854, between the St. Louis County Board of Commissioners and Community Connection – Gary.—[10-586](#)

Addendum to Purchase Agreement, Contract No. 13340J, between the St. Louis County Board of Commissioners and Empowerment Services of Minnesota, Inc. (ESI).—[10-587](#)

Addendum to Purchase Agreement, Contract No. 13084J, between the St. Louis County Board of Commissioners and Homes, Inc. (SILS) – Virginia.—[10-588](#)

Addendum to Purchase Agreement, Contract No. 13083J, between the St. Louis County Board of Commissioners and Homes, Inc. (SILS) – Hibbing.—[10-589](#)

Addendum to Purchase Agreement, Contract No. 12552J, between the St. Louis County Board of Commissioners and Trillium Services, Inc. (SILS).—[10-590](#)

Addendum to Purchase Agreement, Contract No. 13078J, between the St. Louis County Board of Commissioners and Pinewood-Duluth, Inc. (CCSA).—[10-591](#)

Agreement for Professional Services between the County of St. Louis and Meyer Group for the Government Services Center (GSC) First Floor Remodeling Project.—[10-592](#)

Amendment #1 to Agreement for Professional Services (Contract No. 2010-005834) between Arrowhead Regional Corrections and Scalzo Architects for Arrowhead Regional Corrections Facilities Roof Repairs.—[10-593](#)

St. Louis County 2009-2010 Recycling and Waste Reduction Grant Agreement between the County of St. Louis and the Town of Great Scott.—[10-594](#)

Contract for County-State Aid Highway Project SAP 69-624-015, CP 8572, between the County of St. Louis and Landwehr Construction, Inc., for Grading, Box Culvert, Bituminous, and Aggregate Shoulders over the Camp Forty Creek at Crane Lake on CSAH 24.—[10-595](#)

Contract for County-State Aid Highway Project SP 69-724-004, CP 9322, MN Proj. No. TEAX 6910(223), between the County of St. Louis and Mesabi Bituminous, Inc., for Road Reconditioning, Roadway Improvement/Enhancements, and Sanitary Sewer Replacement on CSAH 124 (River Street).—[10-596](#)

St. Louis County On-Line Software Subscriber Agreement between the County of St. Louis and Peterson, Fram & Bergman, P.A. St. Paul, MN.—[10-597](#)

In Car Camera Order and Distribution Agreement between the St. Louis County Sheriff's Office and the Minnesota Sheriff's Association for eleven (11) in-car video cameras.—[10-598](#)

Contract for County-State Aid Highway Project SAP 69-656-011, CP 8291(low); MP 56-1025, between the County of St. Louis and Hardrives, Inc., for Grading, Aggregate Base, PM Bit. Surface, & Shoulders; and Reclamation, Aggregate Base, PM Bit. Surface & Aggregate Shoulders on CSAH 56 (Morris Thomas Rd.)—[10-599](#)

Contract for County-State Aid Highway Project SP 69-090-024, CP 3721, MN Proj. No. TEAX 6901(230), between the County of St. Louis and Mesabi Bituminous, Inc., for Multi-Use Trail Construction including Clearing, Grading, Aggregate Base, Culverts, Bituminous Surface, Signing, and Striping near the intersection of TH 53 and CR 132 in Fayal Township.—[10-600](#)

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Service Contract, Contract No. 4386-1, between the County of St. Louis and Crist Garbage Service, Inc., for "Sit" Site Waste Haulage from July 1, 2010 to June 30, 2012, inclusive, with a possible one year extension.—[10-601](#)

Agreement for Professional Services between the County of St. Louis and American Engineering Testing, Inc., for Adolph Tool House, Phase I Environmental Site Assessment.—[10-602](#)

Agreement for Professional Services between the County of St. Louis and Braun Intertec Corporation for Geotechnical Exploration Program for the replacement of County Bridge No. 608, MP 453-112327, in Cherry Township.—[10-603](#)

Amendment No. 4 to Grant No. 436165 between the State of Minnesota, Department of Human Services, and St. Louis County, to provide services for the NE Minnesota Project to End Long-Term Homelessness thru Hearth Connections.—[10-604](#)

Amendment to Contract DAMION No. 2007-3979, Agreement for Collection of Residential and Commercial Recyclable Materials between St. Louis County and the City of Hibbing.—[10-605](#)

St. Louis County 2009-2010 Recycling and Waste Reduction Grant Agreement between the County of St. Louis and the Town of Embarrass.—[10-606](#)

Amendment No. 2 to Contract DAMION No. 2008-4403, St. Louis County Environmental Services Department Service Agreement for Compacted Mixed Solid Waste Haulage between the County of St. Louis and Waste Management, Inc., extending the terms of the original agreement for an addition one year effective July 1, 2010 through June 30, 2011.—[10-607](#)

Home and Community-Based Waiver Services Contract, Contract No. 14648, between the St. Louis County Board of Commissioners and J.E. and Associates.—[10-608](#)

State of Minnesota Professional and Technical Services Contract, Mn/DOT Contract No. 96350, between the State of Minnesota Commissioner of Transportation, St. Louis County (Public Works Department) and Duluth Archaeology Center, LLC, for Phase I Archaeological Survey and Possible Phase II Evaluations for the proposed reconstruction for Bridge 88751 over the Little Fork River on County Road 500 (Wein Road), SP-69-598-30.—[10-609](#)

Project Contract, Contract No. 4905-1, between the County of St. Louis and Superior Forestry Service, Inc., for Bud Capping Application of 625 acres located through St. Louis County, in accordance with the specifications of Bid No. 4905.—[10-610](#)

Project Contract, Contract No. 4905-2, between the County of St. Louis and Northwoods Forestry, Inc., for Bud Capping Application of 2,324 acres located through St. Louis County, in accordance with the specifications of Bid No. 4905.—[10-611](#)

Agreement for Professional Services between the County of St. Louis and Twin Ports Testing, Inc., for construction materials testing services for the Lower Green Lot Renovation Project.—[10-612](#)

Project Contract, Contract No. 4897, between the County of St. Louis and Veit & Company, Inc., for Phase I of the Duluth Parking Lot Renovation.—[10-613](#)

Home and Community-Based Waiver Services Contract, Contract No. 14809, between the St. Louis County Board of Commissioners and Backinski & Sons Builders, Inc., d/b/a Cover-All Construction.—[10-614](#)

Upon motion of Commissioner O'Neil, supported by Commissioner Sweeney, resolutions numbered

419 through 422, as submitted to this Board on the Consent Agenda, were unanimously adopted as follows:

BY COMMISSIONER O'NEIL:

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of August 3, 2010, are hereby approved.
Adopted September 7, 2010. No. 419

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of August 10, 2010, are hereby approved.
Adopted September 7, 2010. No. 420

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, dated August 13, 2010, on file in the office of the County Auditor, identified as County Board File No. 59016, is hereby received and ratified as payable from Fund 730, Agency 730001.
Adopted September 7, 2010. No. 421

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, dated August 27, 2010, on file in the office of the County Auditor, identified as County Board File No. 59016, is hereby received and ratified as payable from Fund 730, Agency 730001.
Adopted September 7, 2010. No. 422

BY COMMISSIONER NELSON:

WHEREAS, St. Louis County Ordinance No. 28 (Liquor Ordinance), Section 4.15, requires all licensed establishments to pay all real and personal property taxes when due; and
WHEREAS, the Blue Max, Inc., d/b/a The Blue Max, Fredenberg Township, was issued a Combination On/Off-Sale and Sunday On-Sale Intoxicating Liquor License for the period July 1, 2010 through June 30, 2011; and
WHEREAS, the establishment has past due or delinquent real or personal property taxes for 2010; and
WHEREAS, a public hearing was held on September 7, 2010, to consider suspension of the intoxicating liquor license for the establishment for failure to pay real or personal property taxes when due.
NOW, THEREFORE, BE IT RESOLVED, that the Combination On/Off-Sale and Sunday On-Sale Intoxicating Liquor License for the Blue Max is hereby suspended effective 4:30 p.m., September 7, 2010; and
RESOLVED FURTHER, said license will remain suspended until such time as the taxes are paid in full or the license expires or is revoked.
Unanimously adopted September 7, 2010. No. 423

BY COMMISSIONER FINK:

WHEREAS, the St. Louis County Board 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, the parcels of land identified for public sale have been classified as non-conservation land as provided for in Minn. Stat. Chapter 282.01; and
WHEREAS, these parcels of land are not withdrawn from sale pursuant to Minn. Stat. §§ 85.012, 92.461, 282.01, Subd. 8, and 282.018, and other statutes that require the withholding of state tax forfeited lands from sale; and
WHEREAS, the Commissioner of Natural Resources has approved the sale of said lands, as required by Minn. Stat. Chapter 282.
NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the County Auditor to offer lands as described in County Board File No. 59022, at public sale at not less than the basic sale price in accordance with terms set forth in the Land Department policy, and in a manner provided for by law, on Thursday, October 14, 2010, at 11:00 a.m. at the Miner Memorial

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS
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Building in Virginia, MN. Funds from the land sale are to be deposited into Fund 240 (Forfeited Tax Fund).

Unanimously adopted September 7, 2010. No. 424

At 10:19 a.m., September 7, 2010, Commissioner Nelson, supported by Commissioner O'Neil, moved to adjourn the meeting; seven yeas, zero nays.

Steve Raukar, Chair of the Board
of County Commissioners

Attest:

Donald Dicklich, County Auditor
and Ex-Officio Clerk of the Board
of County Commissioners

(Seal of the County Auditor)

**OFFICIAL PROCEEDINGS OF THE MEETING
OF THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF ST. LOUIS, MINNESOTA,
HELD ON SEPTEMBER 14, 2010**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 14th day of September, 2010, at 9:34 a.m., in the County Board Room, Duluth, Minnesota, with the following members present: Commissioners Dennis Fink, Steve O'Neil, Chris Dahlberg, Mike Forsman, Peg Sweeney, Keith Nelson and Chair Steve Raukar – 7. Absent: None.

Chair Raukar asked for a moment of silence to honor U.S. troops serving throughout the world and their families at home as well as all persons whose lives are adversely affected by war.

Commissioner Sweeney gave her words of wisdom inspired by a recent visit to the Arrowhead Juvenile Center (AJC), noting all the good work they do.

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

Marcy Stromgren, Soil and Water Conservation Supervisor, invited commissioners to the Soil and Water Conservation meetings held the 3rd Wednesday of the month at 7:00 p.m. in Old Central High School on the 3rd Floor. Ms. Stromgren also brought forth concerns about weeds in the county and mowing needs along county roads.

Commissioner O'Neil, supported by Commissioner Sweeney, moved to approve the consent agenda. At the request of Commissioner Nelson, item 4, purchase of four dump bodies, was removed from the consent agenda for separate consideration under the Public Works and Transportation Committee. The remainder of the consent agenda was approved; seven yeas, zero nays.

Commissioner Fink, supported by Commissioner Nelson, moved to approve rezoning for portions of Ness Township from Multiple Use Non-Shoreland (MUNS-5) to Forest Agricultural Management (FAM-3), effective October 8, 2010. Planning Director Barb Hayden said this will affect approximately 1,200 acres and described the process. The following citizens addressed the board on this matter: Dan Rautio, Ness Town Supervisor, doesn't believe the change is needed as it only benefits one person. Randy Webster, Ness Township, said he is against the rezoning as he only owns five acres and would have a hard time building due to set back requirements under FAM-3. Tony Jedlicka, Meadowlands and Ness Township, submitted a letter from a citizen, Shannon Ralidak, for the record. Gary King, Ness Township, said the rezoning would prevent people from building on 2.5 acres and would bring in business they don't want. Patricia Ralidak, Ness Township Clerk, said the citizens weren't allowed to present their concerns at the public hearing and has issues with the process. In response to commissioner questions, Planning Director Hayden said she and her staff have had several discussions with Mr. Dan Rautio, noting the Ness Town Board initiated the rezoning.

At 10:39 a.m., Chair Raukar called for a 5 minute recess.

At 10:52 a.m., the Board meeting reconvened with all commissioners present.

After further discussion, Commissioner Fink said Mr. Webster's land is outside the rezoning area and his property is not affected by the proposed rezoning. Commissioner Raukar thanked the citizens who came forward to speak; five yeas, two nays, Commissioners Raukar and O'Neil. Resolution No. 453.

Commissioner Forsman, supported by Commissioner Nelson, made a motion to remove item 2 from the agenda under public works, culvert project on CSAH 1, as all quotes were above \$100,000 and

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

the project will need to go out to bid; seven yeas, zero nays.

Commissioner Forsman, supported by Commissioner Sweeney, moved to approve item 4 from the consent agenda, purchase of four dump bodies. Commissioner Nelson said this purchase, along with items 5 and 7 from consent, calibrated sand controls and salt brine productions systems, will reduce salt use and provide cost savings to the county; seven yeas, zero nays. Resolution No. 428.

Commissioner Sweeney, supported by Commissioner Dahlberg, moved to approve lawful gambling applications for Confidence Learning Center; six yeas, one nay, Commissioner Fink. Resolution No. 454.

At 11:31 a.m., Commissioner Sweeney, supported by Commissioner Dahlberg, moved to recess the Board meeting until 1:30 p.m.; seven yeas, zero nays.

At 1:39 p.m., the County Board meeting reconvened with all commissioners present.

Administrator Kevin Gray said the county board must adopt a proposed budget and certify the maximum property tax levy for 2011 to the County Auditor by September 15, 2010. Administrator Gray presented the 2011 budget, which included budget strategies and a range of tax levy options. Commissioner Nelson, supported by Commissioner Dahlberg, moved a 0% maximum property tax levy for 2011, in the amount of \$107,428,991. After lengthy discussion, Commissioner O'Neil, supported by Commissioner Sweeney, moved an amendment to a 1% maximum tax levy.

At 4:00 p.m., Chair Raukar called a five minute recess.

At 4:09 p.m., the County Board meeting reconvened with all commissioners present.

Chair Raukar said public comment was welcome and Marsh Stenerson, Duluth, spoke to the Board on the matter, noting more will be known on local government aid (LGA) after the gubernatorial election.

Commissioner Nelson, offered a friendly amendment to a 0.6% maximum property tax levy, but only if all seven commissioners support the friendly amendment. After further discussion, Commissioner Nelson withdrew his friendly amendment. Commissioner O'Neil withdrew his amendment of a 1% maximum tax levy, and moved a new amendment to a 0.6% maximum tax levy, supported by Commissioner Sweeney; four yeas, three nays, Commissioners Fink, Nelson and Dahlberg. After further discussion, the proposed budget in the amount of \$304,691,167, and the final amended resolution certifying a 0.6% maximum property tax levy for 2011 in the amount of \$108,073,565 was approved; five yeas, two nays, Commissioners Nelson and Dahlberg. Resolution No. 455.

Commissioner Nelson, supported by Commissioner Sweeney, moved to certify the HRA maximum property tax level for 2011 in the amount of \$204,824; six yeas, one nay, Commissioner Forsman. Resolution No. 456.

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

Kevin Gray, County Administrator, and Barbara Hayden, Planning and Development Director, submitting Board Letter 10-299, 2010-2010 St. Louis County Comprehensive Water Management Plan.—59118

Kevin Gray, County Administrator, and Robert Krepps, Land Commissioner, submitting Board Letter 10-300, Amendment to Roadway Easement #E13080007 for Michael Wussow (Beatty Township).—59119

Kevin Gray, County Administrator, and James Foldesi, Public Works Director/Highway Engineer, submitting Board Letter 10-308, Agreements with MnDOT and Proctor Schools for Safe Routes to School Program.—[59120](#)

Kevin Gray, County Administrator, County Attorney Melanie Ford, and James Foldesi, Highway Engineer/Public Works Director, submitting Board Letter 10-321, Establish Public Hearing for Hutchinson Cartway.—[59121](#)

Kevin Gray, County Administrator, and Martha Watson, Employee Relations Director, submitting Board Letter 10-327, Merit System Supervisory Unit Bargaining Agreement – 2010/2011.—[59122](#)

Kevin Gray, County Administrator, and James Foldesi, Public Works Director/Highway Engineer, submitting Board Letter 10-323, Designating CSAH 77 and CSAH 115 as “Senator Doug Johnson Highway”.—[59123](#)

Kevin Gray, County Administrator, and Barbara Hayden, Planning and Development Director, submitting Board Letter 10-298, Amend Ordinance 46, County Zoning Maps (Ness Township).—[59124](#)

Kevin Gray, County Administrator, and Barbara Hayden, Planning and Development Director, submitting Board Letter 10-326, HRA 2011 Proposed Levy.—[59125](#)

Kevin Gray, County Administrator, Martha Watson, Employee Relations Director, and Ann Busche, PHHS Director, submitting Board Letter 10-317, Social Services Supervisor Job Specification and Salary Range.—[59126](#)

Department of Natural Resources January-February 2010 edition of *Minnesota Conservation Volunteer* booklet and article titled *Hold the Salt*.—[59127](#)

2011 Proposed Budget & Levy information.—[59128](#)

Home and Community-Based Waiver Services Contract, Contract No. 14810, between the St. Louis County Board of Commissioners and Kathy J. Carlson d/b/a Carlson’s Homes Plus.—[10-615](#)

Home and Community-Based Waiver Services Contract, Contract No. 14782, between the St. Louis County Board of Commissioners and Terry K. Chartier and Allen J. Chartier d/b/a Silver Maple Estates.—[10-616](#)

Home and Community-Based Waiver Services Contract, Contract No. 14790, between the St. Louis County Board of Commissioners and Jonathan H. Koop and Gayle L. Koop.—[10-617](#)

Home and Community-Based Waiver Services Contract, Contract No. 14793, between the St. Louis County Board of Commissioners and Greg Rengstorf and Roxanne Rengstorf.—[10-618](#)

Home and Community-Based Waiver Services Contract, Contract No. 14788, between the St. Louis County Board of Commissioners and Robert Shofner.—[10-619](#)

Addendum to Purchase Agreement, Contract No. 13081J, between the St. Louis County Board of Commissioners and Duluth Regional Care Center (SILS).—[10-620](#)

Addendum to Purchase Agreement, Contract No. 13076K, between the St. Louis County Board of Commissioners and UDAC, Inc.—[10-621](#)

Addendum to Purchase Agreement, Contract No. 13074K, between the St. Louis County Board of

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Commissioners and Range Center, Inc. (CCSA).—10-622

Addendum to Purchase Agreement, Contract No. 13067J, between the St. Louis County Board of Commissioners and Floodwood Services and Training, Inc. (CCSA).—10-623

Addendum to Purchase Agreement, Contract No. 13065J, between the St. Louis County Board of Commissioners and East Range Developmental Achievement Center, Inc. (CCSA).—10-624

Addendum to Purchase Agreement, Contract No. 13063J, between the St. Louis County Board of Commissioners and Choice, unlimited – Options (CCSA).—10-625

Addendum to Purchase Agreement, Contract No. 13059J, between the St. Louis County Board of Commissioners and Access to Employment Too, Inc. (CCSA).—10-626

Addendum to Purchase Agreement, Contract No. 13061J, between the St. Louis County Board of Commissioners and Choice, unlimited – Choice (CCSA).—10-627

Addendum to Contract No. 14766 between the St. Louis County Board and Kidspace Mesabi Academy, Inc., to add a Detention Program.—10-628

Addendum to Contract No. 14766B between the St. Louis County Board and Kidspace Mesabi Academy, Inc., to add a Fire-Setter Treatment Program and Fire-Setter Evaluation Services.—10-629

Agreement for Professional Services between Arrowhead Regional Corrections and Foster Jacobs & Johnson, Inc., for Arrowhead Regional Corrections (ARC) Facility HVAC Repairs and Upgrades – Phase I.—10-630

Amendment No. 2 to Contract DAMION #2008-4402, St. Louis County Environmental Services Department Service Agreement for Compacted Mixed Solid Waste Haulage between the County of St. Louis and Northern Minnesota Recycling, Inc., extending the terms of the contract for an additional one year effective July 1, 2010 through June 30, 2011.—10-631

2009 Stonegarden Grant from the MN Department of Public Safety, Homeland Security and Emergency Management Division, to enhance the security of the international border and ports of entry between St. Louis County and Canada.—10-632

Upon motion of Commissioner Sweeney, supported by Commissioner O’Neil, resolutions numbered 425 through 427, and 429 through 452, as submitted to this Board on the Consent Agenda, were unanimously adopted as follows:

BY COMMISSIONER SWEENEY:

WHEREAS, the St. Louis County Board adopted Resolution No. 08-167 directing the Planning and Development Department to revise and update the local water management plan; and

WHEREAS, the Planning Commission held a public hearing on March 25, 2010 and approved the draft plan on April 8, 2010; and

WHEREAS, the Minnesota Board of Water Resources approved the local water management plan on August 26, 2010.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board adopts the 2010-2020 St. Louis County Comprehensive Water Management Plan.

Adopted September 14, 2010. No. 425

WHEREAS, the State of Minnesota owns certain tax forfeited property in St. Louis County, Minnesota, legally described as the Southeast 1/4 of the Southeast 1/4 of Section 1, Township 63 North, Range 18 West, Beatty Township, St. Louis County, Minnesota; and

WHEREAS, St. Louis County Board Resolution No. 341, dated July 1, 2008, authorized the County Auditor to grant a non-exclusive roadway easement (E13080007) across state tax forfeited land for the benefit of certain lands owned by Lloyd Gustafson; and

WHEREAS, Michael Wussow owns three parcels of real property adjacent to Mr. Gustafson's property, and the sole access to a public right of way from Mr. Wussow's property is over and across easement E13080007; and

WHEREAS, all parties have agreed to amend easement E13080007 to provide certain rights to Mr. Wussow.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the First Amendment to private easement E13080007 on file in County Board File No. 59119.

RESOLVED FURTHER, the authorization of this amendment is conditioned upon payment of \$150 administration fee and \$46 recording fee, for a total of \$196, to be deposited into Fund 240 (Forfeited Tax Fund).

Adopted September 14, 2010. No. 426

WHEREAS, under the provisions of Minn. Stat. § 282.341, Subd. 1, a contract for deed to repurchase state tax forfeited land previously cancelled may be reinstated by the previous contract holder subject to payment of installments, taxes, assessments, penalties, interest and costs; and

WHEREAS, Judy Bechtold of Mt. Iron, Minnesota, has requested to reinstate her contract to repurchase state tax forfeited land; and

WHEREAS, less than 50% of the basic sale price was paid prior to cancellation; therefore, County Board approval is required for reinstatement.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the reinstatement of Contract C22100086 with Judy Bechtold of Mt. Iron, Minnesota, in the amount of \$2890.27, to be deposited into Fund 240 (Forfeited Tax Fund).

Adopted September 14, 2010. No. 427

WHEREAS, the Public Works Department equipment budget includes the purchase and installation of twenty-seven calibrated sander controls and brine distribution equipment; and

WHEREAS, calibration and brine distribution equipment has proven to be a cost savings through the reduction in salt/sand usage; and

WHEREAS, Towmaster Truck and Equipment of Litchfield, Minnesota, offered the low State of Minnesota Contract bid of \$223,776.00, plus State of Minnesota sales tax of \$15,384.60, for a total cost of \$239,160.60.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board authorizes the purchase and installation of twenty-seven calibrated sander controls and brine distribution equipment from Towmaster Truck and Equipment of Litchfield, Minnesota, for \$239,160.60, payable from Fund 407, Agency 407001, Object 665100.

Adopted September 14, 2010. No. 429

WHEREAS, the Public Works Department's 2010 equipment budget includes replacement of one ASV skid-steer loader with brush head: Unit A4033, a 1999 ASV; and

WHEREAS, the Public Works Department received a quote for State of Minnesota contract pricing from St. Joseph Equipment, the only local vendor selling this equipment in the amount of \$67,835.09, plus State of Minnesota sales tax of \$4,663.66, for a total cost to the county of \$72,498.75.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board authorizes the purchase of one ASV skid-steer loader with brush head from St. Joseph Equipment of Duluth, Minnesota, at the State of Minnesota contract price of \$72,498.75 including sales tax, payable from Fund 407, Agency 407001, Object 665900.

Adopted September 14, 2010. No. 430

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

WHEREAS, the Public Works Department's 2010 equipment budget includes the purchase of three salt brine production systems; and

WHEREAS, State of Minnesota contract prices were analyzed and two vendors offer brine production equipment through the State of Minnesota contracts; and

WHEREAS, Varitech Industries of Alexandria, Minnesota, offered State of Minnesota contract pricing of \$68,893.63, plus State of Minnesota sales tax of \$4,736.44, for a total cost to the county of \$73,630.07.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the purchase of three salt brine production systems from Varitech Industries of Alexandria, Minnesota, at the State of Minnesota price of \$73,630.07 including sales tax, payable from Fund 407, Agency 407001, Object 665900.

Adopted September 14, 2010. No. 431

WHEREAS, quotes have been received by the St. Louis County Public Works Department for the following project:

MP 986-113283 bituminous overlay on County Road 986 2.2 miles west of Ely, MN.

WHEREAS, quotes were received at the St. Louis County Public Works Facility at 11193 Hwy 1, Linden Grove, Minnesota, 55723, on August 11, 2010, and August 20, 2010, and the lowest responsible quote determined.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the award on the above project to the lowest quote.

<u>LOW QUOTE</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
Mesabi Bituminous, Inc.	P.O. Box 728 Gilbert, MN 55741	\$86,800.00

RESOLVED FURTHER, that the appropriate county officials are authorized to approve the Contractor's Performance Bonds and to execute the bonds and contract for the above listed project payable from Fund 200, Agency 201004, Object 651100.

Adopted September 14, 2010. No. 432

RESOLVED, that the St. Louis County Board authorizes an agreement, and any amendments authorized by the County Attorney, with Booz Allen Hamilton of McLean, Virginia, for services relating to the installation, interface work, and support for the IBM Maximo 7.1 upgrade for the Public Works Department in the amount of \$48,062.00, payable from Fund 200, Agency 200008, Object 626600.

Adopted September 14, 2010. No. 433

RESOLVED, that pursuant to Minnesota Stat. Sec. 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.

RESOLVED FURTHER, the Chairman of the Board and the Auditor are hereby authorized and directed for and on behalf of St. Louis County to execute and enter into 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 Agency Agreement No. 97232", a copy of which said agreement was before the County Board and which is made a part hereof by reference. This agreement corresponds with the development of a Safe Routes to School Program under project No. SP 69-591-003, County Project No. 97470, which will be paid through Fund 220, Agency 220252, Object 651600.

Adopted September 14, 2010. No. 434

RESOLVED, that the St. Louis County Board authorizes the appropriate county officials to sign an agreement with the Proctor School District, and any amendments approved by the County Attorney's

office, for a Safe Routes to School Project, SP 69-591-003, County Project 97470, whereby the Proctor School District will pay any costs not covered by federal funding should they occur, and an administrative fee of \$250. Funds from the Proctor School District for administration will be received into Fund 200, Agency 205003, Object 583101.
Adopted September 14, 2010. No. 435

WHEREAS, the State of Minnesota, Department of Transportation (MnDOT), will provide payment under the terms of Agreement No. 97449 for the use of County State Aid Highway No. 20 and County State Aid Highway No. 97 as a detour route during the construction of State Project No. 8821-178 (T.H. 135), and;

WHEREAS, MnDOT is willing to pay for road life consumed by the detours on County State Aid Highway No. 20 and County State Aid Highway No. 97 based on the income determined by the "Gas Tax Method".

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the appropriate county officials to enter into Agreement No. 97449 with the State of Minnesota, Department of Transportation, and approve any amendments approved by the County Attorney's Office.

RESOLVED FURTHER, that the compensation shall be estimated in the amount of \$3,977.68, received into Fund 200, Agency 205003, Object 583100.
Adopted September 14, 2010. No. 436

WHEREAS, the St. Louis County motor pool facility in Duluth, Minnesota, was constructed in 1956 to serve as a vehicle maintenance repair shop and for county pool vehicle, law enforcement vehicle, and county departmental vehicle warm storage; and

WHEREAS, in 2006-2007 phase one of the building exterior and mechanical systems was completed, which included roof replacement, tuck-pointing, sealing, insulation, 80% of the windows replacement project, new ventilation, office A/C, and heating system replacement; and

WHEREAS, two more phases are required to complete the entire building upgrade project, with this phase covering the repair of the vehicle parking and drive lane areas that are deteriorated and experiencing concrete de-lamination, stabilizing the core structure of the building to include removal and replacement of all failed concrete decking, replacement of deteriorated reinforcing bars, new concrete decking sealer and drive lane coating application, repainting of walls and ceilings, and replacement of all electrical components impacted by floor replacement activities; and

WHEREAS, upon completion of the final two phases, the building will begin a new life cycle with all deferred repairs and maintenance having been mitigated; and

WHEREAS, bids were submitted (Bid # 4909) on August 27, 2010, with RAM Construction Services of Little Canada, Minnesota, providing the lowest responsible bid in an amount of \$239,000.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board authorizes the appropriate county officials to execute an agreement with RAM Construction Services of Little Canada, Minnesota, for an amount of \$239,000. Funds are available from Fund 715, Agency 715001, Object 663100, with funds transferred from the Motor Pool Fund balance 715, 311202.
Adopted September 14, 2010. No. 437

WHEREAS, the St. Louis County Board is authorized to act on behalf of unorganized townships for purposes of furnishing fire protection and first responder services, pursuant to Minnesota Statutes, Section 365.243; and

WHEREAS, the following legally organized corporations under the State of Minnesota have contracted with St. Louis County to provide fire protection and/or first responder services in said townships for the year 2011.

NOW, THEREFORE, BE IT RESOLVED, that the County Auditor is hereby authorized to spread local levies for the furnishing of fire protection and/or first responder services in unorganized townships as follows:

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

<u>City of Babbitt</u> Unorganized Townships 61-12 & 61-13	\$52,500
<u>City of Chisholm</u> Unorganized Township 59-21 (part of)	\$15,071
<u>City of Cook</u> Unorganized Township 62-17 Unorganized Township 63-17	\$1,575 \$5,775
<u>City of Floodwood</u> Unorganized Township 52-21	\$5,942
<u>City of Orr</u> Unorganized Township 63-19 Unorganized Township 66-20	\$2,753 \$6,653
<u>Bearville</u> Unorganized Township 62-21	\$3,708
<u>Central Lakes</u> Unorganized Township 56-17	\$32,550
<u>Colvin</u> Unorganized Township 55-15 (part of)	\$8,467
<u>Ellsburg</u> Unorganized 55-15 (part of)	\$4,763
<u>Embarrass</u> Unorganized 61-14	\$3,675
<u>Evergreen</u> Unorganized 60-19 & 60-20	\$23,100
<u>French</u> Unorganized Township 59-21 (part of)	\$1,026
<u>Gnesen</u> Unorganized Township 53-15	\$14,910
<u>Greenwood</u> Unorganized Township 63-15	\$6,300
<u>Lake Kabetogama</u> Unorganized Townships 58-19, 69-19, 67-20, 68-20, 67-21 & 68-21	\$29,610
<u>Lakeland</u> Unorganized 57-16	\$55,301
<u>Makinen</u> Unorganized Township 56-16	\$47,250

<u>Morse-Fall Lake</u> Unorganized Township 64-12 & 64-13	\$6,930
<u>Northland</u> Unorganized 53-16	\$18,900
<u>Pequaywan Lake</u> Unorganized 54-13	\$3,255
<u>Pike-Sandy-Britt Region</u> Unorganized Township 59-16 Unorganized Township 60-18	\$6,850 \$35,629
<u>Silica</u> Unorganized 55-21	\$47,250

Adopted September 14, 2010. No. 438

WHEREAS, St. Louis County Property Management was contacted by a U. S. Fish and Wildlife Service representative seeking a field office in the Duluth area for the regional enforcement officer's functions and activities; and

WHEREAS, the county has space available in the Facilities Management Building (former Chris Jensen Laundry) on the County Public Safety Campus on Rice Lake Road; and

WHEREAS, Property Management wishes to lease vacant areas in the building to offset the campus operational costs; and

WHEREAS, the term of the lease shall be October 1, 2010 through December 31, 2015 for 777 square feet of office/storage space at the rate of \$12.50 per square foot (\$809.38 per month - \$9,712.50 annually), all inclusive with provision of one (1) parking space.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board authorizes the appropriate county officials to execute a lease agreement with the U. S. Fish and Wildlife Service for 777 square feet of office/storage space at \$12.50 per square foot, \$809.38 monthly, \$9,712.50 annually, lease payments assigned to Fund 100, Agency 128019.

Adopted September 14, 2010. No. 439

RESOLVED, that the St. Louis County Board approves the applications for abatements, correction of assessed valuations and taxes plus penalty and interest, and any additional accrual, identified in County Board File No. 59036.

Adopted September 14, 2010. No. 440

WHEREAS, the City of Babbitt is requesting \$8,735 in Community Development Block Grant (CDBG) funding to undertake community planning efforts; and

WHEREAS, the City of Orr is requesting \$8,735 in Community Development Block Grant (CDBG) funding to undertake community planning efforts; and

WHEREAS, funding is available through CDBG planning and administration funds; and

WHEREAS, CDBG funds will leverage additional investment of \$17,470 in each city for new and updated community plans.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board approves CDBG planning and administration funds in the amount of \$8,735 for the City of Babbitt and \$8,735 for the City of Orr; and

RESOLVED FURTHER, that the appropriate county officials are authorized to execute the funding agreements payable from CDBG Fund 260, Agency 260999, Grant 26002, Grant Year 2010.

Adopted September 14, 2010. No. 441

RESOLVED, that pursuant to Minn. Stat. § 349.213, Subd. 2, the St. Louis County Board approves

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

the following Lawful Gambling License Application (Pull-tabs, Tipboards, Paddlewheel) on file in the office of the County Auditor, identified as County Board File No. 59051, for the following organization:

Alborn Sno-Deviils, Inc., to operate out of Clip Joint, Alborn Township, 6697 Chase Drive, Alborn, Minnesota, 55702, NEW.

Adopted September 14, 2010. No. 442

RESOLVED, that the St. Louis County Board of Commissioners adopts the Social Services Supervisor job specification and approves the negotiated annual salary range of \$47,820 - \$74,664, effective August 28, 2010.

Adopted September 14, 2010. No. 443

WHEREAS, the St. Louis County Board supports the sharing of criminal justice information and systems throughout the region and in sharing the costs of providing those systems among the subscribing agencies in the region; and

WHEREAS, the North East Minnesota Enforcement and Safety Information System (NEMESIS) continues to be developed and implemented in support of these efforts; and

WHEREAS, Ms. Angie VanDeHey, Advance! Training and Consulting, is able to provide the training and development services needed as the NEMESIS system evolves.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes a contract with Angie VanDeHey, Advance! Training and Consulting, for the period July 1, 2010 through June 30, 2011, at the hourly rate of \$60, not to exceed \$70,000, payable from NEMESIS Subscriber fees – Fund 150, Agency 150001, Object 629900.

Adopted September 14, 2010. No. 444

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF
ST. LOUIS COUNTY, MINNESOTA, CALLING FOR PUBLIC HEARINGS
ON AN AMENDMENT TO THE CAPITAL IMPROVEMENT PLAN
AND ON THE INTENT TO ISSUE CAPITAL IMPROVEMENT BONDS
UNDER MINNESOTA STATUTES, SECTION 373.40**

BE IT RESOLVED, by the Board of County Commissioners (the “Board”) of St. Louis County, Minnesota (the “County”), as follows:

Section 1. Under and pursuant to Minnesota Statutes, Section 373.40, the Board has previously approved a Capital Improvement Plan with annual amendments, including the years 2009 through 2013 (the “Plan”).

Section 2. The Board has proposed an amendment to the Plan for the years 2010 through 2014 (the “Amendment”).

Section 3. Further, 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 \$7,145,000 (the “Bonds”) for the purpose of providing funds for the following capital improvements under the Plan, as amended by the Amendment:

- Courthouse Improvements - additions to and renovations and improvements of the Virginia courthouse including energy upgrades and enhancements including but not limited to window replacement, HVAC and mechanical infrastructure improvements, remodeling within the existing courthouse; and construction of an addition for law enforcement and probation; and

- Law Enforcement and Administration Building Improvements - including communication system infrastructure and upgrades at various law enforcement and administration building locations.

(collectively, the “Project”).

Section 4. The Board shall hold public hearings at 9:35 a.m. on Tuesday, October 5, 2010, at the Duluth Courthouse, Duluth, Minnesota, to provide an opportunity for residents to express their views on the Amendment and on the issuance of the Bonds for the Project.

Section 5. The County Auditor shall publish a notice of public hearings on the capital

improvement plan and on the intent to issue the Bonds in substantially the form attached hereto as Exhibit A 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.

Adopted: September 14, 2010.

EXHIBIT A

**NOTICE OF PUBLIC HEARINGS ON THE ANNUAL AMENDMENT TO THE
CAPITAL IMPROVEMENT PLAN AND ON THE INTENT TO ISSUE
CAPITAL IMPROVEMENT BONDS BY ST. LOUIS COUNTY, MINNESOTA,
UNDER MINNESOTA STATUTES, SECTION 373.40**

Notice is hereby given that the Board of County Commissioners of St. Louis County, Minnesota, will conduct public hearings on Tuesday, October 5, 2010, at 9:35 a.m. in the Duluth Courthouse, located in Duluth, Minnesota, to provide an opportunity for the public to express their views concerning (i) the County's Capital Improvement Plan for the years 2010 through 2014; and (ii) the County's intent to issue general obligation bonds in an amount not to exceed \$7,145,000 (the "Bonds"), pursuant to the Capital Improvement Plan as amended and approved by the Board of County Commissioners.

The proceeds of the Bonds shall be used by the County to construct the following improvements, acquire the following property and to pay costs of issuance of and capitalized interest, if any, on the Bonds: (1) Courthouse Improvements - additions to and renovations and improvements of the Virginia courthouse including energy upgrades and enhancements including but not limited to window replacement, HVAC and mechanical infrastructure improvements, remodeling within the existing courthouse; and construction of an addition for law enforcement and probation; and (2) Law Enforcement and Administration Building Improvements - including communication system infrastructure and upgrades at various law enforcement and administration building locations.

The Bonds and the interest thereon shall constitute general obligations of the County secured by the full faith and credit of the County. All persons interested may appear and be heard at the time and place set forth above.

BY ORDER OF THE BOARD OF COMMISSIONERS
OF ST. LOUIS COUNTY, MINNESOTA

Donald Dicklich, County Auditor
Adopted September 14, 2010. No. 445

WHEREAS, Minn. Stat. § 275.065 requires that counties establish a public hearing date for the purpose of receiving comments from the public on the proposed property tax levy and operating budget for the year 2011 prior to adopting a final levy and budget.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board establishes the following schedule for public hearings to gather public comment on the proposed property tax levy and operating budget for year 2011:

First public hearing:

Thursday, December 2, 2010, 6:00 p.m. St. Louis County Courthouse, Virginia, MN.

Second public hearing:

Thursday, December 9, 2010, 6:00 p.m. St. Louis County Courthouse, Duluth, MN.

Adopted September 14, 2010. No. 446

WHEREAS, a cartway petition was presented to the St. Louis County Board by Bryan and Tracy Hutchinson, Van Buren Township, MN, the owners of Lot 3, Section 19, Township 52, Range 20,

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

St. Louis County, MN, containing at least 5 acres which has no established access to it, except over the lands of others, to connect the petitioners' land to a public road.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Minn. Stat. § 164.08, Subd. 2, a public hearing shall be held at 9:35 a.m. on Tuesday, November 9, 2010, in the St. Louis County Courthouse, Duluth, MN, to hear the petition of Bryan and Tracy Hutchinson, Van Buren Township, MN, to establish a cartway over the properties of Chester M. Cullen, Jr. and Robin V. Cullen and Richard F. Coccie and Susan J. Coccie, "the location of which will be the existing roadway located between the Coccie and Cullen Properties as shown on the attached Exhibit A, so that one (1) rod is located on either side of the town line," as described in the petition found in County Board File No. 59121.

RESOLVED FURTHER, the St. Louis County Board will be responsible to consider only that portion of the requested cartway over the Cullen property at the public hearing, since it is located in an unorganized township.

RESOLVED FURTHER, the St. Louis County Board will not address the portion of the requested cartway over the property of Richard F. Coccie and Susan J. Coccie since it is located in the Town of Van Buren, and will be considered by the Van Buren Town Board.

RESOLVED FURTHER, that all affected landowners are entitled to judicial review of damages and need for the cartway, pursuant to Minn. Stat. § 164.08, Subd. 7, following a determination to establish the cartway.

Adopted September 14, 2010. No. 447

WHEREAS, the Public Works Department's 2010 equipment budget includes replacement of eight Articulated Motor Graders: Units A4303, A7400, A6320, A3271, A3274, A6326, A5484 and A7209; and

WHEREAS, the Public Works Department presented specifications to the Purchasing Division for a request of State of Minnesota contract pricing from two area vendors selling Articulated Motor Graders acceptable to the Department; and

WHEREAS, Nortrax Equipment Company of Duluth, Minnesota, had the lowest cost "with trade-in" price to purchase Articulated Motor Graders.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board authorizes the purchase of eight Articulated Motor Graders from Nortrax Equipment Company of Duluth, Minnesota, at their State of Minnesota contract "with trade-in" price of \$1,174,097.76 with \$290,553.36 payable from Fund 437, Agency 437001, Object 666400, and \$883,544.40 payable from Fund 407, Agency 407001, Object 666400.

Adopted September 14, 2010. No. 448

WHEREAS, Douglas J. Johnson was born and raised in Cook, Minnesota; and

WHEREAS, Doug Johnson served in the Minnesota House of Representatives from 1970 to 1977 and in the Minnesota State Senate until retiring in 2003. While in the Senate, Doug chaired the powerful Tax Committee for nearly his entire tenure; and

WHEREAS, Doug Johnson during his entire legislative career, was a passionate friend for county governments throughout Minnesota and authored such landmark legislation as the State Takeover of Income Maintenance Program costs which has since saved county property taxpayers throughout Minnesota hundreds of millions of dollars in regressive property tax payments; and

WHEREAS, Doug Johnson was a "special friend" to counties in Northeastern Minnesota and he successfully authored several major pieces of legislation for St. Louis County and this region. Among Doug's most notable initiatives was the modernization of State Payment in Lieu of Property Tax Payments Program (PILT) which finally gave counties reasonable inflation adjustments for their millions of acres of PILT lands. In addition, during the recession of the 1980's, Doug passed the Disparity Reduction Aid Program for areas with high unemployment rates and high effective property tax rates. St. Louis County was the biggest beneficiary in Minnesota of this targeted tax relief program; and

WHEREAS, Doug Johnson was a strong advocate for economic development in our region and demonstrated this commitment with the passage of the Taconite Production Tax, which today generates \$88 million/year for economic and community development across the Iron Range; and

WHEREAS, Doug Johnson also served many years as a high school guidance counselor and thousands of Cook-area students directly benefited from his sage advice. And fortunately, Doug's passion for education followed him each January to St. Paul and today it is reflected in a shining legacy of new, state-of-the-art buildings, adorning nearly every college campus across the Northland.

NOW, THEREFORE, BE IT RESOLVED, that in honor and recognition of Senator Doug Johnson's outstanding service to the citizens of St. Louis County, Northeastern Minnesota, and the State of Minnesota, the St. Louis County Board designates a portion of County State Aid Highway No. 77 and County State Aid Highway No. 115 from State Trunk Highway No. 53 to State Trunk Highway No. 169 as the "Senator Doug Johnson Highway".

RESOLVED FURTHER, that proper signage be designed and strategically placed throughout this route in honor and recognition of Senator Doug Johnson.

Adopted September 14, 2010. No. 449

RESOLVED, that the 2010/2011 Merit System Supervisory contract is approved and the appropriate county officials are authorized to execute the Bargaining Unit Agreement, a copy of which is on file in County Board File No. 59122.

Adopted September 14, 2010. No. 450

RESOLVED, that pursuant to Ordinance No. 28, Section 11, Subdivision 11.06, authorization is hereby granted to Ash-Ka-Nam Resort & Lodge, LLC d/b/a Ash-Ka-Nam, Unorganized Township 68-19, to sell/serve outside the designated serving area of the County Liquor License for the date of September 24, 2010, as per application on file in the office of the County Auditor, identified as County Board File No. 59021.

FURTHER RESOLVED, license is issued contingent upon the approval from all necessary County departments.

Adopted September 14, 2010. No. 451

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. 59024, are hereby approved and the County Auditor shall issue checks in the following amounts:

August 2010

100	General Fund	\$4,722,454.72
147	Namakan Basin Sewer System	14,412.00
149	Personnel Service Fund	1,264.53
150	Sheriff's Nemesis Fund Group	8,047.00
167	Attorney's Forfeitures	326.73
168	Sheriff's State Forfeitures	526.19
170	Boundary Waters-Forfeitures	5,000.00
173	Emergency Shelter Grant	53,802.66
179	Enhanced 9-1-1	2,914.60
180	Law Library	11,456.27
183	City/County Communications	2,032.42
184	Extension Service	27,709.47
200	Public Works	3,636,429.08
210	Road Maint – Unorg Townships	20,831.42
220	State Road Aid	1,407,886.42
230	Public Health & Human Services	6,217,770.80
240	Forfeited Tax	491,885.39
250	St. Louis County HRA	26,739.09
260	CDBG Grant	230,406.52
270	Home Grant	14,700.26
290	Forest Resources	11,089.26

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

400	County Facility	375.00
437	2008A Capital Equipment Note	439,082.55
438	2008B Capital Improvement Bond	120,901.55
600	Environmental Services	388,323.42
616	On-Site Waste Water Division	37,655.12
625	Chris Jensen Health & Rehab	22,519.33
660	Community Foods	11,601.02
670	Supervised Living	7,809.00
700	Printing	10,675.38
705	Postage Office Supplies	5,559.19
715	County Garage	81,339.71
720	Property Casualty Liability	197,375.89
730	Workers Compensation	413,450.90
750	Management Info Systems	244,628.45
760	Telecommunications	132,083.08
770	Retired Employees Health Ins	447.28
826	Taconite Production Tax	5,516,606.00
900	State of Minnesota	1,180,254.62
902	Courts	269,283.07
909	Tax Refunds	49,662.44
919	Canceled Checks	1,158.17
925	Arrowhead Regional Corrections	1,726,643.10
955	Community Health Board	224,642.16
985	Collective Local Collaborative	43,844.34
989	Regional Railroad Authority	259,251.84
990	Northern Cities Land Use	704.34
994	Sheriff Forfeits/Evidence	944.90
998	MPL-DUL Train Alliance	12,106.49
		\$28,306,613.17

Adopted September 14, 2010. No. 452

BY COMMISSIONER FINK:

WHEREAS, on August 19, 2010, the St. Louis County Planning Commission held a public hearing regarding a request to rezone portions of Township 52 North, Range 19 West (Ness); and WHEREAS, the St. Louis County Planning Commission recommends approval of the rezoning.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves rezoning for Township 52 North, Range 19 West (Ness), from Multiple Use Non-Shoreland, MUNS-5, to Forest Agricultural Management, FAM-3, effective October 8, 2010.

Yeas – Commissioners Fink, Dahlberg, Forsman, Sweeney, and Nelson - 5

Nays – Commissioner O’Neil and Chair Raukar - 2

Adopted September 14, 2010. No. 453

BY COMMISSIONER FORSMAN:

WHEREAS, the Public Works Department equipment budget includes four dump bodies and hydraulic systems for trucks previously purchased; and

WHEREAS, Towmaster Truck and Equipment of Litchfield, Minnesota, was the lowest responsible bidder for this purchase and installation in the amount of \$208,367.00, plus sales tax of \$14,325.23, for a total cost of \$222,692.23.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board authorizes the purchase and installation of four dump bodies with hydraulic systems from Towmaster Truck and Equipment of Litchfield, Minnesota, for \$222,692.23 payable from Fund 407, Agency 407001, Object 666300.

Unanimously adopted September 14, 2010. No. 428

BY COMMISSIONER SWEENEY:

RESOLVED, that pursuant to Minn. Stat. § 349.213, Subd. 2, the St. Louis County Board approves

the following Lawful Gambling License Applications on file in the office of the County Auditor, identified as County Board File No. 59051, for the following organization:

Confidence Learning Center, East Gull Lake, Minnesota, to operate out of the following:

Burn's Bar, 5092 Howard Gnesen Road, Duluth, MN 55803, Rice Lake Township, NEW (Pull-tabs, Pull-tabs with dispensing device and Tipboards);

Porky's, 7041 Rice Lake Road, Duluth, MN 55803, Gnesen Township, NEW (Pull-tabs and Tipboards).

Yeas – Commissioners O'Neil, Dahlberg, Forsman, Sweeney, Nelson and Chair Raukar – 6

Nays – Commissioner Fink – 1

Adopted September 14, 2010. No. 454

BY COMMISSIONER O'NEIL:

WHEREAS, the St. Louis County Board must establish a maximum proposed property tax levy and have this amount certified to the County Auditor by the St. Louis County Board by September 15, 2010.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board certifies the maximum property tax levy for 2011 in the amount of \$108,073,565.

Yeas – Commissioners Fink, O'Neil, Forsman, Sweeney, and Chair Raukar – 5

Nays – Commissioners Nelson and Dahlberg - 2

Adopted September 14, 2010. No. 455

BY COMMISSIONER NELSON:

WHEREAS, the St. Louis County Housing and Redevelopment Authority (HRA) must establish a maximum proposed property tax levy and have this amount certified to the County Auditor by the St. Louis County Board by September 15, 2010.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board certifies the HRA maximum property tax levy for 2011 in the amount of \$204,824.

Yeas – Commissioners Fink, O'Neil, Dahlberg, Sweeney, Nelson, and Chair Raukar - 6

Nays – Commissioner Forsman - 1

Adopted September 14, 2010. No. 456

At 5:19 p.m., September 14, 2010, Commissioner Nelson, supported by Commissioner O'Neil, moved to adjourn the meeting; seven yeas, zero nays.

Steve Raukar, Chair of the Board
of County Commissioners

Attest:

Donald Dicklich, 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**

**OFFICIAL PROCEEDINGS OF THE MEETING
OF THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF ST. LOUIS, MINNESOTA,
HELD ON SEPTEMBER 28, 2010**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 28th day of September, 2010, at 9:33 a.m., in the County Board Room, Duluth, Minnesota, with the following members present: Commissioners Dennis Fink, Steve O'Neil, Chris Dahlberg, Mike Forsman, Peg Sweeney, Keith Nelson and Chair Steve Raukar – 7. Absent: None.

Chair Raukar asked for a moment of silence to honor U.S. troops serving throughout the world and their families at home as well as all persons whose lives are adversely affected by war.

Commissioner Forsman gave the Words of Wisdom “May you live as long as you want and never want as long as you live”, and introduced Tom Aro, Greenwood Town Supervisor, who thanked the board and introduced the Greenwood Town Board.

Chair Raukar opened the meeting to public comment concerning issues not on the agenda, and the following chose to do so:

Marcie Moe, Tower, discussed concerns about water pollution and failing septic systems. Bill Vukich, Side Lake, discussed safety concerns and lack of completion on one mile of new road construction near McCarthy Beach. Public Works Director Jim Foldesi said the there were two road projects along this stretch, noting guard rails and signage are put up after the project is complete. Rick Sathre, Tower, brought forth concerns about pervious pavement at the new South School in northern St. Louis County. Ronnie Wilson, Cook, handed out a petition for speed limit signs on Lake Vermillion as well as maps and a DVD. Mr. Wilson said the speeding boats are causing a safety hazard to people and wildlife. Bob Tammen, Soudan, said he attended a National Water Conservation Alliance meeting last week, which was promoted by the Northern Counties Land Use Coordinating Board, and opposed the politically partisan nature of the gathering.

Commissioner O'Neil, supported by Commissioner Nelson, moved to approve the consent agenda; at the request of Commissioner Dahlberg, the minutes from September 14, 2010, was removed from the consent agenda for separate consideration under the Central Management and Intergovernmental Committee. The remainder of the consent agenda was approved; seven yeas, zero nays.

Commissioner O'Neil, supported by Commissioner Dahlberg, moved to approve the September 14, 2010 minutes. Commissioner Dahlberg said the minutes reflect the proposed maximum property tax levy for 2011, noting this affects everyone in the county and recognized the board for their efforts. Commissioner Forsman asked for a correction to a nay vote on the HRA levy; seven yeas, zero nays.

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

Kevin Gray, County Administrator, and James Foldesi, Public Works Director, submitting Board Letter No. 10-337, Award of Bid – Gasohol, Fuel Oil and Diesel Fuel.—59129

Kevin Gray, County Administrator, and Donald Dicklich, County Auditor, submitting Board Letter No. 10-349, Capital Improvement Plan and Intent to Issue Capital Improvement Bonds (Public Hearing on October 5, 2010).—59130

Marcie Moe of Tower, MN, regarding concerns about water pollution and failing septic systems.—59131

Richard Sathre, P.E., regarding concerns about rumble stripes, road construction fabric & metal

culverts, and the use of pervious pavement by ISD 2142.—[59132](#)

Ronnie Wilson of Cook, MN, submitting a petition for speed limit signs on Lake Vermilion (Hinsdale Island Channel).—[59133](#)

Agreement between St. Louis County and St. Louis County Agricultural Fair Association for Infrastructure Project at the St. Louis County Fairgrounds in Chisholm, MN.—[10-633](#)

Contract for Services between St. Louis County and the Housing and Redevelopment Authority of St. Louis County.—[10-634](#)

Recycling Contract between the County of St. Louis and Universal Recycling Technologies, LLC, for electronic waste recycling and handling services.—[10-635](#)

Agreement for Professional Services between the County of St. Louis and MacNeil Environmental, Inc., for Duluth Courthouse First Floor Asbestos Abatement Management.—[10-636](#)

Agreement for Professional Services between the County of St. Louis and N.G. Engineering for Duluth Parking Lot Renovation Construction Observation Services.—[10-637](#)

Agreement for Professional Services between St. Louis County and Ramsland & Vigen, Inc., to perform appraisal services for right of way acquisition for the reconstruction of CSAH #48 (Lavaque Road) in Hermantown, MN, SAP 69-648-026, CP 8273.—[10-638](#)

Agreement for Professional Services between St. Louis County and Ramsland & Vigen, Inc., to perform appraisal services for right of way acquisition for the reconstruction of CSAH #3 (Beck Road) in Midway Township, SAP 69-603-11, CP 8175.—[10-639](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14524A, between the Public Health and Human Services Department and Alternative Opportunities, Inc.—[10-640](#)

Addendum to Purchase Agreement, Contract No. 14758B, between the St. Louis County Board of Commissioners and Pioneer Recovery Center, LLC, for Consolidated Chemical Dependency Treatment Fund Services.—[10-641](#)

Addendum to Purchase Agreement, Contract No. 14769A, between the St. Louis County Board of Commissioners and SMDC Medical Center for Consolidated Chemical Dependency Treatment Fund Services.—[10-642](#)

Group Residential Housing Rate Agreement, Contract No. 50851, between the St. Louis County Board of Commissioners and Sandra L. Dickman and Carolyn Pohjonen.—[10-643](#)

Group Residential Housing Rate Agreement, Contract No. 50866, between the St. Louis County Board of Commissioners and Innovative Living, Inc. (Gearhart).—[10-644](#)

State of Minnesota Satellite Office Agreement between the State of Minnesota, Office of the Secretary of State, and St. Louis County designating the County Recorder as a satellite office for UCC filings.—[10-645](#)

Lease Agreement between the County of St. Louis and Arrowhead Economic Opportunity Agency for office space at the St. Louis County Government Services Center, 320 Miner's Lake Drive East, Ely, MN.—[10-646](#)

Agreement for Services between St. Louis County and the City of Duluth for 2009 Homeland

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

Security Operation Stonegarden grant to enhance the security of the international borders and ports of entry between St. Louis County and Canada.—10-647

ATM Site Agreement between Duluth II Dept. of Motor Vehicles and Minnesota Pastime, for an Automated Teller Machine (ATM) to be located at 1600 Miller Trunk Highway, Duluth, MN, 55811.—10-648

Project Contract between the County of St. Louis and Ram Construction Services of MN, LLC, for South Motor Pool Building Renovation.—10-649

Facilities Cost-Share Grant from MN Department of Commerce Office of Energy Security.—10-650

Upon motion of Commissioner O'Neil, supported by Commissioner Nelson, resolutions numbered 457 through 467, as submitted to this Board on the Consent Agenda, were unanimously adopted as follows:

BY COMMISSIONER O'NEIL:

WHEREAS, the Registrar of Titles is authorized to require Registered Land Survey No. 95 pursuant to Minn. Stat. § 508.47; and

WHEREAS, the County Surveyor and Examiner of Titles have approved Registered Land Survey No. 95; and

WHEREAS, the final prints have been submitted for filing.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board grants final approval to Registered Land Survey No. 95 located in Government Lot 4, Section 1, Township 66 North, Range 17 West, Fourth Principal Meridian (Portage Township).

Adopted September 28, 2010. No. 457

WHEREAS, the Voyageurs National Park Clean Water Joint Powers Board (VNP JPB) was created by the St. Louis County and Koochiching County Boards to study waste water issues in the Namakan Basin of St Louis County and Koochiching County; and

WHEREAS, the VNP JPB was successful in receiving an appropriation of \$285,000 from the State of Minnesota Department of Employment and Economic Development with St. Louis County acting as the fiscal agent.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board accepts the State of Minnesota Department of Employment and Economic Development (DEED) grant agreement in the amount of \$285,000, and authorizes the appropriate county officials to sign the DEED agreement.

Adopted September 28, 2010. No. 458

WHEREAS, St. Louis County desires to offer for sale a parcel of land located within the Reservation boundary of the Fond du Lac Band of Lake Superior Chippewa that has forfeited to the State of Minnesota for non-payment of taxes described as:

SE 1/4 OF SE 1/4, SECTION 30, T50N, R17W, Parcel Code: 275-0022-00170 (Brevator Township)

WHEREAS, the 1985 legislature passed into law Chapter 138, Section 5, which gave the Fond du Lac Band of Lake Superior Chippewa the first opportunity to purchase tax forfeited land to be sold within the Reservation boundary; and

WHEREAS, the parcel of land has been classified as non-conservation land as provided for in Minn. Stat. Chapter 282.01; and

WHEREAS, the parcel of land is not withdrawn from sale pursuant to Minn. Stat. §§ 85.012, 92.461, 282.01, Subdivision 8; and 282.018, and other statutes that require the withholding of state tax forfeited lands from sale; and

WHEREAS, the Commissioner of Natural Resources has approved the sale of the parcel, as required by Minn. Stat. Chapter 282.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the sale of state tax forfeited land to the Fond du Lac Band of Lake Superior Chippewa for the negotiated value

of \$60,000, plus administration fees of \$150, 3% assurance fee of \$1,800, deed fee of \$25, deed tax of \$198, and recording fee of \$46, for a total of \$62,219, to be deposited into Fund 240 (forfeited tax fund).

RESOLVED FURTHER, St. Louis County Board Resolution No. 10-100, adopted on March 2, 2010, is rescinded.

Adopted September 28, 2010. No. 459

WHEREAS, St. Louis County desires to offer for sale certain parcels of land located within the Reservation boundary of the Fond du Lac Band of Lake Superior Chippewa that have forfeited to the State of Minnesota for non-payment of taxes described as:

1. LOT 5 EX RY R OF WAY 3 15/100 AC, Section 2, T50N, R18W (23.35 acres) Parcel Code: 535-0010-00210, Stoney Brook Township.

2. LOT 7 EX RY R OF WAY 3 90/100 AC, Section 2, T50N, R18W (30.1 acres) Parcel Code: 535-0010-00300, Stoney Brook Township.

WHEREAS, the 1985 legislature passed into law Chapter 138, Section 5, which gives the Fond du Lac Band of Lake Superior Chippewa the first opportunity to purchase tax forfeited land to be sold within the Reservation boundary; and

WHEREAS, Minnesota Session Laws 2008, Chapter 368, Article 1, Section 57, authorizes St. Louis County to sell by private sale the described state tax forfeited parcels which border public waters.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the sale of the described state tax forfeited parcels to the Fond du Lac Band of Lake Superior Chippewa for the negotiated value of \$70,161, plus administration fees of \$150, 3% assurance fee of \$2,104.83, deed fee of \$25, deed tax of \$231.53, and recording fee of \$46, for a total of \$72,718.36, to be deposited into Fund 240 (forfeited tax fund).

RESOLVED FURTHER, St. Louis County Board Resolution No. 10-101, adopted on March 2, 2010, is rescinded.

Adopted September 28, 2010. No. 460

WHEREAS, the St. Louis County Public Works Department plans to replace County Bridge 658 and to reconstruct approximately 600 feet of the adjacent County Road 500 (Wein Road) located approximately 1/2 mile west of County State Aid Highway No. 25 in Field Township (T62N-R19W); and

WHEREAS, these improvements consist of bridge replacement and realignment, widening and reconstruction of said roadway as determined necessary for the safety and convenience of the public; and

WHEREAS, in addition to the existing highway right of way, certain lands are required for this construction (together with temporary construction easements).

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the acquisition of the necessary lands and temporary easements for this project, payable from Fund 200, Agency 203001, Objects 636500 and 636600.

Adopted September 28, 2010. No. 461

RESOLVED, that pursuant to Minn. Stat. § 349.213, Subd. 2, the St. Louis County Board approves the following Lawful Gambling License Application (Pull-tabs with dispensing device) on file in the office of the County Auditor, identified as County Board File No. 59051, for the following organization:

American Veterans Post No. 12, Hibbing, to operate out of Riverside Inn of Side Lake,
French Township, 7477 Hwy. 5, Side Lake, MN 55781, *NEW*.

Adopted September 28, 2010. No. 462

RESOLVED, that the St. Louis County Board approves the applications for abatements, correction of assessed valuations and taxes plus penalty and interest, and any additional accrual, identified in County Board File No. 59036.

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

Adopted September 28, 2010. No. 463

WHEREAS, the St. Louis County Veterans Service Office assists eligible veterans and their dependents in obtaining all benefits they may be entitled to receive from the U.S. Department of Veterans Affairs, the Minnesota Department of Veterans Affairs (MDVA) and other agencies that provide services to veterans and their families; and

WHEREAS, the 2010 Minnesota State Legislature funded a much needed increase in veterans programming throughout the state, allowing MDVA to continue a grant process requesting proposals for grants to enhance the benefits programs and services provided to Minnesota veterans; and

WHEREAS, the St. Louis County Veterans Service Office has prepared a grant application for \$80,680 for a comprehensive outreach program for a one year period including expenses for the operations of one entry-level outreach Veterans Service Officer, advertisement on various media format, five town hall meetings within local colleges, collaboration with Beyond The Yellow Ribbon Program, and attendance at the national conference for CVSOs.NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the application for a 2011 County Veterans Service Officer Enhancement Grant from the Minnesota Department of Veterans Affairs in the amount of \$80,680 for the expenses associated with a one year comprehensive outreach program to St. Louis County's veteran population.

RESOLVED FURTHER, that positions created as a result of this grant award will be terminated at the close of the grant period.

Adopted September 28, 2010. No. 464

WHEREAS, the Purchasing Division solicits bids annually for the purchase of fuels for use throughout the county; and

WHEREAS, the Purchasing Division received bids from seven different vendors; and

WHEREAS, each location and fuel type is treated as a separate bid award providing the county with the lowest cost.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board authorizes the Purchasing Division to purchase fuels from the vendor with the lowest net cost as indicated on Bid Tabulation 4891, County Board File No. 59129.

Adopted September 28, 2010. No. 465

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of September 7, 2010, are hereby approved.

Adopted September 28, 2010. No. 466

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, dated September 10, 2010, on file in the office of the County Auditor, identified as County Board File No. 59016, is hereby received and ratified as payable from Fund 730, Agency 730001.

Adopted September 28, 2010. No. 467

At 10:30 a.m., September 28, 2010, Commissioner Nelson, supported by Commissioner Dahlberg, moved to adjourn the meeting; seven yeas, zero yeas.

Steve Raukar, Chair of the Board
of County Commissioners

Attest:

Donald Dicklich, 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, 2010

**OFFICIAL PROCEEDINGS OF THE MEETING
OF THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF ST. LOUIS, MINNESOTA,
HELD ON OCTOBER 5, 2010**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 5th day of October, 2010, at 9:37 a.m., in the County Board Room, Duluth, Minnesota, with the following members present: Commissioners Dennis Fink, Steve O'Neil, Chris Dahlberg, Mike Forsman, Peg Sweeney, Keith Nelson and Chair Steve Raukar – 7. Absent: None.

Chair Raukar asked for a moment of silence to honor U.S. troops serving throughout the world and their families at home as well as all persons whose lives are adversely affected by war.

Words of Wisdom: Commissioner Forsman said the Secretary of State has free *Vote in Honor of a Veteran* buttons which can be personalized with the name of a veteran. Commissioner Sweeney reminded everyone that October is breast cancer awareness month.

At 9:41 a.m., a public hearing was convened pursuant County Board Resolution No. 445, adopted September 14, 2010, to receive public comment concerning an amendment to the county's Capital Improvement Plan for years 2010 through 2014, and on the county's intent to issue capital improvement bonds in an amount not to exceed \$7,145,000. County Administrator Kevin Gray described the capital improvement project, which includes remodeling, addressing security and space at the Virginia Courthouse and law enforcement communications infrastructure. Terri Heaton, Senior Vice President, Springsted, Inc., reviewed the financial aspects of the proposed bond sale and explained the recommendation. In response to commissioner questions, Ms. Heaton explained the differences between Build America Bonds and tax-exempt bonds, noting bids will be taken for both types. Commissioner Forsman expressed concerns with the Build America Bonds and whether the U. S. Government would be able to reimburse the 35% interest during the 15 year term. In response to commissioner questions, Attorney Bob Toftey said the decision today is to approve the two resolutions, publish the notice of intent to sell bonds, and then determine the best choice based on the bids that come in. Commissioner Sweeney said she would like a report on the market rates for the bond purchase at the November 2, 2010 board meeting. Ms. Heaton said the decision for a dual track bid needs to be made today, adding similar saving should be seen on the planned day of purchase, November 9, and the purpose of the test a week before is a safety net to insure the savings are still there. Chair Raukar opened the meeting to supporters of the bond issuance. Charles R. Baribeau, Virginia City Councilor, said the Virginia Courthouse and Sheriff's office is in need of expansion and supports the bonding. John Tourville, Virginia City Administrator, said this project offers opportunities to consolidate services and thanked the board. John Grahek, President for Iron Range Building Trades, said this project is an investment for St. Louis County and creates jobs. Chair Raukar opened the meeting to citizens in opposition of the bonding and no one came forward. At 10:50 a.m., Commissioner Nelson, supported by Commissioner Sweeney, move to close the public hearing; seven yeas, zero nays. Commissioner Nelson, supported by Commissioner Dahlberg, moved the resolution approving the capital improvement plan, as amended, and stating the intent to issue general obligation capital improvement bonds under MN Statutes, section 373.40.

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

Kay Arola, Chief Probation Officer Arrowhead Regional Corrections, said the Virginia Courthouse has security issues and she supports the initiative. County Attorney Melanie Ford said she has 12 staff working in the Virginia Courthouse and there is no space to meet with victims or witnesses. Commissioner Nelson read a letter of support from Mountain Iron Mayor Gary Skalko. After further discussion, the resolution was approved; seven yeas, zero nays. Resolution No. 479.

A recess was called at 11:18 a.m. until 11:30 a.m.

The meeting reconvened at 11:30 a.m. with all commissioners present. Commissioner Nelson, supported by Commissioner O'Neil, moved a resolution providing for the issuance and public sale of general obligation bonds, series 2010A. After further discussion, Chair Raukar said he doesn't see any harm moving on the dual track, adding this Virginia Courthouse project is justified and an investment in our domestic agenda. Commissioner Fink said a majority of the board would like an update on the bonding issue at the November 2, 2010, meeting. Chair Raukar polled the board and asked for a showing of hands, and all commissioners were in agreement to have administration bring bond information to the November 2, 2010 meeting. Commissioner Dahlberg asked if it was advisable to add an option to the resolution to drop the Build America Bonds if the board so decided.

At 12:02 p.m. Chair Raukar called a recess until 1:30 p.m.

The meeting reconvened at 1:30 p.m. with all commissioners present. After further discussion, Teri Heaton, Springsted, Inc., said the standard operating procedure for Build America Bonds is a dual bid process and all bidders are aware of the potential of choosing one or the other. The resolution was approved; seven yeas, zero nays. Resolution No. 480.

Chair Raukar opened the meeting for public comment concerning items not on the agenda, and no one chose to do so.

Commissioner Sweeney, supported by Commissioner O'Neil moved to approve the consent agenda; seven yeas, zero nays.

Commissioner Nelson, supported by Commissioner Sweeney, moved to adopt the revised Investment Policy. County Auditor Donald Dicklich said the change is to add flexibility due to rapidly changing investment markets; seven yeas, zero nays. Resolution No. 481.

Commissioner Nelson, supported by Commissioner Sweeney, moved, with an amendment to include "and accept", a resolution authorizing application for a \$75,000 grant from the MN Department Commerce, Office of Energy Security, to complete the summer boiler project at the county jail. Auditor Dicklich said there is a change to the object code to 540962; seven yeas, zero nays. Resolution No. 482.

Commissioner O'Neil, supported by Commissioner Sweeney, moved a resolution for a closed session to evaluate the performance of County Administrator Kevin Gray, to take place at 2:45 p.m.; seven yeas, zero nays.

Commissioner Nelson said Commissioner Fink was recently appointed as the Vice Chair of the Energy and Land Use Steering Committee for the National Association of County Officials.

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

Kevin Gray, County Administrator, and Tony Mancuso, Property Management Director, submitting Board Letter 10-348, MN Department of Commerce Office of Energy Security Facility Cost-Share Grant.—59134

Commissioner Keith Nelson submitting a letter of support from Mt. Iron Mayor Gary Skalko regarding the issuance of Capital Improvement Bonds.—59135

Kevin Gray, County Administrator, and Donald Dicklich, County Auditor, submitting Board Letter 10-346, Revised St. Louis County Investment Policy.—59136

Agreement for Professional Services between St. Louis County and Angie VanDeHey for training and implementation services for the Northeast Minnesota Enforcement Safety Information System (NEMESIS) system.—10-651

Amendment No. 1 to Contract 4909 (Damion 2010-005938) between the County of St. Louis and Ram Construction Services of MN, LLC, for South Motor Pool Building Renovation project.—10-652

Upon motion of Commissioner Sweeney, supported by Commissioner O'Neil, resolutions numbered 468 through 478, as submitted to this Board on the Consent Agenda, were unanimously adopted as follows:

BY COMMISSIONER SWEENEY:

WHEREAS, Minn. Stat. § 282.04, Subd. 1(d) authorizes the County Auditor, as directed by the County Board, to lease state tax forfeited land to individuals, corporations, or organized subdivisions of the state for temporary uses at such prices and under such terms as the County Board may prescribe; and

WHEREAS, American Tower Delaware Corporation (ATC), wishes to renew Miscellaneous Lease No. L05910003 for a 500 foot telecommunications tower located on state tax forfeited land; and

WHEREAS, the Land Department has reviewed the request and recommends an annual lease fee of \$9,500 and a co-locator fee of \$500 per year for each additional tenant for a ten year term beginning January 1, 2012, and ending December 31, 2021; and

WHEREAS, ATC agrees to the terms and conditions of the lease agreement which includes providing tower space free of charge to the St. Louis County Sheriff's Department, Communications Division.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the County Auditor to lease state tax forfeited land for a telecommunications tower site described as:

A 5-acre site in the SW ¼ of the SE ¼, Section 15, Township 59 North, Range 15 West, St. Louis County, Minnesota, to American Tower Delaware Corporation, for a lease period beginning January 1, 2012 and ending December 31, 2021, with an annual lease fee of \$9,500 to be deposited into Fund 240 (Forfeited Tax Fund), and under the terms and conditions set forth in the lease agreement.

RESOLVED FURTHER, American Tower Delaware Corporation shall provide tower space free of charge to the St. Louis County Sheriff's Department, Communications Division under the terms set forth in the site lease agreement.

Adopted October 5, 2010. No. 468

WHEREAS, under the provisions of Minn. Stat. § 282.341, Subd. 1, a contract for deed to repurchase state tax forfeited land previously cancelled may be reinstated by the previous contract holder subject to payment of installments, taxes, assessments, penalties, interest, and costs; and

WHEREAS, Charles Pettinelli of Virginia, MN, has requested to reinstate Contract C22070129, having been cancelled on August 3, 2010, under new Contract C22100093 for property described as:

CITY OF VIRGINIA

THAT PART OF SE 1/4 OF SW 1/4 LYING S OF VIRGINIA RD

EX WLY 265 FEET

SEC 7 TWP 58 RGE 17

Parcel Code: 90-180-445

WHEREAS, less than 50% of the basic sale price was paid prior to cancellation; therefore, County Board approval is required for reinstatement.

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

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the reinstatement of Contract C22100093 by Charles Pettinelli of Virginia, MN, in the amount of \$7,719.67, to be deposited into Fund 240 (Forfeited Tax Fund).

Adopted October 5, 2010. No. 469

WHEREAS, the contracts with DCA Land Holdings of Duluth, MN, for the purchase of state tax forfeited land are in default for nonpayment of taxes and/or installments; and
WHEREAS, the purchasers were properly served with Notice of Cancellation of Contract by civil process and have failed to cure the default for lands legally described as:

<p>DCA Land Holdings TOWN OF RICE LAKE N1/2 OF N1/2 OF SW1/4 OF NW1/4 15 TWP 51 RGE 14 Parcel Code: 520-12-1460 C22080327</p>	<p>DCA Land Holdings TOWN OF CANOSIA NE1/4 OF NE1/4 EX S1/2 OF S1/2 OF SEC S1/2 & EX N1/2 OF NE1/4 SEC 22 TWP 51 RGE 15 Parcel Code: 280-14-10 C2080323</p>
<p>DCA Land Holdings TOWN OF CANOSIA SW1/4 OF SE1/4 SEC 22 TWP 51 RGE 15 Parcel Code: 280-14-220 C22080326</p>	<p>DCA Land Holdings TOWN OF CANOSIA NW1/4 OF NE1/4 SEC 22 TWP 51 RGE 15 Parcel Code: 280-14-90 C22080324</p>

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the cancellation of contracts for the purchase of state tax forfeited land described above, according to the provisions of Minn. Stat. § 282.01, Subd. 5, and Minn. Stat. § 282.40, and according to the procedures of Minn. Stat. § 559.21.

Adopted October 5, 2010. No. 470

WHEREAS, in 1991, St. Louis County implemented a Solid Waste Service Fee to fund portions of the county's solid waste management programs; and

WHEREAS, in 2001 and 2002, the county established the South Solid Waste Service Area and implemented hauler-collected and tax statement line item service fees for that area; and

WHEREAS, current revenue generated by solid waste service fees is adequate to fund recycling, household hazardous waste, administration, and waste reduction programs.

NOW, THEREFORE, BE IT RESOLVED, that the 2011 North Solid Waste Service Area Solid Waste Service Fees continue at the 2010 rates 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

RESOLVED FURTHER, that the 2011 South Solid Waste Service Area Solid Waste Service Fees continue at the 2010 rates as follows:

Residential Parcels	\$ 18.00
Seasonal/Recreational Parcels	\$ 9.00
Commercial Parcels:	
* EMV less than \$50,000	\$ 18.00
EMV \$50,001 to \$100,000	\$ 27.00
EMV \$100,001 to \$150,000	\$ 36.00
EMV \$150,001 to \$200,000	\$ 45.00
EMV more than \$200,000	\$ 54.00

* EMV – Estimated Market Value – land value plus improvements

RESOLVED FURTHER, that these rates shall be certified to the St. Louis County Auditor to be included upon the 2011 tax statements.

Adopted October 5, 2010. No. 471

WHEREAS, the Public Works Department plans to rehabilitate 3.5 miles of County State Aid Highway (CSAH) No. 37 (County Project 8301, SAP 69-637-19) within the Townships of Lakewood, Rice Lake, Normanna, and Gnesen from CSAH No. 43 (Zimmerman Road) north to CSAH No. 44 (Normanna Road) approximately 4 1/2 miles north of Duluth; and

WHEREAS, these improvements consist of bituminous surface reclamation, construction of turn lanes, replacement of drainage structures and bituminous resurfacing as determined necessary to provide for the safety and convenience of the public; and

WHEREAS, in addition to the existing highway right of way, certain lands are required for this construction, together with temporary construction easements.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the Public Works Director to proceed with the acquisition of the necessary lands and temporary easements for this project, payable from Fund 200, Agency 203001.

Adopted October 5, 2010. No. 472

WHEREAS, County State Aid Highway No. 44 (Pequaywan Lake Road) was reconstructed and realigned in the years of 1989-1990, and

WHEREAS, the new road design realignment shifted the road southeasterly, varying in distance from its original location within that part of NW ¼ of NW ¼ located in Section 17, Township 54 North, Range 12 West, and Govt. Lot 1, Section 18, Township 54 North, Range 12 West (Town of Pequaywan); and

WHEREAS, a request was made by property owners to vacate the “old” road segment lying within these parcels, and

WHEREAS, this segment is not necessary for county roadway purposes.

WHEREAS, access agreements for ingress and egress across subject parcels affected by this vacation are required to be in place prior to January 1, 2011.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Minn. Stat. § 163.11 Subdivision 4, the St. Louis County Board vacates that portion of the “Old Pequaywan Lake Road” lying within that part of NW ¼ of NW ¼, Section 17, and Govt. Lot 1, Section 18, all within Township 54 North, Range 12 West, Town of Pequaywan, reserving all in-place utilities.

RESOLVED FURTHER, that this road vacation is contingent upon the granting of private access agreements prior to January 1, 2011 between all affected property owners that will continue into perpetuity legal access to the existing public road (County State Aid Highway No. 44).

Adopted October 5, 2010. No. 473

RESOLVED, that the St. Louis County Board approves the applications for abatements, correction of assessed valuations and taxes plus penalty and interest, and any additional accrual, identified in County Board File No. 59036.

Adopted October 5, 2010. No. 474

WHEREAS, all increases in original governmental funds revenue and expenditure budgets require County Board approval; and

WHEREAS, departments anticipate being notified of additional revenues throughout the year and need approval to increase revenue and expenditure budgets; and

WHEREAS, proposed budget adjustments are levy neutral;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners authorizes the following budget adjustments:

1. Authorize the use of fund balance designated for Parking Lots for soil boring tests in preparation of Green Lot renovation project (\$4,295.00).

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2. Transfer the Workers' Comp budget that was budgeted for in Public Health & Human Services Environmental Services to the Onsite Wastewater Services budget where it should have been accounted for (transfer of \$1,827.50).
3. Authorize the use of fund balance for higher than budgeted Child in need of Protection or Services (CHIPS) expenses (\$1,000.00).
4. Authorize the use of fund balance to cover unemployment expenses for discontinued programs-Community Foods and Assisted Living (\$28,368.32).
5. Increase revenue and expense budget to account for program income from Economic Development projects (\$10,000.00).
6. Increase revenue and expense budgets to match actual revenue received for meth-related overtime reimbursed through the Northeast Law Enforcement Administrator's Council (NLEAC) (\$6,910.56).
7. Increase revenue and expense budgets to match actual CHIPS court expenses (\$3,369.70).
8. Increase revenue and expense budgets to reflect actual revenue received and expenses for the 2010 Federal Boat & Water Safety Sub Grant (\$23,320.00).
9. Increase revenue and expense budget for Safe Haven grant to reflect the amount needed to fully earn and expend the grant by the end of the grant term (\$123,114.82).
10. Increase revenue budget in the 2009 Justice Assistance Grant, American Reinvestment and Recovery Act of 2009 Federal Stimulus grant to the correct balance carried forward, which results in an accumulation of fund balance (\$29,455.09).
11. Authorize use of fund balance to spend grant match that was authorized by County Board Resolution No. 07-496 and budgeted in 2007 but not expended (\$29,820.00).
12. Increase revenue and expense budget to reflect sale of Sheriff equipment, the proceeds of which will be used towards the purchase of a replacement vehicle (\$5,683.57).

2nd Quarter		Expense Budget	Transfer	Out	Accumulation of Fund Balance	Revenue Budget	Transfers	In	Use of Fund Balance
1	100 128010 626600	\$	4,295.00						
	100 999999 311105								\$ (4,295.00)
2	230 236001 617300	\$	(1,827.50)						
	616 616001 617300	\$	1,827.50						
3	149 149001 629900	\$	1,000.00						
	149 999999 311030								\$ (1,000.00)
4	100 104011 617200	\$	19,068.00						
	100 104007 617200	\$	9,300.32						
	100 999999 311200								\$ (28,368.32)
5	260 261001 583100	\$	10,000.00			\$ (10,000.00)			
	260 261001 629900								
6	100 129999 629900 12943 99999999 2009	\$	1,815.63						
	100 129999 540515 12943 99999999 2009					\$ (1,815.63)			
	100 129999 629900 12943 99999999 2010	\$	5,094.93						
	100 129999 540515 12943 99999999 2010					\$ (5,094.93)			
7	149 149001 583100	\$	3,369.70						\$ (3,369.70)
	149 149001 629900								
8	100 129999 540906 12936 99999999 2010	\$	23,320.00						\$ (23,320.00)
	100 129999 642900 12936 99999999 2010								
9	230 232008 540512 23209 99999999 2007	\$	123,114.82						\$ (123,114.82)
	230 232008 602000 23209 99999999 2007								
10	100 129999 540516 12915 99999999 2009					\$ (29,455.09)			
	100 999999 311200 99999 99999999 9999			\$ 29,455.09					
11	100 129999 629900 12936 99999999 2007	\$	29,820.00						\$ (29,820.00)
	100 999999 311200 99999 99999999 9999								
12	100 130002 583211	\$	5,683.57						\$ (5,683.57)
	100 130002 668900								

Adopted October 5, 2010. No. 475

WHEREAS, the Public Works Department has requested the Adolph garage be offered for public sale. Property is legally described as follows:

Beginning at a point 660 feet, more or less, south of the Northeast corner of Section 31, Township 50 North, Range 15 West, said point being the Southeast corner of the North One-half of the Northeast Quarter of the Northeast Quarter (N 1/2 of NE 1/4 of NE 1/4) of said Section 31, and running thence west at right angles 416 feet; thence north at right angles 208 feet; thence east at right angles 416 feet; thence south at right angles 208 feet to the place of beginning, being 2 acres, more or less.

Parcel Code 395-0010-09110;

and

Beginning at a point two hundred eight (208) feet north at right angles from the Southeast corner of the North One-half of Northeast Quarter of Northeast Quarter (N1/2 of NE 1/4 of NE 1/4) thence north at right angles two hundred eight (208) feet, thence west at right angles four hundred sixteen (416) feet, thence south at right angles two hundred eight (208) feet, thence east at right angles four hundred sixteen (416) feet to place of beginning; containing 2 acres, Section Thirty-one (31), Township Fifty (50), Range Fifteen (15), according to the Government Survey thereof.

Parcel Code 395-0010-09120

WHEREAS, an appraisal of the property has been completed with a resulting value of \$48,000;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the Property Management Director to advertise for written proposals for the Adolph garage, a building 1843 square feet in size, on a parcel of land approximately four acres in size, pursuant to the requirements and procedures of Minn. Stat. § 373.01.

RESOLVED FURTHER, the County Board establishes the time for proposal consideration to be at 9:35 A.M. on Tuesday, November 2, 2010, at the St. Louis County Board meeting in the Duluth Courthouse.

Adopted October 5, 2010. No. 476

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, dated September 24, 2010, on file in the office of the County Auditor, identified as County Board File No. 59016, is hereby received and ratified as payable from Fund 730, Agency 730001.

Adopted October 5, 2010. No. 477

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of September 14, 2010, are hereby approved.

Adopted October 5, 2010. No. 478

BY COMMISSIONER NELSON:

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. LOUIS COUNTY, MINNESOTA APPROVING THE CAPITAL IMPROVEMENT PLAN, AS AMENDED, AND STATING THE INTENT TO ISSUE GENERAL OBLIGATION CAPITAL IMPROVEMENT BONDS UNDER MINNESOTA STATUTES, SECTION 373.40

BE IT RESOLVED, by the Board of County Commissioners (the "Board") of St. Louis County, Minnesota (the "County"), as follows:

Section 1. The Board, pursuant to Minnesota Statutes, Section 373.40 (the "Act"), previously approved a Capital Improvement Plan (the "Capital Improvement Plan"). Following a public hearing on October 5, 2010, as required by the Act, the Board considered a proposed amendment to the Capital Improvement Plan and the Board has considered the following for each project described in the proposed amendment and the overall plan:

- (i) The condition of the County's existing infrastructure, including the projected need for repair or replacement;
- (ii) The likely demand for the improvement;

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- (iii) The estimated cost of the improvement;
- (iv) The available public resources;
- (v) The level of overlapping debt in the County;
- (vi) The relative benefits and costs of alternative uses of the funds;
- (vii) Operating costs of the proposed improvements; and
- (viii) Alternatives for providing services more efficiently through shared facilities with other cities or local government units.

The Board, based on the considerations set forth in the amendment and overall plan and as set forth herein, hereby approves the Capital Improvement Plan, as amended for the years 2010 through 2014, as presented to the Board, and on file as County Board Document File No. 59130 (the "Plan").

Section 2. Under and pursuant to the authority contained in the Act and Minnesota Statutes, Chapter 475, the County is authorized to issue capital improvement bonds to provide funds for capital improvements pursuant to the Plan.

Section 3. 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 general obligation capital improvement bonds in the maximum amount of \$7,145,000 (the "Bonds"), for the purpose of providing funds for the following capital improvements under the Plan and for the payment of costs of issuance of the Bonds:

- Courthouse Improvements - additions to and renovations and improvements of the Virginia courthouse including energy upgrades and enhancements including but not limited to window replacement, HVAC and mechanical infrastructure improvements, remodeling within the existing courthouse; and construction of an addition for law enforcement and probation; and

- Law Enforcement and Administration Building Improvements - including communication system infrastructure and upgrades at various law enforcement and administration building locations.

Section 4. 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. If, within 30 days after October 5, 2010, 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.

Adopted October 5, 2010

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. Louis County, Minnesota (the "Board"), is authorized to issue general obligation capital improvement bonds to provide funds for capital improvements pursuant to an amendment to the Capital Improvement Plan for the years 2010 through 2014 approved by the Board on October 5, 2010 (the "Plan"). The Board by resolution adopted October 5, 2010 (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 general obligation capital improvement bonds in the maximum amount of \$7,145,000 (the "Bonds"), to provide funds for the following capital improvements under the Plan and for costs of issuance of the Bonds:

- Courthouse Improvements - additions to and renovations and improvements of the Virginia courthouse including energy upgrades and enhancements including but not limited to window replacement, HVAC and mechanical infrastructure improvements, remodeling within the existing courthouse; and construction of an addition for law enforcement and probation; and
- Law Enforcement and Administration Building Improvements - including communication system infrastructure and upgrades at various law enforcement and administration building locations.

If, within 30 days after October 5, 2010, 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
COMMISSIONERS

/s/ Donald Dicklich, County Auditor

Unanimously adopted October 5, 2010. No. 479

BY COMMISSIONER NELSON:

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. LOUIS
COUNTY, MINNESOTA, PROVIDING FOR THE ISSUANCE AND PUBLIC SALE OF
GENERAL OBLIGATION CAPITAL IMPROVEMENT BONDS, SERIES 2010A**

BE IT RESOLVED, by the Board of County Commissioners (the "Board") of St. Louis County, Minnesota (the "County"), as follows:

Section 1. 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 an approved capital improvement plan.

Section 2. Pursuant to a Resolution adopted by the Board on October 5, 2010 (the "Resolution"), the Board stated its intention to issue general obligation capital improvement bonds in the maximum amount of \$7,145,000 for certain capital improvements, including courthouse improvements, administration building improvements, and law enforcement improvements authorized in an amendment to the County's Capital Improvement Plan for the years 2010 through 2014 and

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approved by the Board on October 5, 2010.

Section 3. The Board hereby 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 in the maximum amount of \$7,145,000, for the purpose of providing funds for the following capital improvements pursuant to the Capital Improvement Plan, as amended, for the years 2010 through 2014, and for costs of issuance of such bonds:

- Courthouse Improvements - additions to and renovations and improvements of the Virginia courthouse including energy upgrades and enhancements including but not limited to window replacement, HVAC and mechanical infrastructure improvements, remodeling within the existing courthouse; and construction of an addition for law enforcement and probation; and
- Law Enforcement and Administration Building Improvements - including communication system infrastructure and upgrades at various law enforcement and administration building locations.

(collectively, the "Project").

Section 4. The County's administrative staff are hereby authorized and directed to work with bond counsel, and Springsted Incorporated, independent financial adviser to the County, to solicit bids and to arrange for the sale of the County's General Obligation Capital Improvement Bonds, Series 2010A in the maximum amount of \$7,145,000 (the "Bonds") for the purposes of and pursuant to the authorizations recited in Sections 2 and 3 above in substantial compliance with the Terms of Proposal attached hereto as Exhibit A. Each and all of the terms and provisions set forth in the Terms of Proposal are adopted and confirmed as the terms and conditions of the Bonds and the sale thereof. The bids shall be received at the administrative offices of Springsted Incorporated until 9:30 a.m. central time on November 9, 2010, and consideration for the award of the Bonds will be by the Board at 1:30 p.m. the same day. The Terms of Proposal permit the bidders to submit bids for the Bonds as taxable Build America Bonds or as tax-exempt bonds. The County Auditor is hereby authorized to modify such Terms of Proposal regarding such option, after consulting the County's financial advisor and bond counsel, if the then existing bond market warrants a change.

Section 5. The Board shall meet on November 9, 2010, in accordance with the Terms of Proposal, to consider bids for the purchase of the Bonds and to take whatever actions are necessary for the acceptance or rejection of the bids.

Adopted: October 5, 2010.

EXHIBIT A

THE COUNTY HAS AUTHORIZED SPRINGSTED INCORPORATED TO NEGOTIATE
THIS ISSUE ON ITS BEHALF. PROPOSALS WILL BE RECEIVED ON THE
FOLLOWING BASIS:

TERMS OF PROPOSAL

\$7,135,000*

ST. LOUIS COUNTY, MINNESOTA

TAXABLE GENERAL OBLIGATION CAPITAL IMPROVEMENT BONDS, SERIES 2010A
(BUILD AMERICA BONDS – DIRECT PAY)

OR

GENERAL OBLIGATION CAPITAL IMPROVEMENT BONDS, SERIES 2010A

(BOOK ENTRY ONLY)

The County is requesting proposals for the above-named Issue optionally as conventional tax-exempt general obligations (the “Tax-Exempt Bonds”) or as taxable general obligations which the County will elect to designate “Qualified Build America Bonds (Direct Pay)” (the “Taxable Bonds”). Proposals for the Bonds and the Good Faith Deposit (“Deposit”) will be received on Tuesday, November 9, 2010, until 9:30 A.M., Central Time, at the offices of Springsted Incorporated, 380 Jackson Street, Suite 300, Saint Paul, Minnesota, after which time proposals will be opened and tabulated. Consideration for award of the Bonds will be by the County Board at 1:30 P.M., Central Time, the same day.

SUBMISSION OF PROPOSALS

Springsted will assume no liability for the inability of the bidder to reach Springsted prior to the time of sale specified above. All bidders are advised that each Proposal shall be deemed to constitute a contract between the bidder and the County to purchase the Bonds regardless of the manner in which the Proposal is submitted.

(a) **Sealed Bidding.** Proposals may be submitted in a sealed envelope or by fax (651) 223-3046 to Springsted. Signed Proposals, without final price or coupons, may be submitted to Springsted prior to the time of sale. The bidder shall be responsible for submitting to Springsted the final Proposal price and coupons, by telephone (651) 223-3000 or fax (651) 223-3046 for inclusion in the submitted Proposal.
OR

(b) **Electronic Bidding.** Notice is hereby given that electronic proposals will be received via PARITY®. For purposes of the electronic bidding process, the time as maintained by PARITY® shall constitute the official time with respect to all Bids submitted to PARITY®. *Each bidder shall be solely responsible for making necessary arrangements to access PARITY® for purposes of submitting its electronic Bid in a timely manner and in compliance with the requirements of the Terms of Proposal.* Neither the County, its agents nor PARITY® shall have any duty or obligation to undertake registration to bid for any prospective bidder or to provide or ensure electronic access to any qualified prospective bidder, and neither the County, its agents nor PARITY® shall be responsible for a bidder’s failure to register to bid or for any failure in the proper operation of, or have any liability for any delays or interruptions of or any damages caused by the services of

* Preliminary; subject to change

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PARITY®. The County is using the services of PARITY® solely as a communication mechanism to conduct the electronic bidding for the Bonds, and PARITY® is not an agent of the County.

If any provisions of this Terms of Proposal conflict with information provided by PARITY®, this Terms of Proposal shall control. Further information about PARITY®, including any fee charged, may be obtained from:

PARITY®, 1359 Broadway, 2nd Floor, New York, New York 10018
Customer Support: (212) 849-5000

DETAILS OF THE BONDS

The Bonds will be dated as of the date of delivery, as the date of original issue, and will bear interest payable on June 1 and December 1 of each year, commencing December 1, 2011. Interest will be computed on the basis of a 360-day year of twelve 30-day months.

The Bonds will mature December 1 in the years and amounts* as follows:

2011	\$430,000
2012	\$430,000
2013	\$430,000
2014	\$435,000
2015	\$440,000
2016	\$450,000
2017	\$455,000
2018	\$465,000
2019	\$475,000
2020	\$490,000
2021	\$500,000
2022	\$515,000
2023	\$525,000
2024	\$540,000
2025	\$555,000

* *The County reserves the right, after proposals are opened and prior to award, to increase or reduce the principal amount of the Bonds or the maturity amounts offered for sale. Any such increase or reduction will be made in multiples of \$5,000 in any of the maturities. In the event the principal amount of the Bonds is increased or reduced, any premium offered or any discount taken by the successful bidder will be increased or reduced by a percentage equal to the percentage by which the principal amount of the Bonds is increased or reduced.*

TERM BONDS

Proposals for the Bonds may contain a maturity schedule providing for a combination of serial bonds and term bonds. In the event the Bonds are issued as Tax-Exempt Bonds, term bonds will be allowed in all maturities. **If the Bonds are issued as Taxable Bonds, term bonds are allowed for only the Bonds maturing in the years 2020 and thereafter.** All term bonds shall be subject to mandatory sinking fund redemption at a price of par plus accrued interest to the date of redemption and must conform to the maturity schedule set forth above. In order to designate term bonds, the proposal must specify "Years of Term Maturities" in the spaces provided on the Proposal Form.

BOOK ENTRY SYSTEM

The Bonds will be issued by means of a book entry system with no physical distribution of Bonds made to the public. The Bonds will be issued in fully registered form and one Bond, representing the aggregate principal amount of the Bonds maturing in each year, will be registered in the name of Cede & Co. as nominee of The Depository Trust Company ("DTC"), New York, New York, which will act as securities depository of the Bonds. Individual purchases of the Bonds may be made in the principal amount of \$5,000 or any multiple thereof of a single maturity through book entries made on the books and records of DTC and its participants. Principal and interest are payable by the registrar to DTC or its nominee as registered owner of the Bonds. Transfer of principal and interest payments to participants of DTC will be the responsibility of DTC; transfer of principal and interest payments to beneficial owners by participants will be the responsibility of such participants and other nominees of beneficial owners. The purchaser, as a condition of delivery of the Bonds, will be required to deposit the Bonds with DTC.

REGISTRAR

The County Auditor of the County will serve as Registrar.

OPTIONAL REDEMPTION

The County may elect on December 1, 2020, and on any day thereafter, to prepay Bonds due on or after December 1, 2021. Redemption may be in whole or in part and if in part at the option of the County and in such manner as the County shall determine. If less than all Bonds of a maturity are called for redemption, the County will notify DTC of the particular amount of such maturity to be prepaid. DTC will determine by lot the amount of each participant's interest in such maturity to be redeemed and each participant will then select by lot the beneficial ownership interests in such maturity to be redeemed. All prepayments shall be at a price of par plus accrued interest.

EXTRAORDINARY REDEMPTION

If the Bonds are designated and issued as Taxable Bonds under Section 54AA of the Internal Revenue Code of 1986, as amended (the "Code"), at the option of the County, the Bonds are also subject to extraordinary redemption in whole, but not in part, at a redemption price equal to par plus accrued interest to the redemption date, upon or on any date after the occurrence of a Determination of Ineligibility. A "Determination of Ineligibility" means (i) the enactment of legislation or the adoption of final regulations or a final decision, ruling, or technical advice by any federal judicial or administrative authority which would have the effect of deeming, determining or rendering the Bonds not qualified for treatment as Build America Bonds under the Code; (ii) the federal government discontinues the Build America Bonds direct payment program with retroactive applicability to bonds issued prior to the date of such discontinuance; (iii) the federal government reduces the Build America Bond direct payment percentage with retroactive applicability to bonds issued prior to the date of such Federal Credit reduction; or (iv) the receipt by the County of a written opinion of nationally recognized bond counsel selected by the County to the effect that the Bonds are not Qualified Build America Bonds under the Code.

SECURITY AND PURPOSE

The Bonds will be general obligations of the County for which the County will pledge its full faith and credit and power to levy direct general ad valorem taxes. The proceeds will be used to provide funds for capital improvements pursuant to the County's 2010-2014 Capital Improvement Plan.

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS
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TAXABILITY OF INTEREST

In the event the Bonds are issued as Taxable Bonds, the interest to be paid on the Bonds is includable in gross income of the recipient for United States and State of Minnesota income tax purposes, and is subject to Minnesota Corporate and bank excise taxes measured by net income.

BIDDING PARAMETERS

Bidders may provide proposals for the Bonds specifying interest rates for the Bonds if issued as Tax-Exempt Bonds, or alternatively, specifying interest rates for the Bonds if issued as Taxable Bonds. To comply with the "Build America Bond" provisions of the Internal Revenue Code of 1986, as amended (the "Code"), each proposal for the Taxable Bonds must specify the expected reoffering price for each maturity of the Bonds, and (i) each such reoffering price cannot exceed the par amount of the maturity by more than .25% multiplied by the number of complete years to the earlier of the maturity date or the first optional redemption date for the maturity of the Bonds and (ii) in the initial offering no bond may be sold for a price in excess of such limit unless the IRS provides authoritative guidance to the contrary. Separate proposal forms and Parity provisions have been provided for submitting proposals for the Bonds if to be designated Tax-Exempt Bonds or designated Taxable Bonds.

Proposals for the Tax-Exempt Bonds shall be for not less than \$7,056,515 (the "Minimum Bid") and accrued interest on the total principal amount of the Bonds. Proposals for the Taxable Bonds shall be for not less than the Minimum Bid and for not more than the Maximum Permitted Prices, as described below.

<u>Year</u>	<u>Maximum Permitted Price</u>						
2011	100.00%	2015	101.00%	2019	102.00%	2023	102.25%
2012	100.25%	2016	101.25%	2020	102.25%	2024	102.25%
2013	100.50%	2017	101.50%	2021	102.25%	2025	102.25%
2014	100.75%	2018	101.75%	2022	102.25%		

No proposal can be withdrawn or amended after the time set for receiving proposals unless the meeting of the County scheduled for award of the Bonds is adjourned, recessed, or continued to another date without award of the Bonds having been made. Rates shall be in integral multiples of 5/100 or 1/8 of 1%. Rates are not required to be in level or ascending order; however, the rate for any maturity cannot be more than 1% lower than the highest rate of any of the preceding maturities. Bonds of the same maturity shall bear a single rate from the date of the Bonds to the date of maturity. No conditional proposals will be accepted.

GOOD FAITH DEPOSIT

Proposals, regardless of method of submission, shall be accompanied by a Deposit in the amount of \$71,350, in the form of a certified or cashier's check, a wire transfer, or Financial Surety Bond and delivered to Springsted Incorporated prior to the time proposals will be opened. Each bidder shall be solely responsible for the timely delivery of their Deposit whether by check, wire transfer or Financial Surety Bond. Neither the County nor Springsted Incorporated have any liability for delays in the transmission of the Deposit.

Any Deposit made by **certified or cashier's check** should be made payable to the County and delivered to Springsted Incorporated, 380 Jackson Street, Suite 300, St. Paul, Minnesota 55101.

Any Deposit sent via **wire transfer** should be sent to Springsted Incorporated as the County's agent

according to the following instructions:

Wells Fargo Bank, N.A., San Francisco, CA 94104
ABA #121000248
For credit to Springsted Incorporated, Account #635-5007954

Contemporaneously with such wire transfer, the bidder shall send an e-mail to bond_services@springsted.com, including the following information; (i) indication that a wire transfer has been made, (ii) the amount of the wire transfer, (iii) the issue to which it applies, and (iv) the return wire instructions if such bidder is not awarded the Bonds.

Any Deposit made by the successful bidder by check or wire transfer will be delivered to the County following the award of the Bonds. Any Deposit made by check or wire transfer by an unsuccessful bidder will be returned to such bidder following County action relative to an award of the Bonds.

If a **Financial Surety Bond** is used, it must be from an insurance company licensed to issue such a bond in the State of Minnesota and pre-approved by the County. Such bond must be submitted to Springsted Incorporated prior to the opening of the proposals. The Financial Surety Bond must identify each underwriter whose Deposit is guaranteed by such Financial Surety Bond. If the Bonds are awarded to an underwriter using a Financial Surety Bond, then that underwriter is required to submit its Deposit to the County in the form of a certified or cashier's check or wire transfer as instructed by Springsted Incorporated not later than 3:30 P.M., Central Time on the next business day following the award. If such Deposit is not received by that time, the Financial Surety Bond may be drawn by the County to satisfy the Deposit requirement.

The Deposit received from the purchaser, the amount of which will be deducted at settlement, will be deposited by the County and no interest will accrue to the purchaser. In the event the purchaser fails to comply with the accepted proposal, said amount will be retained by the County.

AWARD

The Bonds will be awarded to the bidder offering the lowest interest rate to be determined on a true interest cost (TIC) basis, treating the credit available to the County if the Bonds are issued as Taxable Bonds constituting "Qualified Build America Bonds" as a reduction in each interest payment. No proposal for the Taxable Bonds may require reoffering premiums in excess of the maximums set for the Taxable Bonds issued as "Qualified Build America Bonds." The County's computation of the interest rate of each proposal, in accordance with customary practice, will be controlling.

The County will reserve the right to: (i) waive non-substantive informalities of any proposal or of matters relating to the receipt of proposals and award of the Bonds, (ii) reject all proposals without cause, and (iii) reject any proposal that the County determines to have failed to comply with the terms herein.

BOND INSURANCE AT PURCHASER'S OPTION

If the Bonds qualify for issuance of any policy of municipal bond insurance or commitment therefore at the option of the underwriter, the purchase of any such insurance policy or the issuance of any such commitment shall be at the sole option and expense of the purchaser of the Bonds. Any increased costs of issuance of the Bonds resulting from such purchase of insurance shall be paid by the purchaser, except that, if the County has requested and received a rating on the Bonds from a rating agency, the County will pay that rating fee. Any other rating agency fees shall be the responsibility of the purchaser.

Failure of the municipal bond insurer to issue the policy after Bonds have been awarded to the

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

purchaser shall not constitute cause for failure or refusal by the purchaser to accept delivery on the Bonds.

CUSIP NUMBERS

If the Bonds qualify for assignment of CUSIP numbers such numbers will be printed on the Bonds, but neither the failure to print such numbers on any Bond nor any error with respect thereto will constitute cause for failure or refusal by the purchaser to accept delivery of the Bonds. The CUSIP Service Bureau charge for the assignment of CUSIP identification numbers shall be paid by the purchaser.

SETTLEMENT

On or about December 9, 2010, the Bonds will be delivered without cost to the purchaser through DTC in New York, New York. Delivery will be subject to receipt by the purchaser of an approving legal opinion of Fryberger, Buchanan, Smith & Frederick, P.A., Duluth, Minnesota, and of customary closing papers, including a no-litigation certificate. On the date of settlement, payment for the Bonds shall be made in federal, or equivalent, funds that shall be received at the offices of the County or its designee not later than 12:00 Noon, Central Time. Unless compliance with the terms of payment for the Bonds has been made impossible by action of the County, or its agents, the purchaser shall be liable to the County for any loss suffered by the County by reason of the purchaser's non-compliance with said terms for payment.

CONTINUING DISCLOSURE

In accordance with SEC Rule 15c2-12(b)(5), the County will undertake, pursuant to the resolution awarding sale of the Bonds, to provide annual reports and notices of certain events. A description of this undertaking is set forth in the Official Statement. The purchaser's obligation to purchase the Bonds will be conditioned upon receiving evidence of this undertaking at or prior to delivery of the Bonds.

OFFICIAL STATEMENT

The County has authorized the preparation of an Official Statement containing pertinent information relative to the Bonds, and said Official Statement will serve as a nearly final Official Statement within the meaning of Rule 15c2-12 of the Securities and Exchange Commission. For copies of the Official Statement or for any additional information prior to sale, any prospective purchaser is referred to the Financial Advisor to the County, Springsted Incorporated, 380 Jackson Street, Suite 300, Saint Paul, Minnesota 55101, telephone (651) 223-3000.

The Official Statement, when further supplemented by an addendum or addenda specifying the maturity dates, principal amounts and interest rates of the Bonds, together with any other information required by law, shall constitute a "Final Official Statement" of the County with respect to the Bonds, as that term is defined in Rule 15c2-12. By awarding the Bonds to any underwriter or underwriting syndicate submitting a proposal therefore, the County agrees that, no more than seven business days after the date of such award, it shall provide without cost to the senior managing underwriter of the syndicate to which the Bonds are awarded 250 copies of the Official Statement and the addendum or addenda described above. The County designates the senior managing underwriter of the syndicate to which the Bonds are awarded as its agent for purposes of distributing copies of the Final Official Statement to each Participating Underwriter. Any underwriter delivering a proposal with respect to the Bonds agrees thereby that if its proposal is accepted by the County (i) it shall accept such designation and (ii) it shall enter into a contractual relationship with all Participating Underwriters of the Bonds for purposes of assuring the receipt by each such Participating Underwriter of the Final Official Statement.

Dated October 5, 2010

BY ORDER OF THE COUNTY BOARD

/s/ Kevin Gray
County Administrator

**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. Louis County, Minnesota (the "Board"), is authorized to issue general obligation capital improvement bonds to provide funds for capital improvements pursuant to an amendment to the Capital Improvement Plan for the years 2010 through 2014 approved by the Board on October 5, 2010 (the "Plan"). The Board by resolution adopted October 5, 2010 (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 general obligation capital improvement bonds in the maximum amount of \$7,145,000 (the "Bonds"), to provide funds for the following capital improvements under the Plan and for costs of issuance of the Bonds:

■ Courthouse Improvements - additions to and renovations and improvements of the Virginia courthouse including energy upgrades and enhancements including but not limited to window replacement, HVAC and mechanical infrastructure improvements, remodeling within the existing courthouse; and construction of an addition for law enforcement and probation; and

■ Law Enforcement and Administration Building Improvements - including communication system infrastructure and upgrades at various law enforcement and administration building locations.

If, within 30 days after October 5, 2010, 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
COMMISSIONERS

/s/ Donald Dicklich, County Auditor

Unanimously adopted October 5, 2010. No. 480

BY COMMISSIONER NELSON:

WHEREAS, it has been more than four years since the St. Louis County Investment Committee has reviewed the County Investment Policy; and

WHEREAS, changes in the economic environment have resulted in a need to modify short-term and long-term portfolio composition limits to allow for prudent and judicious investments which maximize return; and

WHEREAS, the State Auditor recently has added a requirement that local government investment policies address custodial credit risk; and

WHEREAS, the policy has been updated with more concise and easier to read definitions and statutory references; and

WHEREAS, diversification guidelines have been adjusted to provide for greater flexibility in managing investment and maturity mix.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board adopts the revised Investment Policy effective October 15, 2010 to modify short-term and long-term portfolio composition limits, to update and clarify definitions and statutory references, to change the maturity

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

and diversification mix allowed, and to address custodial credit risk.
Unanimously adopted October 5, 2010. No. 481

BY COMMISSIONER NELSON:

WHEREAS, St. Louis County submitted a grant proposal to the Minnesota Department of Commerce, Office of Energy Security in response to a Request for Proposals for grant funding from the Facilities Cost Share Grant Program; and

WHEREAS, the county has an appropriate project identified that qualifies for Facilities Cost-Share Grant Program funding; and

WHEREAS, the county had identified said project in its Capital Improvement Plan for completion in 2011, and has funding earmarked for this project; and

WHEREAS, these funds must be equally matched by the public entity submitting the grant application; and

WHEREAS, the county has submitted a request for \$75,000, which would be matched by available county funds for a total project budget of \$150,000 for a new summer boiler to the county jail facility, which will reduce energy consumption and mechanical life cycle costs; and

WHEREAS, the county has been notified by the Minnesota Department of Commerce, Office of Energy Security that it has been selected to receive funding for the summer boiler project at the county jail.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board authorizes the appropriate county officials to execute an agreement with the Minnesota Department of Commerce, Office of Energy Security to formally apply for and accept grant funding in the amount of \$75,000 to complete the summer boiler project at the county jail. Funds will be deposited in Fund 100 – Agency 128999 – Grant 12801 – Grant Year 2010 – Object 540962.

Unanimously adopted October 5, 2010. No. 482

At 2:12 p.m., October 5, 2010, Commissioner O'Neil, supported by Commissioner Dahlberg, moved to adjourn the meeting; seven yeas, zero yeas.

Steve Raukar, Chair of the Board
of County Commissioners

Attest:

Donald Dicklich, County Auditor
and Ex-Officio Clerk of the Board
of County Commissioners

(Seal of the County Auditor)

OFFICIAL PROCEEDINGS OF THE MEETING
OF THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF ST. LOUIS, MINNESOTA,
HELD ON OCTOBER 12, 2010

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 12th day of October, 2010, at 9:36 a.m., in the County Board Room, Duluth, Minnesota, with the following members present: Commissioners Dennis Fink, Steve O'Neil, Chris Dahlberg, Mike Forsman, Peg Sweeney, Keith Nelson and Chair Steve Raukar – 7. Absent: None.

Chair Raukar asked for a moment of silence to honor U.S. troops serving throughout the world and their families at home as well as all persons whose lives are adversely affected by war.

Words of Wisdom: Commissioner Fink gave a quote from the book, "The Price of Government" by David Osborne and Minnesotan Peter Hutchinson which, according to Commissioner Fink, describes the innovative leadership style of the county board.

Chair Raukar opened the meeting for public comment concerning items not on the agenda, and the following chose to do so: Kevin Skwira-Brown, Duluth, MN.

Commissioner Sweeney, supported by Commissioner Dahlberg, moved to approve the consent agenda; seven yeas, zero nays.

Commissioner Nelson, supported by Commissioner Forsman, moved to approve a lawful gambling license application from Confidence Learning Center, Gull Lake, MN, to operate out of Hugo's in Brimson, MN; six yeas, one nay (Commissioner Fink). Resolution No. 493.

Commissioner Fink, supported by Commissioner Nelson, moved to suspend the rules to authorize roadway easement across state tax forfeited land as this item has not been to committee; seven yeas, zero nays.

Commissioner Fink, supported by Commissioner Sweeney, moved to approve an easement across state tax forfeited land to Bryan and Tracy Hutchinson in exchange for granting St. Louis County easement across their property for access to state forfeited land. Mark Webber, Land Department, said the land exchange benefits St. Louis County and gives the Hutchinsons road access to their home. Barb Russ, Assistant County Attorney, said the court ruled that Triplet Road was not a public road, and the Hutchinsons were faced with losing access to their home. After further discussion the motion was approved; seven yeas, zero nays. Resolution No. 494.

Commissioner O'Neil, supported by Commissioner Sweeney, moved for a closed session to continue unfinished business on the performance evaluation of County Administrator Kevin Gray. Commissioner O'Neil read the pertinent statute and resolution for the closed session; seven yeas, zero nays.

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

Kevin Gray, County Administrator, and Melanie Ford, County Attorney, submitting Board Letter 10-356, Establish a Public Hearing for Norlander Cartway Petition.—[59137](#)

Kevin Gray, County Administrator, and Robert Krepps, Land Commissioner, submitting Board Letter 10-351, Bid Award for Containerized Tree Seedlings for 2012 & 2013 (Bid No. 4913).—[59138](#)

Kevin Gray, County Administrator, and James Foldesi, Public Works Director, submitting Board

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

Letter No. 10-354, Acquisition of Right of Way for County Project 1818 by Eminent Domain Proceedings (Sturgeon Township).—59139

Commissioner Dennis Fink's "Words of Wisdom" quote from *The Price of Government* by David Osborne and Peter Hutchinson.—59140

St. Louis County On-Line Software Subscriber Agreement between the County of St. Louis and U.S. Bank – Trust Real Estate.—10-653

Grant Agreement, No. 9200-2961, from Minnesota Department of Public Safety, Office of Traffic Safety, to the St. Louis County Sheriff's Office for 2011 Pilot County Enforcement Project.—10-654

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14654A, between the Public Health and Human Services Department and Choice, Unlimited.—10-655

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14532A, between the Public Health and Human Services Department and Andrews Home Care Services, LLC.—10-656

Addendum to Purchase Agreement, Contract No. 14771B, between the St. Louis County Board of Commissioners and Range Mental Health Center.—10-657

Addendum to Purchase Agreement, Contract No. 14768A, between the St. Louis County Board of Commissioners and Ridgewood Recovery, Inc., d/b/a The Superior Treatment Center.—10-658

Employee Development Training Contract between St. Louis County and Linda Glisson for *Intro to Yoga*.—10-659

Employee Development Training Contract between St. Louis County and Gary Boelhower for *Respectful Workplace*.—10-660

Employee Development Training Contract between St. Louis County and Rod Raymond Seminars for "*It's My Life: Where do I go from here?*" and "*Health Plan 103*".—10-661

Employee Development Training Contract between St. Louis County and Ward Melenich for *Excel Intro 2003; Excel Intro 2007; Excel Formulas 2003; Excel Formulas 2007*.—10-662

Employee Development Training Contract between St. Louis County and Clark Bennett for *Defensive Driving*.—10-663

Maximo Infrastructure Assessment Price Proposal from Booz Allen Hamilton for services related to the IBM Maximo 7.1 upgrade for Public Works Department.—10-664

Upon motion of Commissioner Sweeney, supported by Commissioner Dahlberg, resolutions numbered 483 through 492, as submitted to this Board on the Consent Agenda, were unanimously adopted as follows:

BY COMMISSIONER SWEENEY:

WHEREAS, the St. Louis County Public Health and Human Services Department has been awarded a continuation grant from the Office of Violence Against Women (OVW) for the Safe Havens: Supervised Visitation and Safe Exchange Program in the amount of \$350,000 over a three-year period.

WHEREAS, St. Louis County Public Health and Human Services is willing and able to act as the fiscal agent for the continuation grant and partner with the Duluth Family Visitation Center in meeting the goals of the grant.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the acceptance of funds from the Office on Violence Against Women "Safe Havens" grant in the amount of \$350,000.

RESOLVED FURTHER, that the St. Louis County Board authorizes the Public Health and Human Services Department to act as fiscal agent for this grant with a 5% fee for fiscal administration services, such funds to be deposited in Fund 230, Agency 232008, Grant 23209, Object 540512, Project 9999999, Year 2010, and paid from Fund 230, Agency 232008, Grant 23209, Object 602000, Project 9999999, Year 2010.

RESOLVED FURTHER, that the St. Louis County Board authorizes the County Board Chair to sign the grant award document and related special conditions, as required by the Department of Justice.

RESOLVED FURTHER, that the St. Louis County Board authorizes the Director of Public Health and Human Services to coordinate with the County Administrator to ensure appropriate entries are made in the Department's 2010, 2011 and 2012 budget as are required to account for such grant funds.

Adopted October 12, 2010. No. 483

WHEREAS, the St. Louis County Purchasing Division solicited bids to furnish and deliver Containerized Tree Seedlings for planting on tax forfeited land in the years 2012 and 2013; and, WHEREAS, the bid offering was divided into 12 Sections with the award of bid going to the low bidder of each Section; and,

WHEREAS, Pacific Regeneration Technologies USA, Inc., submitted the low bid for Sections 1, 2, 4, 5, 6, 7, 8, 10, 11, and 12 in the amount of \$204,450, and North Central Reforestation, Inc., submitted the low bid for Sections 3 and 9 in the amount of \$62,709.75.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the appropriate county officials to execute a contract with Pacific Regeneration Technologies USA, Inc., of Dryden, Ontario, Canada, to furnish and deliver a total of 1,450,000 containerized tree seedlings for \$204,450 and North Central Reforestation, Inc., of Evansville, MN, to furnish and deliver a total of 450,000 seedlings for \$62,709.75 in the spring of 2012 and 2013 in accordance with the specifications of Bid No. 4913, payable from Fund 290, Agency 290001, subject to approval by the County Attorney.

Adopted October 12, 2010. No. 484

WHEREAS, the contract with Patricia Anne Rudy of Eveleth, MN, for the repurchase of state tax forfeited land is in default for nonpayment of taxes and/or installments; and

WHEREAS, the purchaser was properly served with Notice of Cancellation of Contract by civil process and has failed to cure the default for land legally described as:

Patricia Anne Rudy

CITY OF HIBBING

PART OF S1/2 OF E1/2 OF E1/2 OF NE1/4 OF NE1/4

COMMENCING 857.07' S OF NE COR OF SEC THENCE

W 33' TO PT OF BEG THENCE W 378.15' THENCE S 77.66'

THENCE E 377.62' THENCE N 77.06' TO PT OF BEG

SEC 30 TWP 57 RGE 20

Parcel Code: 140-270-1642

C22080329

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the cancellation of contract C22080329 for the repurchase of state tax forfeited land described above, according to the provisions of Minn. Stat. § 282.01, Subd. 5 and Minn. Stat. § 282.40, and according to the procedures of Minn. Stat. § 559.21.

RESOLVED FURTHER, the County Auditor is authorized to dispose of abandoned personal property from the above described state tax forfeited property.

Adopted October 12, 2010. No. 485

WHEREAS, state tax forfeited land on public waters containing greater than 150 feet of water frontage cannot be sold without special legislation from the State of Minnesota; and

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

WHEREAS, state tax forfeited land cannot be sold by special private sale to resolve occupancy trespasses without special legislation from the State of Minnesota; and
 WHEREAS, St. Louis County's best interest would be served from a land management point of view if these lands were released for sale.
 NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board supports legislation enabling the sale of state tax forfeited land described in County Board File No. 59042.
 Adopted October 12, 2010. No. 486

WHEREAS, the St. Louis County Public Works Department plans to replace County Bridge 642 and to reconstruct approximately 1,380 feet of the adjacent County Road 492 (Anton Road) approximately ¾ mile west of Trunk Highway 73 in Sturgeon Township (Sections 15 and 22, Township 61 North, Range 20 West), County Project 1818, SAP 69-598-034; and
 WHEREAS, the acquisition of additional highway right of way needed to perform road and bridge reconstruction was authorized by County Board Resolution No. 10-238 on May 11, 2010; and
 WHEREAS, the following parcel of right of way has not been acquired by negotiation and direct purchase (as more completely described in attached Exhibit A):

<u>Parcel</u>	<u>Owners</u>
4	Kelly M. Martinson and Patrick Lancette Wife and Husband

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board, pursuant to Minnesota Statute Chapter 163.02 et. al., authorizes the County Attorney to proceed under Minnesota Statutes Chapter 117.02 et. al., to acquire the necessary highway right of way by eminent domain proceedings, payable from Fund 200, Agency 203001, Objects 636500 and 636600.

Exhibit A

CR 492, CB 642, County Project 1818, SAP 69-598-034
 Parcel not acquired by negotiation and direct purchase (as of 28 Sept 2010).

Parcel 4 – Martinson and Lancette

Property Legal Description:

That part of the Northeast Quarter of the Northwest Quarter lying West of the Sturgeon River and that part of the West 330 feet of the Northeast Quarter of the Northwest Quarter lying East of the Sturgeon River, all in section 22, Township 61, Range 20, St. Louis County, Minnesota.

Rights to be acquired:

A 100.00 foot PERMANENT easement for highway purposes over, under, and across the above described property. The center line of said easement is described as follows:

Commencing at the northwest corner of said Section 22, thence S 84 degrees 03' 51"E, assumed bearing, along the north section line a distance of 1321.05 feet to a point; thence deflect right 90 deg 00'00" a distance of 105.25 feet to Engineers Station 59+40 on the centerline of County Road 492; thence along a tangential curve, concave to the northeast having a radius of 1000.00 feet and a central angle of 28 deg 39'13" a distance of 19.11 feet more or less to a point on the west line of said NE 1/4 of NW 1/4 and the point of beginning of the centerline to be described; thence continuing along said tangential curve a distance of 332.56 feet and there terminating. The sidelines of said easement are prolonged or shortened to terminate on the west and east boundary lines of the parcel first above described.

Described easement contains 0.78 acre, of which 0.43 acre is existing right of way and 0.35 acre is new highway right of way.

Together with a strip of land 20.00 feet in width for TEMPORARY CONSTRUCTION EASEMENT lying southerly of and adjoining the above described strip and lying between the west boundary line of the parcel first above described and a line drawn at a right angle to said centerline

from Engineers Station 61+20.

Said Temporary Easement contains 0.07 acre and shall expire on 31 December 2015.
Adopted October 12, 2010. No. 487

RESOLVED, that a public hearing will be held at 9:40 a.m. on Tuesday, November 9, 2010, 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 October 12, 2010. No. 488

WHEREAS, a cartway petition was presented to the St. Louis County Board by Gerald Norlander, the owner of land described as the W1/2 of the NE1/4 of the NE1/4 of the SE1/4, and the SE1/4 of the NE1/4 of the SE1/4, Section 27, Township 60, Range 18, St. Louis County, MN, containing at least 5 acres which has no established access to it, except over the lands of others, to connect the petitioner's land to a public road; and
NOW, THEREFORE, BE IT RESOLVED, that pursuant to Minn. Stat. § 164.08, Subd. 2, a public hearing shall be held at 9:35 a.m. on Tuesday, December 21, 2010, in the Morse Town Hall, Ely, MN, to hear the petition of Gerald Norlander to establish a cartway over the properties of Jean M. Erickson and Keith P. Erickson, described as the Southerly 66 feet of the NW1/4 of the SE1/4 lying East of County Road 301, and the W1/2 of the NE1/4 of the SE1/4, Section 27, Township 60, Range 18, with the location of the proposed cartway to be the existing roadway on the Erickson property, as described in the petition found in County Board File No. 59137.

RESOLVED FURTHER, that all affected landowners are entitled to judicial review of damages and need for the cartway, pursuant to Minn. Stat. § 164.08, Subd. 7, following a determination to establish the cartway.
Adopted October 12, 2010. No. 489

WHEREAS, both the Public Works Department and the Land Department require Land Surveying activities as part of operations; and
WHEREAS, both Departments have utilized surveyor classifications of employees for technical and supervisory responsibilities; and
WHEREAS, the Land Department has a vacant surveyor position in its authorized full time equivalent (FTE) count; and
WHEREAS, all Departments have been tasked with evaluating their operations and staffing in light of the current budget situation and in support of the County's management strategies and commitment to breaking down Departmental silos; and
WHEREAS, Public Works and the Land Department have proposed to transfer this position to the Public Works Department – Land Survey Division to be reimbursed by the Land Department as it will continue to provide land survey services to the Land Department and the Land Department has sufficient funds to cover this expense.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the transfer of one surveyor position 0144-001 from the Land Department to the Public Works Department effective October 23, 2010, adjusting the authorized FTE levels in both departments accordingly; and

RESOLVED FURTHER, that the Auditor's Office and Employee Relations are directed to make the following accounting entries to both budgets:
Fund 100-Agency 122001 will increase for the associated personnel expense as well as a reimbursement from Fund 240-241005; and Fund 240-241005 will shift funding from salaries and benefits lines to position reimbursement objects (610500 and 611000) to pay for the reimbursement of this position, effective October 23, 2010.
Adopted October 12, 2010. No. 490

WHEREAS, the St. Louis County Board approved a 5.5% increase in the health insurance premiums for 2010 resulting in new monthly costs as follows:

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2010 Rate
\$ 658.71
\$1,529.88

WHEREAS, the 2010/2011 collective bargaining settlement with the Merit System Supervisory unit, represented by the Arrowhead Public Service Union, resulted in an agreement to reduce the additional employee contribution for the single portion of the health premium from \$49.73 to the 2009 rate of \$37.72, a net premium reduction of \$12.01 per contract per month.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board reduces the 2010 monthly premium contribution for Merit System Supervisory unit employees who are participants in the county's self-funded Comprehensive Major Medical Plan by \$12.01 per contract per month effective April 1, 2010.

RESOLVED FURTHER, that the 2010 monthly premium rates for Merit System Supervisory unit employees who are participants in the county's self-funded Comprehensive Major Medical Plan are amended and approved effective April 1, 2010 as follows:

2010 Rate
\$ 646.70
\$1,517.87

Adopted October 12, 2010. No. 491

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of September 28, 2010, are hereby approved.

Adopted October 12, 2010. No. 492

BY COMMISSIONER NELSON:

RESOLVED, that pursuant to Minn. Stat. § 349.213, Subd. 2, the St. Louis County Board approves the following Lawful Gambling License Application (Pull-tabs and Tipboards) on file in the office of the County Auditor, identified as County Board File No. 59051, for the following organization:

Confidence Learning Center, East Gull Lake, Minnesota, to operate out of Hugo's, 1898 Highway 44, Brimson, MN 55602, Ault Township, *NEW*.

Yeas – Commissioners O'Neil, Dahlberg, Forsman, Sweeney, Nelson and Chair Raukar – 6

Nays – Commissioner Fink – 1

Adopted October 12, 2010. No. 493

BY COMMISSIONER FINK:

WHEREAS, the Land Department has reviewed a request of Bryan and Tracy Hutchinson of Van Buren Township, MN, for a 16.5 foot wide non-exclusive roadway easement across state tax forfeited land; and

WHEREAS, exercising the easement will not cause significant adverse environmental or natural resource management impacts; and

WHEREAS, Bryan and Tracy Hutchinson of Van Buren Township, MN, will grant St. Louis County an easement described as the West 33 feet of Lot 3, Section 19, Township 52 North, Range 20 West.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Auditor, pursuant to Minnesota Statute Section 282.04, Subd. 4(a), is authorized to grant a non-exclusive roadway easement across state tax forfeited land to Bryan and Tracy Hutchinson of Van Buren Township, MN, described as follows:

A strip of land 16.5 feet on the east side of the center line of the existing road known as Triplett Road North, in Lot 2, Section 19, Township 52 North, Range 20 West.

RESOLVED FURTHER, that the granting of this easement is conditioned upon St. Louis County receiving an easement from Bryan and Tracy Hutchinson of Van Buren Township, MN, described as the West 33 feet of Lot 3, Section 19, Township 52 North, Range 20 West.

Unanimously adopted October 12, 2010. No. 494

At 10:37 a.m., October 12, 2010, Commissioner Nelson, supported by Commissioner O'Neil, moved to adjourn the meeting; seven yeas, zero nays.

Steve Raukar, Chair of the Board
of County Commissioners

Attest:

Donald Dicklich, 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**

**OFFICIAL PROCEEDINGS OF THE MEETING
OF THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF ST. LOUIS, MINNESOTA,
HELD ON OCTOBER 26, 2010**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 26th day of October, 2010, at 9:36 a.m., in the City Council Chambers, City Hall, Virginia, Minnesota, with the following members present: Commissioners Dennis Fink, Steve O'Neil, Chris Dahlberg, Mike Forsman, Peg Sweeney, and Keith Nelson – 6. Absent: Chair Steve Raukar – 1.

Chair Raukar asked for a moment of silence to honor U.S. troops serving throughout the world and their families at home as well as all persons whose lives are adversely affected by war.

Commissioner Nelson's words of wisdom were "If you want a friend in politics you should buy a dog". These words were considered based on recent political ads that are critical and mean spirited. Commissioner Nelson urged citizens to educate themselves before voting.

Dahlberg/Forsman moved to approve the consent agenda. Commissioner Nelson moved item #1 be removed and considered separately under the Finance and Budget Committee. The motion to approve the remainder of the consent agenda was then approved; six yeas, zero nays.

Nelson/Sweeney moved to approve a resolution authorizing county officials to execute a storm water management construction and maintenance agreement with the City of Duluth for the St. Louis County/Duluth Police Department Joint Law Enforcement Center in Duluth. Commissioner Forsman stated the cost for constructing an area for water run off was high and there were other areas, such as Rice Lake Road, that are heavily salted and have no run off construction plans. He stated this project shows the government providing a short term solution for a long term issue throughout the county. After further discussion, the motion was approved; five yeas, one nay (Forsman). Resolution No. 509.

Nelson/Sweeney moved to approve the acceptance of a 2011 Natural Resources Block Grant from the Minnesota Board of Water and Soil Resources in the amount of \$111,874. County Auditor Donald Dicklich addressed the Board stating the resolution needed an accounting correction changing the agency code to 616999 and the object code to 530102. The motion was approved; six yeas, zero nays. Resolution No. 495.

Commissioner Sweeney stated that October was breast cancer awareness month and urged women and men see their doctors for an exam.

Commissioner Nelson stated October was also Domestic Violence Awareness month and read a proclamation from United for Change woman's advocacy meeting that Commissioners Nelson, Forsman, Raukar attended in Chisholm. The proclamation reiterated the commitment from Minnesota to aid in reducing violence and increasing protection while remembering the victims and celebrating the survivors of domestic violence.

Commissioner O'Neil stated the Board of Commissioners had conducted Administrator Kevin Gray's performance review and had given him a positive rating.

Commissioner Nelson stated he was pleased with the results of all department heads in reducing their budgets moving into 2011. Commissioner Nelson also gave congratulations to Deputy Administrator Linnea Mirsch and Administrator Kevin Gray for all of their hard work in reducing the County budget.

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

Kevin Z. Gray, County Administrator, Barbara Hayden, Planning and Development Director, and Ted Troolin, Environmental Services Director, submitting Board Letter 10-360, 2011 Natural Resources Block Grant from Minnesota Board of Water and Soil Resources.—[59141](#)

Agreement between St. Louis County and Arrowhead Public Service Union representing St. Louis County Merit System Supervisory Employees 2010-2011.—[10-665](#)

Addendum to Home and Community-Based Waiver Services Agreement, Contract No. 14595A, between the Public Health and Human Services Department and Nora Renne Adult Foster Home.—[10-666](#)

Addendum to Home and Community-Based Waiver Services Agreement, Contract No. 14770A, between the Public Health and Human Services Department and Minnesota Indian Primary Residential Treatment Center, Inc., d/b/a Thunderbird/Wren House.—[10-667](#)

Addendum to Home and Community-Based Waiver Services Agreement, Contract No. 14659A, between the Public Health and Human Services Department and Duluth Regional Care Center, Inc.—[10-668](#)

Addendum to Home and Community-Based Waiver Services Agreement, Contract No. 14541B, between the Public Health and Human Services Department and TBI Residential and Community Services, Inc.—[10-669](#)

Home and Community-Based Waiver Services Contract, Contract No. 14795, between the St. Louis County Board of Commissioners and Christina Kapperud and Ryan Kapperud.—[10-670](#)

Group Residential Housing Rate Agreement, Contract No. 50894, between the St. Louis County Board of Commissioners and TBI Residential and Community Services – 93rd Ave.—[10-671](#)

Group Residential Housing Rate Agreement, Contract No. 50867, between the St. Louis County Board of Commissioners and Ramona K. Diehl.—[10-672](#)

Group Residential Housing Rate Agreement, Contract No. 50887, between the St. Louis County Board of Commissioners and TBI Residential and Community Services – 85th Ave.—[10-673](#)

Group Residential Housing Rate Agreement, Contract No. 50879, between the St. Louis County Board of Commissioners and TBI Residential and Community Services – Alder.—[10-674](#)

Group Residential Housing Rate Agreement, Contract No. 50899, between the St. Louis County Board of Commissioners and TBI Residential and Community Services – Anderson.—[10-675](#)

Group Residential Housing Rate Agreement, Contract No. 50872, between the St. Louis County Board of Commissioners and TBI Residential and Community Services – Apt. A & B.—[10-676](#)

Group Residential Housing Rate Agreement, Contract No. 50873, between the St. Louis County Board of Commissioners and TBI Residential and Community Services – Apt. C.—[10-677](#)

Group Residential Housing Rate Agreement, Contract No. 50856, between the St. Louis County Board of Commissioners and TBI Residential and Community Services – Basswood.—[10-678](#)

Group Residential Housing Rate Agreement, Contract No. 50892, between the St. Louis County Board of Commissioners and TBI Residential and Community Services – 224 Blackman.—[10-679](#)

Group Residential Housing Rate Agreement, Contract No. 50880, between the St. Louis County

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Board of Commissioners and TBI Residential and Community Services – 3011 Blackman.—[10-680](#)

Group Residential Housing Rate Agreement, Contract No. 50881, between the St. Louis County Board of Commissioners and TBI Residential and Community Services – Calvary.—[10-681](#)

Group Residential Housing Rate Agreement, Contract No. 50889, between the St. Louis County Board of Commissioners and TBI Residential and Community Services – Carlson.—[10-682](#)

Group Residential Housing Rate Agreement, Contract No. 50884, between the St. Louis County Board of Commissioners and TBI Residential and Community Services – Cook Lake.—[10-683](#)

Group Residential Housing Rate Agreement, Contract No. 50871, between the St. Louis County Board of Commissioners and TBI Residential and Community Services – East 4th Street.—[10-684](#)

Group Residential Housing Rate Agreement, Contract No. 50875, between the St. Louis County Board of Commissioners and TBI Residential and Community Services – Fredenberg AFC.—[10-685](#)

Group Residential Housing Rate Agreement, Contract No. 50876, between the St. Louis County Board of Commissioners and TBI Residential and Community Services – Fredenberg RCS.—[10-686](#)

Group Residential Housing Rate Agreement, Contract No. 50883, between the St. Louis County Board of Commissioners and TBI Residential and Community Services – Hanford.—[10-687](#)

Group Residential Housing Rate Agreement, Contract No. 50901, between the St. Louis County Board of Commissioners and TBI Residential and Community Services – Highland.—[10-688](#)

Group Residential Housing Rate Agreement, Contract No. 50886, between the St. Louis County Board of Commissioners and TBI Residential and Community Services – Highway House.—[10-689](#)

Group Residential Housing Rate Agreement, Contract No. 50868, between the St. Louis County Board of Commissioners and TBI Residential and Community Services – Hillside 926.—[10-690](#)

Group Residential Housing Rate Agreement, Contract No. 50878, between the St. Louis County Board of Commissioners and TBI Residential and Community Services – Kenroy.—[10-691](#)

Group Residential Housing Rate Agreement, Contract No. 50874, between the St. Louis County Board of Commissioners and TBI Residential and Community Services – Lavaque.—[10-692](#)

Group Residential Housing Rate Agreement, Contract No. 50869, between the St. Louis County Board of Commissioners and TBI Residential and Community Services – Leicester.—[10-693](#)

Group Residential Housing Rate Agreement, Contract No. 50857, between the St. Louis County Board of Commissioners and TBI Residential and Community Services – Lemon.—[10-694](#)

Group Residential Housing Rate Agreement, Contract No. 50893, between the St. Louis County Board of Commissioners and TBI Residential and Community Services – Lindahl.—[10-695](#)

Group Residential Housing Rate Agreement, Contract No. 50885, between the St. Louis County Board of Commissioners and TBI Residential and Community Services – Maxwell.—[10-696](#)

Group Residential Housing Rate Agreement, Contract No. 50896, between the St. Louis County Board of Commissioners and TBI Residential and Community Services – 3380 Medin.—[10-697](#)

Group Residential Housing Rate Agreement, Contract No. 50891, between the St. Louis County Board of Commissioners and TBI Residential and Community Services – 3386 Medin.—[10-698](#)

Group Residential Housing Rate Agreement, Contract No. 50888, between the St. Louis County Board of Commissioners and TBI Residential and Community Services – Mud Lake.—[10-699](#)

Group Residential Housing Rate Agreement, Contract No. 50882, between the St. Louis County Board of Commissioners and TBI Residential and Community Services – Munger Shaw.—[10-700](#)

Group Residential Housing Rate Agreement, Contract No. 50900, between the St. Louis County Board of Commissioners and TBI Residential and Community Services – Oakley.—[10-701](#)

Group Residential Housing Rate Agreement, Contract No. 50855, between the St. Louis County Board of Commissioners and TBI Residential and Community Services – Piedmont.—[10-702](#)

Group Residential Housing Rate Agreement, Contract No. 50895, between the St. Louis County Board of Commissioners and TBI Residential and Community Services – Quince.—[10-703](#)

Group Residential Housing Rate Agreement, Contract No. 50870, between the St. Louis County Board of Commissioners and TBI Residential and Community Services – Saginaw.—[10-704](#)

Group Residential Housing Rate Agreement, Contract No. 50877, between the St. Louis County Board of Commissioners and TBI Residential and Community Services – Samuelson.—[10-705](#)

Group Residential Housing Rate Agreement, Contract No. 50890, between the St. Louis County Board of Commissioners and TBI Residential and Community Services – Shelby.—[10-706](#)

Group Residential Housing Rate Agreement, Contract No. 50898, between the St. Louis County Board of Commissioners and TBI Residential and Community Services – Woodrich.—[10-707](#)

Group Residential Housing Rate Agreement, Contract No. 50897, between the St. Louis County Board of Commissioners and TBI Residential and Community Services – Wren.—[10-708](#)

Grant contract between the State of Minnesota Department of Commerce, Office of Energy Security, and St. Louis County for summer boiler replacement project at the county jail.—[10-709](#)

Home and Community-Based Waiver Services Contract, Contract No. 14825, between the St. Louis County Board of Commissioners and Center for Independent Living of NE MN (CILNM).—[10-710](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14601A, between the St. Louis County Board of Commissioners and Seeland Adult Foster Homes d/b/a Country Care.—[10-711](#)

Addendum to Purchase Agreement, Contract No. 14547A, between the St. Louis County Board of Commissioners and Gentiva Certified Healthcare Corp., d/b/a Gentiva Health Services.—[10-712](#)

Addendum to Purchase Agreement, Contract No. 14757A, between the St. Louis County Board of Commissioners and Colonial Management Group, LP, d/b/a Metro Treatment of Minnesota, LP, d/b/a Lake Superior Treatment Center.—[10-713](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14618A, between the St. Louis County Board of Commissioners and New Life Horizons, Inc.—[10-714](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14681A, between the St. Louis County Board of Commissioners and New Life Horizons, Inc.—[10-715](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14774B,

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between the St. Louis County Board of Commissioners and Minnesota Teen Challenge, Inc. d/b/a Minnesota Teen Challenge Northland Campus.—10-716

Group Residential Housing Rate Agreement, Contract No. 50905, between the St. Louis County Board of Commissioners and REM Arrowhead – Highway 33.—10-717

Group Residential Housing Rate Agreement, Contract No. 50903, between the St. Louis County Board of Commissioners and REM Arrowhead – Toledo.—10-718

Group Residential Housing Rate Agreement, Contract No. 50902, between the St. Louis County Board of Commissioners and REM Arrowhead – Vermillion.—10-719

Group Residential Housing Rate Agreement, Contract No. 50904, between the St. Louis County Board of Commissioners and REM Arrowhead – Woodland.—10-720

Software License/Maintenance and Support Agreement between St. Louis County and Election Systems & Software, Inc., for election software.—10-721

2009-2010 Recycling and Waste Reduction Grant Agreement between the County of St. Louis and the City of McKinley.—10-722

Upon motion by Commissioner Dahlberg, supported by Commissioner Forsman, resolutions numbered 496 through 508, as submitted to this Board on the Consent Agenda, were unanimously adopted as follows:

BY COMMISSIONER DAHLBERG:

RESOLVED, that the St. Louis County Board approves the applications for abatements, correction of assessed valuations and taxes plus penalty and interest, and any additional accrual, identified in County Board File No. 59036.

Adopted October 26, 2010. No. 496

RESOLVED, that the St. Louis County Board will convene a public hearing at 9:45 a.m. on Tuesday, November 9, 2010, St. Louis County Courthouse, Duluth, Minnesota, to consider the adoption of the fee schedule for various county services for the year 2011.

Adopted October 26, 2010. No. 497

WHEREAS, the Iron Range Racing Association has leased property from St. Louis County and from the St. Louis County Fair Association (as a sub lease) since 1975; and

WHEREAS, the current lease was approved in 1999 with three extensions since at a rate of \$12,000 annually; and

WHEREAS, Racing Association sanctioning bodies require registrations and applications to be submitted several months before each racing season, and approval of this lease extension will ensure continued racing events for 2011 and 2012.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board authorizes the appropriate county officials to execute a lease agreement extension beginning January 1, 2011 and expiring on December 31, 2012 with the Iron Range Racing Association, Incorporated, P.O. Box 386, Hibbing, Minnesota, 55746, for an amount of \$12,000 annually, payable to Fund 100, Agency 128020, Revenue 583103.

Adopted October 26, 2010. No. 498

WHEREAS, the St. Louis County Board annually reviews health insurance trends and its self-insured health and dental fund to establish funding levels for the employee and retiree medical and dental plans, the stop-loss medical insurance coverage fee, and the per contract per month administrative fees; and

WHEREAS, the County Board believes a 2.5% percent rate increase for the self-funded

Comprehensive Major Medical Plan in 2011 is reasonable based on projections prepared by its claims administrator and the County Auditor and as recommended by its Health Insurance Committee.

NOW, THEREFORE, BE IT RESOLVED, that the 2011 monthly premium rates for health insurance are approved as follows:

For groups in 2010 paying \$658.71 for Single Coverage and \$1,529.88 for Family Coverage:

<u>2011 Rate</u>	
SINGLE COVERAGE:	\$ 675.18
FAMILY COVERAGE:	\$1,568.13

For groups in 2010 paying \$646.70 for Single Coverage and \$1,517.87 for Family Coverage:

<u>2011 Rate</u>	
SINGLE COVERAGE:	\$ 657.40
FAMILY COVERAGE:	\$1,550.35

For retirees:

<u>2011 Rate</u>	
SINGLE COVERAGE:	\$ 657.40
FAMILY COVERAGE:	\$1,550.35

RESOLVED FURTHER, that Medicare-eligible retirees and their spouses will be offered the alternative fully-insured BCBSM Group Senior Gold program with MedicareBlue Rx copay options of either \$10/\$25/\$40/25% with a \$320.50 monthly premium, or \$5/\$15/\$35/\$60 with a \$355.00 monthly premium.

RESOLVED FURTHER, that the 2011 stop-loss rate payable to Blue Cross Blue Shield of Minnesota of \$5.

RESOLVED FURTHER, that a 2011 per contract per month administrative service fee of \$29.84 payable to Blue Cross Blue Shield of Minnesota is approved.

RESOLVED FURTHER, that 2011 monthly premium rates for the self-insured dental plan are approved in the amounts of \$33.54 for the plan featuring a maximum annual benefit of \$1,000 and \$37.01 for the plan featuring a maximum annual benefit of \$1,500.

RESOLVED FURTHER, that the 2011 per contract per month administrative service fee of \$2.18, payable to Delta Dental Plan of Minnesota, is approved.

RESOLVED FURTHER, that the Board authorizes the appropriate county officials to execute contracts for administrative services of the health and dental plans for the time period covering January 1 – December 31, 2011 as set forth above.

Adopted October 26, 2010. No. 499

RESOLVED, that the appraisal reports for the sale of timber to be offered at PUBLIC ORAL TIMBER AUCTION, Tracts 1 through 25 (totaling \$553,129.34), as submitted by the Land Commissioner, on file in the office of the County Auditor, identified as County Board File No. 59017, are approved and the County Auditor is authorized to carry out the recommendations as listed in said appraisal reports.

Adopted October 26, 2010. No. 500

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. 59024, are hereby approved and the County Auditor shall issue checks in the following amounts:

September 2010

100	General Fund	\$4,873,947.79
149	Personnel Service Fund	365.16
150	Sheriff's Nemesis Fund Group	7,664.50

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

160	MN Trail Assistance	46,195.00
167	Attorney's Forfeitures	10,326.82
168	Sheriff's State Forfeitures	1,309.16
173	Emergency Shelter Grant	53,546.32
179	Enhanced 9-1-1	2,659.60
180	Law Library	21,920.55
183	City/County Communications	352.71
184	Extension Service	29,998.65
200	Public Works	3,509,145.29
210	Road Maint – Unorg Townships	23,829.55
220	State Road Aid	3,545,999.53
230	Public Health & Human Services	5,393,443.51
240	Forfeited Tax	364,953.13
260	CDBG Grant	117,416.46
261	CDBG Program Income	22,379.71
270	Home Grant	42,037.14
280	Federal Septic Loan – EPA Fund	28,500.00
281	SLC Septic Loans	8,875.00
290	Forest Resources	98,576.86
302	Hibbing PW Facility 1997	5,104.00
400	County Facility	201,972.44
405	Public Works Building Const	43,204.00
407	Public Works – Equipment	45,047.81
437	2008A Capital Equipment Note	150,182.89
438	2008B Capital Improvement Bond	48,647.79
600	Environmental Services	492,958.60
616	On-Site Waste Water Division	37,905.67
626	Cap Exp/Operations Account	41,950.43
700	Printing	10,505.62
705	Postage Office Supplies	40,665.70
715	County Garage	88,930.56
720	Property Casualty Liability	5,890.85
730	Workers Compensation	332,471.09
750	Management Info Systems	238,611.23
760	Telecommunications	68,934.55
770	Retired Employees Health Ins	1,411.38
826	Taconite Production Tax	4,542,723.00
900	State of Minnesota	1,357,394.31
902	Courts	266,879.23
909	Tax Refunds	34,866.65
919	Canceled Checks	7,396.68
925	Arrowhead Regional Corrections	1,546,833.13
955	Community Health Board	557,156.56
985	Collective Local Collaborative	54,629.90
989	Regional Railroad Authority	202,760.36
990	Northern Cities Land Use	951.15
994	Sheriff Forfeits/Evidence	466.30
995	Region 3 Adult Mental Health I	238,606.00
998	MPL-DUL Train Alliance	168,992.06
		\$29,037,492.38

Adopted October 26, 2010. No. 501

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, dated October 8, 2010, on file in the office of the County Auditor, identified as County Board File No. 59016, is hereby received and ratified as payable from Fund 730, Agency 730001.

Adopted October 26, 2010. No. 502

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of October 5, 2010, are hereby approved.

Adopted October 26, 2010. No. 503

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of October 12, 2010, are hereby approved.

Adopted October 26, 2010. No. 504

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. 59021; FURTHER RESOLVED, that said license is approved contingent upon license holder paying real estate or personal property taxes when due;

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, 2011:

The Clip Joint Tavern, Inc. d/b/a The Clip Joint Tavern, Inc., Alborn Township, On-Sale Intoxicating Liquor License No. CMB11134 and Sunday On-Sale Intoxicating Liquor License No. SUN11134, transfer.

Adopted October 26, 2010. No. 505

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. 59015, is hereby approved and the County Auditor is authorized to issue the license as follows;

RESOLVED FURTHER, that if named license holder 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 license holder:

The Clip Joint Tavern, Inc. d/b/a The Clip Joint Tavern, Inc., Alborn Township, Tobacco Products License No. T10253, transfer.

Adopted October 26, 2010. No. 506

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. 59021;

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 Auditor's Office receiving workers' compensation insurance company name, policy number and effective dates;

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, 2011:

JDL's Landing, Inc., d/b/a The Landing, Beatty Township, On-Sale Intoxicating Liquor License No. CMB11135 and Sunday On-Sale Intoxicating Liquor License No. SUN11135, transfer.

Adopted October 26, 2010. No. 507

RESOLVED, that pursuant to St. Louis County Ordinance No. 51, the application for license to sell

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

tobacco products, at retail, on file in the office of the County Auditor, identified as County Board File No. 59015, is hereby approved and the County Auditor is authorized to issue the license as follows;

FURTHER RESOLVED, that said license is approved contingent upon Auditor's Office receiving workers' compensation insurance company name, policy number and effective dates;

RESOLVED FURTHER, that if named license holder 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 license holder:

JDL's Landing, Inc., d/b/a The Landing, Beatty Township, Tobacco Products License

No. T10254, transfer.

Adopted October 26, 2010. No. 508

BY COMMISSIONER NELSON:

WHEREAS, St. Louis County Sheriff's Office and the Duluth Police Department have developed a law enforcement facility partnership operational plan which includes the construction of a new 60,000 square foot facility adjacent to the county's Public Safety Building; and

WHEREAS, the construction of the new addition and the necessary impervious parking surfaces, requires that the existing storm water management system be upgraded in order to comply with new Minnesota Pollution Control Agency (MPCA) rules for storm water management; and

WHEREAS, the City of Duluth will bear the cost of the additional and increased retention areas and systems; and

WHEREAS, St. Louis County and the City of Duluth will equally share the cost of construction of the main retention basin, estimated to total \$30,000, with future operation and maintenance of the main retention basin and the three ancillary basins shared equally between the two entities at an estimated annual cost of \$1,000 each; and

WHEREAS, the MPCA requires a storm water system maintenance agreement prior to issuing construction permits; and

WHEREAS, the term of this agreement shall begin upon completion of construction of the storm water retention basin and run concurrently with the Duluth land lease for the new Police Department facility.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board authorizes the appropriate county officials to execute a storm water management construction and maintenance agreement with the City of Duluth, Minnesota with costs of construction payable from Fund 400, Agency 400003, and maintenance payable from Fund 100, Agency 128015.

Yeas – Commissioners Fink, O'Neil, Dahlberg, Sweeney, and Nelson – 5

Nays – Commissioner Forsman – 1

Absent – Chair Raukar – 1

Adopted October 26, 2010. No. 509

BY COMMISSIONER NELSON:

WHEREAS, the Minnesota Board of Water and Soil Resources has awarded a 2011 Natural Resources Block Grant in the amount of \$111,874 to St. Louis County for wetland, shoreland, water plan, and subsurface sewage treatment system purposes.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board accepts the 2011 Natural Resources Block Grant in the amount of \$111,874 and authorizes appropriate county officials to execute the grant agreement and related documents.

RESOLVED FURTHER, the St. Louis County Board authorizes a local match of \$93,985 from the 2011 Planning and Development Department personnel budget.

RESOLVED FURTHER, the Planning and Development Department proposed budget includes receipt of \$101,943 from the Natural Resources Block Grant, with funds to be deposited into Fund 100, Agency 109999, Grant 10902, Year 2011.

RESOLVED FURTHER, that the Environmental Services Department proposed budget includes receipt of \$9,931 from the Natural Resources Block Grant with funds to be deposited into Fund 616, Agency 616999, Object 530102.

Unanimously adopted October 26, 2010. No. 495

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS 330
ST. LOUIS COUNTY, MINNESOTA

At 10:00 a.m., October 26, 2010, Commissioner Nelson, supported by Commissioner Sweeney, moved to adjourn; six yeas, zero nays.

Steve Raukar, Chair of the Board
of County Commissioners

Attest:

Donald Dicklich, 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, 2010

**OFFICIAL PROCEEDINGS OF THE MEETING
OF THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF ST. LOUIS, MINNESOTA,
HELD ON NOVEMBER 2, 2010**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 2nd day of November, 2010, at 9:35 a.m., in the County Board Room, Duluth, Minnesota, with the following members present: Commissioners Dennis Fink, Steve O'Neil, Chris Dahlberg, Mike Forsman, Peg Sweeney, Keith Nelson and Chair Steve Raukar – 7. Absent: None.

Chair Raukar asked for a moment of silence to honor U.S. troops serving throughout the world and their families at home as well as all persons whose lives are adversely affected by war.

Words of Wisdom: Commissioner Steve O'Neil introduced Dr. Robert E. Powless to speak. Dr. Powless discussed leadership qualities and life experiences.

Pursuant to County Board Resolution No. 476, adopted October 5, 2010, the County Board considered proposals for the sale of the Adolph garage. Property Manager Tony Mancuso said Public Works is no longer using the Adolph garage and it is surplus property. Property Manager Mancuso said two bids were received, one from John Stauber in the amount of \$50,500.00, and the second from Michael Hansen, which was a bid in the amount of \$500 above the next highest bid up to \$60,000, or \$48,000 if no other bidders. Property Manager Mancuso said the County Attorney's office recommended the fixed bid. Commissioner Sweeney, supported by Commissioner Fink, moved to accept the fixed bid from John Stauber in the amount of \$50,500.00; two yeas, five nays (Commissioners O'Neil, Dahlberg, Forsman, Nelson and Raukar). Commissioner Fink, supported by Commissioner Nelson, moved to reject all bids. After further discussion, Commissioner Nelson withdrew his support. Commissioner Forsman, supported by Commissioner O'Neil, moved to award the bid to Michael Hansen in the amount of \$51,000; six yeas, one nay (Commissioner Fink). Resolution No. 520.

Commissioner O'Neil, supported by Commissioner Forsman, moved to approve the consent agenda. At the request of Commissioner Sweeney item 10 was removed for separate consideration. At the request of Chair Commissioner Raukar, item 5 from the consent agenda was removed for separate consideration. The remainder of the consent agenda was approved; seven yeas, zero nays.

Commissioner Forsman, supported by Commissioner Sweeney, moved to authorize a contract with Sherman Pole Buildings, Inc., to build two pole buildings for vehicle and equipment storage at the Virginia Public Works Facility and the Ely Joint Public Works Facility for a purchase price of \$147,289.22. Commissioner Nelson offered a friendly motion to specify domestic steel for all bids in excess of \$10,000 submitted after December 31, 2010. Commissioner Sweeney withdrew support of the motion. Commissioner Nelson offered to support the motion. After further discussion Commissioner Nelson withdrew support of the motion. Commissioner Forsman, supported by Commissioner Sweeney, moved the resolution; seven yeas, zero nays. Resolution No. 521.

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

Terri Heaton, from Springsted, Inc., gave an update regarding the issuance of capital improvement bonds. Ms. Heaton said the Build America Bonds currently shows savings of \$195,751.35 and responded to commissioner questions regarding the savings.

Chair Commissioner Raukar said item 5 on the consent agenda would be moved to the November 9, 2010 meeting.

Commissioner Fink, supported by Commissioner Nelson, moved item 10 from the consent agenda, a resolution to study the pro's and con's of a "No Net Loss of Private Lands Policy". Commissioner Fink said the last whereas should have been removed as approved from the October 26, 2010, meeting. The makers agreed and the motion passed; seven yeas, zero nays. Resolution No. 518.

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

Kevin Gray, County Administrator, and Robert Krepps, Land Commissioner, submitting Board Letter 10-370, Award of Bid for Janitorial/Custodial Services – Land Department Area Offices.—59142

Kevin Gray, County Administrator, and John Ongaro, Intergovernmental Relations Director, submitting Board Letter 10-372, Arrowhead Counties Association Lobbying Services Agreement.—59143

Kevin Gray, County Administrator, and Tony Mancuso, Property Management Director, submitting Board Letter 10-379, Sale of Adolph Public Works Garage (City of Hermantown).—59144

Donald Dicklich, County Auditor, submitting updated cash flow comparison from Springsted Inc. for the General Obligation Capital Improvement Plan Bonds, Series 2010A sale on November 9, 2010.—59145

Kevin Gray, County Administrator, and James Foldesi, Public Work Director, submitting Board Letter 10-377, Award of Bid – Vehicle and Equipment Storage Buildings at Virginia and Ely.—59146

Employee Development Training Contract between St. Louis County and SMDC for *Health Risk Assessments*.—10-723

Employee Development Training Contract between St. Louis County and Ted Schick for *The Servant Leader*.—10-724

Employee Development Training Contract between St. Louis County and Tamara Davis for *Intro to Hatha Yoga*.—10-725

Employee Development Training Contract between St. Louis County and ADR Services, LLC for *Conflict Management for Organizational Leaders and Respectful Workplace*.—10-726

Employee Development Training Contract between St. Louis County and Advance Training & Consulting, LLC for *Intro Access, Intro Word 2003, Intro Word 2007, Word 2003 Indents, Tab Stops and Numbering, and Word 2007 Indents, Tab Stops and Numbering*.—10-727

Safety & Risk Management Training Contract between St. Louis County and Pumps Tire for *Truck Tire Care and Maintenance as related to 29 CFR 1910.177*.—10-728

Amendment No. 2, Contract No. 2009-4823, between the County of St. Louis and The G-Men, Inc., for Canister Site Waste Haulage Service, extending the terms of the agreement for an additional one

year effective January 1, 2011, through December 31, 2011.—10-729

Amendment No. 2, Contract 2009-4824, between the County of St. Louis and Udovich Garbage Service for Canister Site Waste Haulage Service, extending the terms of the agreement for an additional one year effective January 1, 2011, through December 31, 2011.—10-730

Amendment I to Grant Agreement between St. Louis County and the Minnesota Department of Employment and Economic Development, Construction Grant for the St. Louis County Fairgrounds project under the Redevelopment Grant Program (RDGP-09-0017-o-FY09).—10-731

Upon motion by Commissioner O'Neil, supported by Commissioner Forsman, resolutions numbered 510 through 517 and number 519, as submitted to this Board on the Consent Agenda, were unanimously adopted as follows:

BY COMMISSIONER O'NEIL:

WHEREAS, the St. Louis County Planning Commission held a public hearing regarding the preliminary plat of Serenity Point on June 8, 2006, and granted preliminary approval for the plat; and WHEREAS, the final prints have been submitted and conform with the requirements set forth by the Planning Commission.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board grants final approval to the plat of Serenity Point, located in Sections 4 and 5, Township 62 North, Range 16 West (Greenwood).

Adopted November 2, 2010. No. 510

WHEREAS, Minn. Stat. § 282.241 provides that state tax forfeited land may be repurchased by the previous owners subject to payment of delinquent taxes and assessments with penalties, interest and costs; and

WHEREAS, the applicants, Gerald & Anna Burris of Cook, MN, have applied to repurchase state tax forfeited land; and

WHEREAS, the applicants were the owners of record at the time of forfeiture, and are eligible to repurchase the property; and

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

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the repurchase application by Gerald & Anna Burris of Cook, MN on file in County Board File No. 59058, subject to payments including total taxes and assessments of \$640.86, service fee of \$114, deed tax of \$2.11, deed fee of \$25, and recording fee of \$46; for a total of \$827.97, to be deposited into Fund 240 (Forfeited Tax Fund).

Adopted November 2, 2010. No. 511

RESOLVED, that the St. Louis County Board approves the applications for abatements, correction of assessed valuations and taxes plus penalty and interest, and any additional accrual, identified in County Board File No. 59036.

Adopted November 2, 2010. No. 512

WHEREAS, the St. Louis County Purchasing Division solicited bids for the purchase of janitorial / custodial services for use throughout the county; and

WHEREAS, each location and service type is treated as a separate bid award providing the county with the lowest cost; and

WHEREAS, the Purchasing Division received bids from one vendor per location; Whistle Carpet Cleaners submitted a bid for Pike Lake in the amount of \$10,345.92, and K & K Cleaning, Inc., submitted a bid for Cook at \$3,888, Ely at \$4,139.16, and Virginia at \$4,596.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the appropriate county officials to sign an agreement for janitorial / custodial services with Whistle Carpet Cleaners of Superior, WI and K & K Cleaning, Inc., of Mt. Iron, MN in accordance with the

**PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS
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specifications of Bid No. 4899, payable as follows:

Pike Lake	Fund 240, Agency 241008, Object Code 630900
Virginia	Fund 240, Agency 241007, Object Code 630900
Ely	Fund 240, Agency 241009, Object Code 630900
Cook	Fund 240, Agency 241010, Object Code 630900

Adopted November 2, 2010. No. 513

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the Chair of the Board and the County Auditor to execute the lobbying services agreement with Arrowhead Counties Association, on file in County Board File No. 59144, which would use the services of St. Louis County's Director of Intergovernmental Relations to further Arrowhead Counties lobbying activities at the State Legislature during the 2011 Legislative Session not to exceed \$16,000 to be deposited into fund 100-105001, Intergovernmental Affairs (excluding St. Louis County's in-kind contribution of \$2,000).

Adopted November 2, 2010. No. 514

WHEREAS, the Morse-Fall Lake Fire Protection Association would like to purchase a 1998 Chevrolet Suburban, Vehicle Number 608, from St. Louis County in support of its firefighting and first response to emergencies.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the sale of a 1998 Chevrolet Suburban, Vehicle No. 608, VIN# 1GNK26J3WJ363309, to the Morse-Fall Lake Fire Protection Association for the amount of \$2,000, with funds to be deposited into Fund 100, Agency 129001, Revenue 583208.

Adopted November 2, 2010. No. 515

RESOLVED, that a public hearing will be held on Tuesday, November 23, 2010 at 9:40 a.m. in the Hibbing City Hall, City Council Chambers, Hibbing, MN, for the purpose of considering the granting of an Off-Sale Intoxicating Liquor License to The Clip Joint Tavern, Inc. d/b/a The Clip Joint Tavern, Inc., Alborn Township.

Adopted November 2, 2010. No. 516

WHEREAS, the St. Louis County Auditor has received a petition signed by residents of the Lake Vermilion area in support of naming an island in Mattson Bay of Lake Vermilion, Town of Breitung, Section 23, Township 62, Range 15, and the petition signers have been verified as registered voters by the County Auditor; and

WHEREAS, the owners of the island, Cynthia and Charles Driscoll, of Grand Rapids, MN, have requested the name "Blue Heron Island" for this geographic feature because "in the summer there is always a Great Blue Heron somewhere on or near the island;" and

WHEREAS, County Administration has contacted Peter Boulay, State Climatology Office, Department of Natural Resources (DNR), Division of Waters, about the proposed name identification, and Mr. Boulay researched state geographic features named "Blue Heron" in the state of Minnesota, and could not find another island identified with that name; and

WHEREAS, the DNR is supportive of the naming proposal and has encouraged a positive action by the St. Louis County Board; and

WHEREAS, Minnesota Statutes require that the County Board conduct a public hearing on any request for the naming or renaming of state geographic features and waterways.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board establishes a public hearing for Tuesday, November 23, 2010 at 9:45 a.m. in the Hibbing City Hall, City Council Chambers, Hibbing, MN, to consider the naming of an island in Mattson Bay of Lake Vermilion, Town of Breitung, Section 23, Township 62, Range 15, as "Blue Heron Island."

Adopted November 2, 2010. No. 517

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, dated October 22, 2010, on file in the office of the County Auditor, identified as County

Board File No. 59016, is hereby received and ratified as payable from Fund 730, Agency 730001.
Adopted November 2, 2010. No. 519

BY COMMISSIONER FORSMAN:

WHEREAS, the Public Works Department has requested the Adolph garage be offered for public sale. Property is legally described as follows:

Beginning at a point 660 feet, more or less, south of the Northeast corner of Section 31, Township 50 North, Range 15 West, said point being the Southeast corner of the North ½ of the Northeast ¼ of the Northeast ¼ of said Section 31, and running thence West at right angles 416 feet; thence North at right angles 208 feet; thence East at right angles 416 feet; thence South at right angles 208 feet to the place of beginning, being 2 acres, more or less. Parcel Code 395-0010-09110

and

Beginning at a point two hundred eight (208) feet North at right angles from the Southeast corner of the North One-half of Northeast Quarter of Northeast Quarter (N ½ of NE ¼ of NE ¼) thence North at right angles two hundred eight (208) feet, thence West at right angles four hundred sixteen (416) feet, thence South at right angles two hundred eight (208) feet, thence East at right angles four hundred sixteen (416) feet to place of beginning; containing 2 acres, Section Thirty-one (31), Township Fifty (50), Range Fifteen (15), according to the Government Survey thereof. Parcel Code 395-0010-09120

WHEREAS, an appraisal of the property has been completed with a resulting value of \$48,000; WHEREAS, notice of sale of county fee land pursuant to the provisions of Minnesota Statute § 373.01 has been duly followed; and

WHEREAS, Michael R. Hansen submitted a bid amount of \$51,000 that meets the minimum offer requirement of \$48,000 as was advertised. Michael R. Hansen is responsible for all property transaction fees including deed tax and recording fee.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the requirements and procedures of Minnesota Statute § 373.01, the appropriate county officials are authorized to execute and deliver a quit claim deed, conveying the above listed property to Michael R. Hansen, for the bid amount of \$51,000, payable to Fund 100, Agency 128014, Object 583100.

Yeas – Commissioners O’Neil, Dahlberg, Forsman, Sweeney, Nelson, and Chair Raukar – 6

Nays – Commissioner Fink – 1

Adopted November 2, 2010. No. 520

BY COMMISSIONER FORSMAN:

WHEREAS, St. Louis County Public Works has been implementing programs and projects to protect and lengthen the useful life and security of county equipment; and

WHEREAS, indoor cold storage will keep the equipment out of the elements and provide secure storage; and

WHEREAS, included in the 2010 capital improvement projects are two buildings that will be used for cold storage of equipment and vehicles at the Virginia Public Works Facility and the Ely Joint Public Works Facility; and

WHEREAS, the Purchasing Division requested bids through DemandStar which resulted in a purchase price for the buildings of \$147,289.22 from Sherman Pole Buildings, the low responsible bidder.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board authorizes the appropriate county officials to execute a contract with Sherman Pole Buildings of Mora, Minnesota, for the construction of two buildings for vehicle and equipment storage at the Virginia Public Works Facility and the Ely Joint Public Works Facility, payable from Fund 405, Agency 405019, Object 661100.

Unanimously adopted November 2, 2010. No. 521

**PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS
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BY COMMISSIONER FINK:

WHEREAS, the United States and Minnesota State governments benefit significantly from a diverse revenue base, highlighted by income and sales tax revenue; and

WHEREAS, local units of government in Minnesota, especially counties, must predominantly rely on the most regressive tax of all, the property tax, to fund any increases in operating budgets; and

WHEREAS, some rural Minnesota counties have a majority of their land mass in public ownership, including St. Louis County of which 63% is publicly owned; and

WHEREAS, it is important to counties to manage both their land values as well as their land mass; and

WHEREAS, a major consequence to St. Louis County, and any county with a large percentage of public land ownership, is a significant loss of available tax base leaving the remaining property tax base to pay any increasing costs of local government; and

WHEREAS, counties with a high percentage of publicly owned land must disproportionately sacrifice most future economic growth opportunities which these lands would have afforded; and

WHEREAS, economic opportunities within these counties are further restricted because many of the remaining private and developable lands are often limited in their economic use due to the considerable presence of wetlands; and

WHEREAS, a high percentage of public land ownership places severe restrictions on local governments' opportunities for future economic growth; and

WHEREAS, the county recognizes that it has no authority to prevent a willing seller from pursuing a willing buyer, but that, should government or an agency become the buyer in such a purchase, then St. Louis County should be informed.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board directs the County Administrator and the appropriate county officials to conduct a study examining the pros and cons of adopting a policy addressing "No Net Loss of Private Land Policy", the study, including recommendations, to be presented to the St. Louis County Board for consideration no later than July 1, 2011.

RESOLVED FURTHER, the study, at a minimum, should take into consideration such policy issues as whether or not any acquisition of private land within St. Louis County borders should be presented to the county board for its consideration; allow the county board first right of refusal; and/or outline conditions by which the agency may complete the transaction including, but not limited to, offering a like value of land that is controlled by the purchasing agency within the county, to be put up for sale to the general public.

RESOLVED FURTHER, that the county study identify special classes of lands, unique characteristics, a credit provision (such as wetland or carbon credits), or types of land, (such as agriculture, forestry, bogs, etc.), and develop the county's standard procedures, approval, and disposal criteria.

Unanimously adopted November 2, 2010. No. 518

At 11:30 a.m., on November 2, 2010, Commissioner Sweeney, supported by Commissioner Nelson, moved to adjourn the meeting; seven yeas, zero yeas.

Steve Raukar, Chair of the Board
of County Commissioners

Attest:

Donald Dicklich, County Auditor
and Ex-Officio Clerk of the Board
of County Commissioners

(Seal of the County Auditor)

OFFICIAL PROCEEDINGS OF THE MEETING
OF THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF ST. LOUIS, MINNESOTA,
HELD ON NOVEMBER 9, 2010

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 9th day of November, 2010, at 9:35 a.m., in the County Board Room, Duluth, Minnesota, with the following members present: Commissioners Dennis Fink, Steve O'Neil, Chris Dahlberg, Mike Forsman, Peg Sweeney, Keith Nelson and Chair Steve Raukar – 7. Absent: None.

Chair Raukar asked for a moment of silence to honor U.S. troops serving throughout the world and their families at home as well as all persons whose lives are adversely affected by war.

Commissioner Chris Dahlberg gave the Words of Wisdom with “You Cannot” sentiments from Reverend William Boetcker.

At 9:38 a.m., a public hearing was called to order pursuant to County Board Resolution 447, adopted September 14, 2010, to hear the cartway petition of Bryan and Tracy Hutchinson, Van Buren Township. Assistant County Attorney Tim Lee read the applicable statutes for the cartway public hearing. Assistant County Attorney Tim Lee said the appropriate posting were followed according to state law, but not board policies and in this case state statutes prevail. Inga Foster, Environmental Specialist with Public Works, presented the options and alternates access analysis, which included access, road construction and wetland considerations. Ms. Foster said alternative road construction is subject to Department of Natural Resources and US Army Corps of Engineers regulatory oversight. In response to commissioner questions, Ms. Foster said option 2 would be the most road construction; in option 3 there is no developed road; and option 1, the cartway request, would have the least impact to wetlands, adding government environmental regulations generally supersedes property owner rights. John Vigen, real estate appraiser and partner with Ramsland & Vigen, Inc., reviewed the appraisal in the amount of \$700 and said the intended use of the appraisal is for negotiations and settlement for this case. In response to commissioner questions, Mr. Vigen said the corduroy road and the road bed would have to be re-done as it is not a permanent road. In response to commissioner questions, Public Works Director Jim Foldesi said the Hutchinsons paid a \$4,000 deposit and thus far the cost to the county has been \$3,298.88, which does not include Auditor Office costs. Director Foldesi said option 1, the route requested in the cartway petition, has far less wetland impacts and will cost much less. Attorney for the petitioner Kim Maki said the board granted the Hutchinson's easement on the first rod, and this hearing is to gain access to the second rod. Attorney Maki said the road was public until March 2010, when the court changed it to non-public. Attorney Maki said the board must grant the route, unless a better option exists, which clearly the other options cover more area and wetlands, adding the best route is the one requested by the Hutchinsons. Attorney Maki said utilities are outside the requested cartway. Ken Butler, Attorney for the Cullens, said the Cullens took action against St. Louis County alleging the road is not a public road. Attorney Butler said there are also drainage concerns and asked the board to look at alternative options. Brian Hutchinson, petitioner, 6433 N. Triplett Road, said the road is passable, adding he has been maintaining it by adding gravel. Mr. Hutchinson said he spoke to Commissioner Raukar about building his house on North Triplett Road and was told it was a paper road. Mr. Hutchinson said he is not the only one using the road. Robin Cullen, landowner, said the gravel Mr. Hutchinson put on the road is acting as a dike and caused their hay fields to flood. Mrs. Cullen said this has been a great detriment and cost her \$20,000 in attorney fees. Mrs. Cullen said the Hutchinsons clear cut trees and stacked them causing damage to other trees. Chester Cullen, landowner, said there is currently two feet of standing water on their property and said St. Louis County does not have the right to take away property owners' rights. Dennis Kalk, citizen opposed to the cartway, said he has hunting land in the area and people driving on the road interferes with hunting, adding he would be willing donate time to move the cut trees and gravel. In response to a question from Commissioner O'Neil, Attorney Ken Butler said the Cullens were not awarded any damages in the court case. In response to a question from Commissioner Dahlberg, Appraiser John

**PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS
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Vigen said he appraised only what he was asked to appraise, adding an appraisal to include damages could be requested but is not routine. Assistant County Attorney Lee said the board needs to decide on the route of the cartway and there is no statutory language for allowing the board to mandate installation of culverts and clean up of trees. After further discussion, the board recessed for lunch at 12:31 p.m.

At 1:59 p.m. the public hearing reconvened.

Assistant County Attorney Lee submitted the draft Findings of Fact. Attorney Maki said the Hutchinsons are willing to fix the road, put in a culvert and clean up the trees. After further discussion, Commissioner O'Neil, supported by Commissioner Nelson, moved to close the public hearing at 2:12 p.m., seven yeas, zero nays.

Chair Raukar said there is a time-specific presentation scheduled and the board will resume the public hearing after the presentation.

Administrator Gray introduced the presentation and reviewed the bid for the issuance of Build America Bonds (BABS), noting the second part is a post issuance debt compliance policy which is new and therefore the rules will need to be suspended. Commissioner Nelson, supported by Commissioner O'Neil, moved to suspend the rules; five yeas, two nays, Commissioners Fink and Sweeney. Terri Heaton, of Springsted Inc. said five bids were received by 9:30 a.m. today. Ms. Heaton said one of the bids was non-conforming and said Robert Baird and Company's bid had a true interest rate of 2.4028%, and recommended accepting their bid. After further discussion, Commissioner Nelson, supported by Commissioner Sweeney, moved to approve the Post Issuance Debt Compliance Policy; five yeas, one nay, Commissioner Forsman, with Commissioner Fink temporarily away from the meeting. Commissioner Nelson, supported by Commissioner Sweeney moved to award the bond bid to Robert Baird and Company; five yeas, one nay, Commissioner Forsman, with Commissioner Fink temporarily away from the meeting. Resolution No. 535.

The public hearing resumed with all commissioners present. Commissioner Nelson, supported by Commissioner Dahlberg, moved to award the cartway to the Hutchinsons in the amount of \$700 for the appraised value of the property, plus an additional \$10,000 in penalties. After lengthy discussion the motion was approved; five yeas, one nay, Commissioner Raukar, with Commissioner Sweeney temporarily away. Commissioner Fink, supported by Commissioner Dahlberg, moved to amend the Finding of Fact to add the Hutchinsons will bring road up to standard, six yeas, zero nays, with Commissioner Sweeney temporarily away. Commissioner Raukar, supported by Commissioner Nelson, moved an amendment to the cartway to include an additional \$5,000 to insure the trees are cleaned up and the road is improved. Assistant County Attorney said this goes beyond the cartway language in statute. The motion failed two yeas, four nays, Commissioners Dahlberg, Fink, Sweeney, O'Neil, with Commissioner Forsman temporarily away from the meeting. Commissioner Nelson, supported by Commissioner Forsman, moved to approve the Finding of Fact as presented by the County Attorney's Office; six yeas, one nay, Commissioner Raukar. Resolution No. 528.

At 3:36 p.m. a public hearing was convened pursuant to Resolution 488, adopted October 12, 2010, to consider the suspension/revocation of liquor licenses for failure to pay real estate or person property taxes when due. County Attorney Melanie Ford said this hearing was to consider the suspension or revocation of liquor license issued to Beverly Allis, doing business as Kountry Krossroads due to unpaid taxes in the amount of \$34,429.76. County Attorney Ford said all required notices were given and the liquor license committee discussed the matter. County Attorney Ford said Ms. Allis sold the property on contract for deed and that individual took out a septic loan, then the purchaser defaulted on the property. Commissioner Forsman said the original loan was not to Ms. Allis and there has been no litigation as Ms. Allis is working on an offer in the amount of \$16,000 to settle with the county. In response to commissioner questions, County Attorney Ford said the board can revoke or suspend the license, or enter into an agreement with Ms. Allis. Mr. Bill Jones spoke to the board on behalf of Ms. Allis. Mr. Jones said Ms. Allis built a solid business and

when she sold it, the purchaser went to St. Louis County for a septic loan. Mr. Jones said eight people will lose their jobs if the business closes. Ms. Beverly Allis said she got the business back with no food and hardly any liquor. Ms. Allis said if she knew there was a septic loan she would be responsible for, she never would have opened the doors. In response to commissioner questions, Ms. Allis said that Mr. Hoover signed a contract for deed on the property. In response to a question from Commissioner Fink, Director of Environmental Services Ted Troolin said the loan became delinquent, was sent to the county auditor's office and attached to the property tax bill. Director Troolin said the original amount of the loan was \$28,500. In response to a question from Commissioner Fink, County Attorney Ford said if the hearing is continued, any discussion on the matter would be considered public record. Commission Nelson, supported by Commissioner Sweeney, moved to continue the hearing until March 22, 2011; six yeas, one nay, Commissioner Fink. Resolution No. 552 (assigned out of order).

At 3:45 p.m. a public hearing was convened pursuant to Resolution 497, adopted October 26, 2010, to consider the adoption of the fee schedule for various county services for the year 2011. Deputy Administrator Gary Eckenberg discussed the proposed changes for 2011. After lengthy discussion, Commissioner Nelson, supported by Commissioner O'Neil, moved to close the hearing at 5:02 p.m. Commissioner Fink, supported by Commissioner O'Neil, moved to amend the resolution to include a 3% increase for private driveway plowing; three yeas, four nays, Commissioners Raukar, Nelson, Forsman and Sweeney. Commissioner Nelson, supported by Commissioner Forsman, moved to adopt the 2011 fee schedule; seven yeas, zero nays. Resolution No. 529.

Commissioner Nelson, supported by Commissioner Sweeney, moved to approve the consent agenda; seven yeas, zero nays.

Commissioner Nelson, supported by Commissioner O'Neil, moved to transfer the remaining American Recovery and Reinvestment Act-Recovery Zone Economic Development Bonds (bonding authority in the amount of \$3,254,000) back to the State of Minnesota; six yeas, zero nays, with Commissioner Dahlberg temporarily away from the meeting. Resolution No. 530.

Commissioner Sweeney, supported by Commissioner Nelson, moved to approve the State of MN Allied Radio Matrix for Emergency Response (ARMER) Participation Plan as prepared by GeoComm Corporation and authorize the Sheriff to proceed with the conversion to the ARMER System, and further authorize county officials to enter into the necessary agreements. County Administrator Kevin Gray said this is to authorize the ARMER Plan adding there is a 2012 deadline to convert from VHS to narrowband for all St. Louis County emergency communications, including police, fire and EMS. County Sheriff Ross Litman said there are 185 user agencies in Minnesota. Commissioner Sweeney thanked the Sheriff's office and recognized the Hermantown Fire Department for their efforts; seven yeas, zero nays. Resolution No. 531.

Commissioner Sweeney, supported by Commissioner O'Neil, moved to suspend the rules to authorize application and acceptance of the 2010 North Highway Enforcement of Aggressive Traffic (HEAT) grant; seven yeas, zero nays. Commissioner Sweeney, supported by Commissioner O'Neil, move to authorize and approve acceptance to the 2010 HEAT grant from the State of Minnesota Department of Public Safety in the amount of \$32,340; seven yeas, zero nays. Resolution No. 532.

Commissioner Dahlberg, supported by Commissioner Sweeney, moved to go to closed session at the end of the Committee of the Whole meeting. The clerk of the county board read the resolution pertaining to the closed session, in accordance with state statutes; six yeas, one nay, Commissioner O'Neil.

The county board meeting recessed at 6:01 p.m.

The county board meeting reconvened at 7:02 p.m.

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County Attorney Melanie Ford said only the EEOC claim can be discussed in closed session. The EEOC claim surrounds an alleged act by Commissioner Fink, and the board needs to decide whether or not to recuse Commissioner Fink from the closed session. Commissioner Dahlberg, supported by Commissioner O'Neil, moved to recuse Commissioner Fink from the closed session. After further discussion, Commissioner O'Neil withdrew his support, and then Commissioner Dahlberg withdrew his motion. After further discussion, Commissioner Nelson, supported by Commissioner Sweeney, moved to adjourn the meeting and go to closed session at 7:20 p.m.; seven yeas, zero nays.

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

2011 St. Louis County Fee Schedule.—[59147](#)

Kevin Gray, County Administrator, and Donald Dicklich, County Auditor, submitting Board Letter No. 10-388, Capital Improvement Bonds – Post-Issuance Debt Compliance Policy and Procedures.—[59148](#)

Kevin Gray, County Administrator, and James Foldesi, Public Works Director, submitting Board Letter No. 10-380, Right of Way over Tax Forfeited Land for CP 91417 – CR 623 (Babbitt) in Section 10, T10N, R12W.—[59149](#)

Kevin Gray, County Administrator, and James Foldesi, Public Works Director, Submitting Board Letter No. 10-381, Minnesota State Aid Variance Request for CP 8269 – Haines Road (Duluth).—[59150](#)

Kevin Gray, County Administrator, and James Foldesi, Public Works Director, submitting Board Letter No. 10-383, 2010 Crack Sealing Re-Bid; Rescind Awarding Resolution No. 10-227.—[59151](#)

Kevin Gray, County Administrator, and Melanie Ford, County Attorney, submitting Board Letter No. 10-384, Application for Funding from the Minnesota Office of Justice Programs – Violence Against Women Act.—[59152](#)

Addendum to Purchase Agreement, Contract No. 14610A, between the St. Louis County Board of Commissioners and Woodhill Homes, Inc.—[10-732](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14760A, between the Public Health and Human Services Department and Accra Care, Inc.—[10-733](#)

Statewide Health Improvement Program Management Agreement Amendment between the Carlton-Cook-Lake-St. Louis Community Health Board and St. Louis County.—[10-734](#)

Public Health Emergency Preparedness (PHEP) Grant Project Agreement Amendment #2 CFDA #93.283 between the Carlton-Cook-Lake-St. Louis Community Health Board and St. Louis County.—[10-735](#)

Addendum to Contract No. 20856 between the County Board and the Salvation Army for Family Homeless Prevention and Assistance Program (FHPAP).—[10-736](#)

U.S. Department of Justice Community Oriented Policing Services (COPS) Technology Program Grant #2010CKWX0510.—[10-737](#)

Agreement between the County of St. Louis, Donald Dicklich, St. Louis County Auditor, and the Carlton-Cook-Lake-St. Louis Community Health Board for fiscal agent services.—[10-738](#)

Fiscal Services 2010 Agreement between the County of St. Louis, Donald Dicklich, County Auditor,

and the Arrowhead Regional Corrections Board.—10-739

Agreement between St. Louis County and the Minneapolis-Duluth/Superior Passenger Rail Alliance for budget, accounting and fiscal services.—10-740

Agreement between the County of St. Louis and the St. Louis & Lake Counties Regional Railroad Authority for accounting and payroll services.—10-741

State of Minnesota 2010 HEAT Grant Contract between the Commissioner of Public Safety and the South St. Louis County Sheriff's Department.—10-742

Project Contract, Contract No. 4913-2, between the County of St. Louis and North Central Reforestation, Inc., for Containerized Tree Seedlings in Sections 3 and 9 for Spring 2012 and Spring 2013.—10-743

Upon motion of Commissioner Nelson, supported by Commissioner Sweeney, Resolutions No. 522 through 527, as submitted to this Board on the Consent Agenda, were unanimously adopted as follows:

BY COMMISSIONER NELSON:

WHEREAS, Minn. Stat. 163.02 authorizes the County Board to establish, construct and improve public highways within its jurisdiction; and

WHEREAS, County Board Resolution No. 10-281, dated June 1, 2010, authorized the County Attorney to proceed, by eminent domain action, with the acquisition of lands and temporary easements necessary for the relocation and construction of County Road 623 (County project 91417); and

WHEREAS, permanent highway right of way is needed for this highway over a parcel of land that is currently tax-forfeited; and

WHEREAS, Minn. Stat. 282.04, Subdivision 4, permits the County Auditor to grant easements over tax forfeited lands.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the County Auditor to grant the necessary easement for highway purposes over the following parcel:

An undivided 1/2 interest in the SW 1/4 of the NW 1/4, Section 10, Township 60 North of Range 12 West of the Fourth Principal Meridian.

(As currently embodied in Certificate of Title number 188871, Parcel Identification Number – 105-0060-01510)

Adopted November 9, 2010. No. 522

RESOLVED, that the St. Louis County Board requests that the Commissioner of the Minnesota Department of Transportation consider and grant a variance request from Minnesota Rule 8820.9936 on County State Aid Highway (CSAH) 91, Haines Road between the 40th Avenue West railroad crossing and CSAH 56 (Morris Thomas Road) in Duluth, Minnesota, project S.P. 69-691-020, for the purpose of constructing the horizontal curve at station 43+00 on CSAH 91 at a design speed of 25 mph.

RESOLVED FURTHER, that St. Louis County agrees to indemnify, save and hold harmless the State and its agents and employees of and from claims, demands, actions, or causes of action arising out of or by reason of the granting of this variance, and further agrees to defend at its sole cost and expense any action or proceeding begun for asserting any claim of whatever character arising as a result of the granting of this variance.

Adopted November 9, 2010. No. 523

RESOLVED, that the St. Louis County Board authorizes the Public Works Department to purchase of road design software from Carlson Software of Maysville, Kentucky, in the amount of \$41,120.16 (\$38,475.00 software and \$2,645.16 tax) plus first year maintenance (subsequent years maintenance optional) in the amount of \$5,268.97 (\$5,197.50 maintenance and \$71.47 in applicable taxes) for a

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combined total cost of \$46,389.13, payable from Fund 200, Agency 200001, Object 634800.
Adopted November 9, 2010. No. 524

WHEREAS, the St. Louis County Board approved Resolution No. 10-277 on May 4, 2010, awarding MP 10022, Crack Sealing 2010, to low bidder Farhner Asphalt Sealers, Inc., Eau Claire, Wisconsin.; and

WHEREAS, Farhner Asphalt, Inc., is unable to fulfill the contract and has offered to pay \$10,454.76 in damages for defaulting on the contract.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board accepts the sum of \$10,454.76 as damages in full from Fahrner Asphalt Sealers, Inc., for project MP 10022, Crack Sealing 2010, receipted into Fund 200, Agency 205003, Object 583100.

RESOLVED FURTHER, that County Board Resolution No. 10-227, dated May 4, 2010, is rescinded and MP 10022, Crack Sealing shall be re-bid on December 6, 2010.

Adopted November 9, 2010. No. 525

WHEREAS, the St. Louis County Attorney's Office has a newly created Family Violence Unit (FVU), formed to provide more effective prosecution in domestic violence cases and cases where there is a co-occurrence of domestic violence and sexual assault, to promote consistent charging, to increase the likelihood of conviction, and to seek justice for victims of these crimes; and

WHEREAS, the County Attorney's Office is also a partner in the Sexual Assault Multidisciplinary Team (SMART) which is a multi-disciplinary response to sexual assault crimes; and

WHEREAS, the Attorney's Office was a partner in the "Safety and Accountability Audit of the Response to Native Women Who Report Sexual Assault in Duluth, MN" completed by Mending the Sacred Hoop; and

WHEREAS, to carry out the work of the audit and enhance the County Attorney's response to sexual assault, a specially designated prosecutor is critical; and

WHEREAS, this two year grant would provide funding for an entry level 1.0 FTE attorney position (at \$74,803 per year) to be part of the FVU and focus on prosecuting sexual assault crimes, particularly those committed against Native American Indian women.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the County Attorney's Office to apply for grant funding in the amount of \$149,606 from the Minnesota Office of Justice Programs – Violence Against Women Act.

RESOLVED FURTHER, the County Attorney's Office will provide an in-kind contribution of supervision, training and office space totaling \$49,968 (\$24,984 per year).

RESOLVED FURTHER, that any positions employed as a result of this grant award will be terminated at the close of the grant period.

Adopted November 9, 2010. No. 526

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of October 26, 2010, are hereby approved.

Adopted November 9, 2010. No. 527

BY COMMISSIONER NELSON:

WHEREAS, a cartway petition was presented to the St. Louis County Board by Bryan and Tracy Hutchinson, Van Buren Township, MN, the owners of Lot 3, Section, 19, Township 52, Range 20, St. Louis County, MN, containing at least 5 acres which has no established access to it, except over the lands of others, to connect the petitioners' land to a public road; and

WHEREAS, on November 9, 2010, the St. Louis County Board of Commissioners held a public hearing in the Duluth Courthouse at 9:35 a.m. to consider the cartway petition of Bryan and Tracy Hutchinson.

RESOLVED, that the St. Louis County Board of Commissioners hereby approves and ratifies the Findings of Fact, Conclusions and Order in the matter of the petition of Bryan and Tracy Hutchinson for a cartway, on file in the office of the County Auditor, identified as County Board Document File No. 59121.

Yeas – Commissioners Fink, O'Neil, Dahlberg, Forsman, Sweeney, and Nelson – 6

Nays – Commissioner Raukar - 1
Adopted November 9, 2010. No. 528

BY COMMISSIONER NELSON:

WHEREAS, the St. Louis County Board held a public hearing at 9:45 a.m. on Tuesday, November 9, 2010, at the St. Louis County Courthouse, Duluth, Minnesota, to receive comment and consider the adoption of the Fee Schedule for various County services for the year 2011.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners adopts the 2011 Fee Schedule on file in County Board File No. 59147.

Unanimously adopted November 9, 2010. No. 529

BY COMMISSIONER NELSON:

WHEREAS, on February 17, 2009, the President of the United States signed the American Recovery and Reinvestment Act of 2009 (the Recovery Act) that included two separate allocations of special bonding authority; and

WHEREAS, the State of Minnesota allocated \$4,059,000 of its Recovery Zone Bond volume cap limitation to St. Louis County for use in the Recovery Zone Economic Development Bond Program, to be issued by January 1, 2011; and

WHEREAS, St. Louis County established a process for the use of the county's allocation of Recovery Zone Bonds and established the St. Louis County Recovery Zone; and

WHEREAS, in July 2010, the County Board designated the Town of Grand Lake as its agent to issue \$805,000 of Recovery Zone Bonds in the St. Louis County Recovery Zone;

WHEREAS, St. Louis County will not use the remaining bonding authority and no other public entities have expressed interest.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the appropriate county officials to complete the necessary requirements for the transfer of the remaining bonding authority (\$3,254,000) back to the State of Minnesota for reallocation statewide.

Yeas – Commissioners Fink, O'Neil, Forsman, Sweeney, Nelson, and Raukar – 6

Absent – Commissioner Dahlberg – 1

Adopted November 9, 2010. No. 530

BY COMMISSIONER SWEENEY:

WHEREAS, St. Louis County, through its Sheriff's Office Communications Division, provides radio communications services for police, fire, and first responder agencies within the county for the protection of its citizens; and

WHEREAS, the County Board recognizes the need to provide radio systems that are reliable, compliant with federal standards, and protect the safety of the county's citizens, police, fire, and first responders; and

WHEREAS, the State of Minnesota Allied Radio Matrix for Emergency Response (ARMER) provides an unprecedented framework for interoperability of radio systems during all incidents; and

WHEREAS, GeoComm Corporation has completed a Participation Plan covering the radio communications infrastructure and ARMER conversion option for St. Louis County and its user agencies; and

WHEREAS, current very high frequency (VHF) public safety radio systems and end user equipment are entering the end of their serviceable life as mandated by Federal Communications Commission's (FCC) standards for narrow-band compliance in 2012.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board approves the Participation Plan as prepared by GeoComm Corporation and authorizes the Sheriff to proceed with conversion to the State of Minnesota Allied Radio Matrix for Emergency Response (ARMER) System.

RESOLVED FURTHER, that the appropriate county officials are authorized to enter into agreements necessary for the transition of St. Louis County emergency radio systems to the ARMER system, making St. Louis County a full participant in this statewide Interoperable Radio and Communications System.

Unanimously adopted November 9, 2010. No. 531

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

BY COMMISSIONER SWEENEY:

WHEREAS, St. Louis County has participated in the State of Minnesota Office of Public Safety's Highway Enforcement of Aggressive Traffic (HEAT) grant program for several years; and
WHEREAS, the 2010 grant offered by the state for North St. Louis County is in the amount of \$32,340-

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes application and acceptance of the 2010 North St. Louis County HEAT Grant in the amount of \$32,340, to be accounted for in Fund 100, Agency 129999, Grant 12907, Year 2010.

Unanimously adopted November 9, 2010. No. 532

BY COMMISSIONER DAHLBERG:

WHEREAS, St. Louis County is the defendant in an EEOC claim; and
WHEREAS, the County Attorney requires a candid and open discussion with the County Board in order to render professional and adequate advice to the Board in this matter; and
WHEREAS, public discussion of this claim would benefit the opposing party and/or counsel to the County's detriment; and

WHEREAS, a closed session would benefit the public because potential financial liability in this matter could result in expenditure of public funds; and

WHEREAS, pursuant to Minn. Stat. § 13D.05, subd. 3(b), the County Board may close a meeting as permitted by the attorney-client privilege.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board hereby closes the meeting of November 9, 2010, to discuss with the County Attorney the strategy related to this claim.

RESOLVED FURTHER, that the St. Louis County Board will recess the County Board meeting in closed session to meet as a Committee of the Whole to allow for free debate on the subject and will reconvene as the County Board in open session to take immediate action on the matter if deemed in the best interest of the County.

RESOLVED FURTHER, that no other pending public business will be discussed at this closed session.

Unanimously adopted November 9, 2010. No. 533

BY COMMISSIONER NELSON:

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. LOUIS
COUNTY, MINNESOTA PROVIDING FOR THE ISSUANCE, SALE AND DELIVERY OF
\$7,135,000 TAXABLE GENERAL OBLIGATION CAPITAL IMPROVEMENT BONDS,
SERIES 2010A (BUILD AMERICA BONDS-DIRECT PAY); ESTABLISHING THE TERMS
AND FORM THEREOF; CREATING A DEBT SERVICE FUND THEREFOR; AND
AWARDING THE SALE THEREOF**

BE IT RESOLVED, by the Board of Commissioners (the "Board") of St. Louis County, Minnesota (the "County"), as follows:

Section 1. Purpose and Authorization.

1.01 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 an approved capital improvement plan.

1.02 Pursuant to Resolution No. 445 adopted by the Board on September 14, 2010, the Board proposed an amendment to the County's Capital Improvement Plan, stated that it was considering issuing capital improvement bonds to finance capital improvements under the Capital Improvement Plan, as amended, and called for a public hearing to be held on October 5, 2010, regarding the plan amendment and the issuance of capital improvement bonds.

1.03 Following published notice and a public hearing according to the Act, the Board, pursuant to Resolution No. 479 adopted on October 5, 2010, approved the Capital Improvement Plan, as amended for the years 2010 through 2014, as presented to the Board and on file as County Board Document File No. 59130 and with certain approved modifications which are now contained therein, and stated its intention to issue general obligation capital improvement bonds in the maximum amount of \$7,145,000 for certain capital improvements and for payment of costs of issuance of such bonds including:

- Courthouse Improvements - additions to and renovations and improvements of the Virginia courthouse including energy upgrades and enhancements including but not limited to window replacement, HVAC and mechanical infrastructure improvements, remodeling within the existing courthouse; and construction of an addition for law enforcement and probation; and

- Law Enforcement and Administration Building Improvements - including communication system infrastructure and upgrades at various law enforcement and administration building locations.

(collectively, the "Project").

1.04 No petition requesting a vote on the issuance of the bonds authorized pursuant to Resolution No. 479 has been filed with the County Auditor in accordance with the Act.

1.05 It is the finding of the Board that it is desirable and in the best interest of the County to take the steps necessary to irrevocably designate the Bonds (as hereinafter defined) to be qualified "Build America Bonds" within the meaning of Subsection 54AA(g) of the Internal Revenue Code of 1986, as amended (the "Code"), and the applicable regulations promulgated under the Code (the "Regulations") so that the County may claim refundable credits with respect to each interest payment on the Bonds, payable to the County by the Secretary of the United States Department of Treasury ("Treasury") and because the Board will designate the Bonds to be qualified Build America Bonds, the interest on the Bonds will be includable in gross income for federal income tax purposes under the Code. Pursuant to Notice 2009-26, the Internal Revenue Service has determined for "Build America Bonds" (i) that an eligible financing of capital expenditures includes a reimbursement of capital expenditures under the reimbursement rules under Regulation Section 1.150-2, and (ii) that proceeds of Build America Bonds may be used to reimburse otherwise eligible capital expenditures under Regulation Section 1.150-2 that were paid or incurred after February 17, 2009 (the effective date of the Act permitting Build America Bonds) and that were financed originally with temporary short-term financing issued after February 17, 2009, and such reimbursement will not be treated as a refunding issue under Regulation Sections 1.150-1(d) or 1.150-2(g). The County has not financed any costs of the Project with temporary short-term financing.

1.06 The Board has determined that it is necessary and expedient to issue its \$7,135,000 Taxable General Obligation Capital Improvement Bonds, Series 2010A (Build America Bonds-Direct Pay), of the County (the "Bonds") to provide funds to finance the Project and the costs of issuance of the Bonds. The maximum amount of principal and interest to become due in any year on the Bonds and all the outstanding bonds issued pursuant to Section 373.40 of the Act will not exceed 0.12 percent of taxable market value of property in the County.

.07 The County has solicited bids for the sale of the Bonds and has received and considered all bids presented pursuant to the Terms of Proposal and has determined that the most favorable bid is that of Robert W. Baird & Co., Inc. of Milwaukee, Wisconsin (the "Purchaser"), to purchase the Bonds at a cash price of \$7,067,817.50, and upon condition that the Bonds mature and bear interest at the times and annual rates set forth in Section 2. The County, after due consideration, finds such offer reasonable and proper and the offer of the Purchaser is hereby accepted. The Chair and the County Auditor are authorized and directed to execute on the part of

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ST. LOUIS COUNTY, MINNESOTA**

the County a contract for the sale of the Bonds in accordance with the Purchaser's bid. All actions of the Chair, the County Auditor and the Administrator and Springsted Incorporated, independent financial advisor to the County, taken with regard to the sale of the Bonds are hereby ratified and approved.

Section 2. Terms, Execution, and Delivery of the Bonds.

2.01 The Bonds to be issued hereunder shall be dated the date of issuance of the Bonds, as the date of original issue, shall be issued in the denomination of \$5,000, or any integral multiple thereof, in fully registered form and lettered and numbered R-1 and upward. The Bonds shall mature on December 1 in the respective years and amounts stated and shall bear interest at the annual rates as follows:

Year	Amount	Interest Rate
2011	\$430,000	0.700%
2012	\$430,000	1.00%
2013	\$430,000	1.20%
2014	\$435,000	1.45%
2015	\$440,000	1.90%
2016	\$450,000	2.20%
2017	\$455,000	2.55%
2018	\$465,000	2.85%
2019	\$475,000	3.15%
2020	\$490,000	3.50%
2021	\$500,000	3.75%
2022	\$515,000	4.00%
2023	\$525,000	4.25%
2024	\$540,000	4.45%
2025	\$555,000	4.65%

2.02 Redemption. A. The Bonds maturing in the years 2011 through 2020 shall not be subject to redemption and prepayment before maturity, but those maturing, or subject to mandatory redemption, in the year 2021 and in subsequent years shall each be subject to redemption and prepayment at the option of the County on December 1, 2020, and on any day thereafter, in whole or in part, and if in part, at the option of the County and in such manner as the County shall determine at a price of par plus accrued interest to the date of redemption.

B. At the option of the County, the Bonds are subject to extraordinary redemption in whole, but not in part, at a redemption price equal to par plus accrued interest to the redemption date, upon or on any date after the occurrence of a Determination of Ineligibility. A "Determination of Ineligibility" means (i) the enactment of legislation or the adoption of final regulations or a final decision, ruling, or technical advice by any federal judicial or administrative authority which would have the effect of deeming, determining or rendering the Bonds not qualified for treatment as Build America Bonds under the Code; (ii) the federal government discontinues the Build America Bonds direct payment program with retroactive applicability to bonds (including the Bonds) issued prior to the date of such discontinuance; (iii) the federal government reduces the Build America Bonds direct payment percentage with retroactive applicability to bonds (including the Bonds) issued prior to the date of the reduction of such direct payment; or (iv) the receipt by the County of a written opinion of nationally recognized bond counsel selected by the County to the effect that the Bonds are not qualified Build America Bonds under the Code.

C. In the event any of the Bonds are called for redemption, notice thereof identifying the Bonds to be redeemed will be given by the Bond Registrar by mailing a copy of the

redemption notice by first class mail (postage prepaid) at least 30 days but not more than 60 days prior to the date fixed for redemption to the registered owner of each Bond to be redeemed at the address shown on the registration books kept by the Bond Registrar; provided however, that so long as the Bonds are registered in the name of Cede & Co. as nominee of The Depository Trust Company, New York, New York ("DTC"), notice of redemption shall be given in accordance with the terms of the Representation Letter hereinafter described. Failure to give notice by mail to any registered owner, or any defect therein, will not affect the validity of any proceeding for the redemption of Bonds not affected by such defect or failure. Bonds so called for redemption will cease to bear interest after the specified redemption date, provided that the funds for the redemption are on deposit with the place of payment at that time. If less than all the Bonds of a maturity are called for redemption while the Bonds are registered in the name of Cede & Co., the County or the Bond Registrar designated below will notify DTC of the particular amount of such maturity to be prepaid. DTC will determine by lot the amount of each participant's interest in such maturity to be redeemed and each participant will then select by lot the beneficial ownership interest in such maturity to be redeemed. If less than all the Bonds of a maturity are called for redemption and the Bonds are not registered in the name of Cede & Co., the Bond Registrar will determine by lot or other manner deemed fair, the amount of each maturity to be redeemed. All prepayments shall be at a price equal to the principal amount thereof plus accrued interest.

2.03 The interest shall be payable semiannually on June 1 and December 1 in each year (each referred to herein as an "Interest Payment Date"), commencing December 1, 2011. Interest will be computed upon the basis of a 360-day year of twelve 30-day months and will be rounded pursuant to the rules of the Municipal Securities Rulemaking Board. The Bond Registrar designated below shall make all interest payments with respect to the Bonds by check or draft mailed to the registered owners of the Bonds shown on the bond registration records maintained by the Bond Registrar at the close of the business on the 15th day (whether or not on a business day) of the month next preceding the Interest Payment Date at such owners' addresses shown on such bond registration records.

2.04 A. The Bonds shall be prepared for execution in accordance with the approved form and shall be signed by the facsimile or manual signature of the Chair and attested by the manual signature of the County Auditor. In case any officer whose signature shall appear on the Bonds shall cease to be an officer before delivery of the Bonds, such signature shall nevertheless be valid and sufficient for all purposes, the same as if such officer had remained in office until delivery.

B. The County Auditor is authorized and directed to obtain a copy of the proposed approving legal opinion of Fryberger, Buchanan, Smith & Frederick, P.A., Duluth, Minnesota, which is to be complete except as to dating thereof and cause the opinion to be printed on or attached to each Bond.

2.05 The Board hereby appoints the County Auditor, as registrar, paying agent and transfer agent for the Bonds (the "Bond Registrar"). The County reserves the right to name a substitute, successor Bond Registrar upon giving prompt written notice to each registered bond holder. The manual signature of the County Auditor on the Bonds shall be conclusive evidence that it has been executed and delivered under this Resolution.

Section 3. Registration; Global Book Entry System.

3.01 Designation of Depository. DTC, a Securities and Exchange Commission designated depository, a limited purpose New York trust company, a member of the Federal Reserve System, and a "clearing corporation" within the meaning of the New York Uniform Commercial Code, is designated as the depository (the "Depository") with respect to the Bonds.

3.02 Authentication of Bonds. No Bond shall be valid or obligatory for any purpose unless or until either (i) the Bond Registrar's authentication certificate on such Bond,

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substantially set forth in Section 4.01 hereof, shall have been duly executed by an authorized representative of the Bond Registrar or (ii) the Bonds have been manually executed by at least one officer of the County. Authentication certificates on different Bonds need not be signed by the same representative. Unless the Bond is manually signed by at least one officer of the County, the Bond Registrar shall authenticate each Bond by execution of the Certificate of Authentication on the Bond and shall date each Bond in the space provided as of the date on which the Bond is registered. For purposes of delivering the original Bonds, the Bond Registrar shall insert as the date of registration the date of original issue. The executed Authentication Certificate or the manual signature of at least one officer of the Board on each Bond shall be conclusive evidence that it has been authenticated and delivered under this Resolution.

3.03 Bond Register; Transfer; Exchange.

A. The County shall cause to be kept by the Bond Registrar at its principal office, a bond register in which, subject to such reasonable regulations as the Bond Registrar may prescribe, the County shall provide for the registration of the Bonds and the registration of transfers of the Bonds entitled to be registered or transferred as herein provided. In the event of the resignation or removal of the Bond Registrar or its incapability of acting as such, the bond registration records shall be maintained at the office of the successor Bond Registrar as may be appointed by the Board.

B. Upon surrender for transfer of any Bond at the principal corporate office of the Bond Registrar, the County shall execute, if required by law or this Resolution, and the Bond Registrar shall authenticate, if required by law or this Resolution, date (in the space designated Date of Registration) and deliver, in the name(s) of the designated transferee or transferees, one or more new Bonds of the like aggregate principal amount having the same stated maturity and interest rate, as requested by the transferor; provided, however, that no Bond may be registered in blank or in the name of "bearer" or similar designation. Transfer of a Bond may be made on the County's books by the registered owner in person or by the registered owner's attorney duly authorized in writing. Transfers shall be subject to reasonable regulations of the County contained in any agreement with, or notice to, the Bond Registrar, including regulations which permit the Bond Registrar to close its transfer books between record dates and payment dates. The County and the Bond Registrar shall not be required to make any transfer or exchange of any Bonds called for redemption or to make any such exchange or transfer of the Bonds during the 15 days next preceding the date of the first publication or the mailing (if there is no publication) of notice of redemption in the case of a proposed redemption of the Bonds.

C. Every Bond presented or surrendered for transfer or exchange shall be duly endorsed or be accompanied by a written instrument of transfer, in form satisfactory to the Bond Registrar, duly executed by the registered owner thereof, with signature guaranteed, or by the registered Holder's attorney duly authorized in writing, and shall include written instructions as to the details of the transfer of the Bond. When any Bond is presented to the Bond Registrar for transfer, the Bond Registrar may refuse to transfer the same until it is satisfied that the endorsement on such Bond or separate instrument of transfer is valid and genuine and that the requested transfer is legally authorized. The Bond Registrar shall incur no liability for the refusal, in good faith, to make transfers which it, in its judgment, deems improper or unauthorized.

D. At the option of the Holder, replacement Bonds may be exchanged for Bonds of any authorized denomination or denominations of a like aggregate principal amount and stated maturity, upon surrender of the Bonds to be exchanged at the principal office of the Bond Registrar. Whenever any Bonds are so surrendered for exchange, the County shall execute (if required by law or this Resolution), and the Bond Registrar shall authenticate (if required by law or this Resolution), date (in the space designated Date of Registration) and deliver the replacement Bonds which the Holder making the exchange is entitled to receive. Bonds registered in the name of Cede & Co. may not be exchanged for Bonds of smaller denominations.

E. All Bonds surrendered upon any exchange or transfer provided for in this Resolution shall be promptly canceled by the Bond Registrar and thereafter disposed of as directed by the County.

F. Each Bond delivered upon transfer of or in exchange for or in lieu of any other Bond shall carry all of the rights to interest, accrued and unpaid and to accrue, which are carried by such other Bond. All Bonds delivered in exchange for or upon transfer of Bonds shall be valid general obligations of the County evidencing the same debt, shall be entitled to the same benefits under this Resolution as the Bonds surrendered for such exchange or transfer, and shall carry all the rights to interest accrued and unpaid, and to accrue, which were carried by such other Bonds.

G. The Bond Registrar may require payment of a sum sufficient to cover any tax or other governmental charge payable in connection with the transfer or exchange of any Bond and any legal or unusual costs regarding transfers and lost bonds.

H. Bonds registered in the name of Cede & Co. may not after their original delivery, be transferred or exchanged except in accordance with the terms and conditions of the Representation Letter and:

(i) upon exchange of a Bond after a partial redemption, if provided in Section 2.02 of this Resolution;

(ii) to any successor of the Depository (or its nominee) or any substitute depository (a "Substitute Depository") designated pursuant to clause (iii) below; provided that any successor of the Depository or any Substitute Depository must be both a "clearing corporation" as defined in the Minnesota Uniform Commercial Code, Minnesota Statutes, Section 336.8-102, and a qualified and registered "clearing agency" as provided in Section 17A of the Securities Exchange Act of 1934, as amended;

(iii) to a Substitute Depository designated by and acceptable to the County upon (a) the determination by the Depository that the Bonds shall no longer be eligible for its depository services or (b) a determination by the County that the Depository is no longer able to carry out its functions; provided that any Substitute Depository must be qualified to act as such, as provided in subclause (ii) above; or

(iv) in the event that (a) the Depository shall resign or discontinue its services for the Bonds or be declared no longer able to carry out its functions and the County is unable to locate a Substitute Depository within two months following the resignation or discontinuance or determination of noneligibility, or (b) the County determines in its sole discretion that (1) the continuation of the book-entry system described herein might adversely affect the interests of the beneficial owners of the Bonds, or (2) it is in the best interests of the beneficial owners of the Bonds that they be able to obtain certificated Bonds, then the County shall notify the Holders of its determination and of the availability of replacement Bonds to Holders. The County, the Bond Registrar and the Depository shall cooperate in providing Replacement Bonds to Holders requesting the same and the registration, transfer and exchange of such Bonds shall thereafter be conducted as provided in Section 3 of this Resolution.

I. In the event of the designation of a Substitute Depository as authorized by clause H., the Bond Registrar, upon presentation of a Bond, shall register their transfer to the Substitute Depository, and the Substitute Depository shall be treated as the Depository for all purposes and functions under this Resolution. The Representation Letter shall not apply to the Substitute Depository unless the County and the Substitute Depository so agree, and the execution of a similar agreement is authorized.

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3.04 Persons Deemed Owners; Payment.

A. The County and the Bond Registrar may treat the person in whose name any Bond is registered as the owner of such Bond for the purpose of receiving payment of principal of and premium, if any, and interest on such Bond and for all other purposes whatsoever, whether or not such Bond shall be overdue, and neither the County nor the Bond Registrar shall be affected by notice to the contrary.

B. For the purposes of all actions, consents and other matters affecting Holders of Bonds issued under this Resolution as from time to time supplemented, other than payments, redemptions, and purchases, the County may (but shall not be obligated to) treat as the Holder of a Bond the beneficial owner of the Bond instead of the person in whose name the Bond is registered. For that purpose, the County may ascertain the identity of the beneficial owner of the Bond by such means as the Bond Registrar in its sole discretion deems appropriate, including but not limited to a certificate from the Depository or other person in whose name the Bond is registered identifying such beneficial owner.

C. The principal of and interest on the Bonds shall be payable by the Bond Registrar in such funds as are legal tender for the payment of debts due the United States of America. The County shall pay the reasonable and customary charges of the Bond Registrar for the disbursement of principal and interest.

3.05 Use of Global Book-Entry System.

A. There has been previously submitted to this Board a form of Blanket Issuer Letter of Representations (the "Representation Letter") between the County and the Depository setting forth various matters relating to the Depository and its role with respect to the Bonds. The terms and conditions of the Representation Letter are ratified.

B. All of the Bonds shall be registered in the name of Cede & Co., as nominee for DTC. Payment of interest on and principal of any Bond registered in the name of Cede & Co. shall be made by wire transfer or New York Clearing House or equivalent same day funds by 10:00 a.m. CT or as soon as possible thereafter following the Bond Registrar's receipt of funds from the County on each Interest Payment Date to the account of Cede & Co. on each Interest Payment Date at the address indicated in or pursuant to the Representation Letter.

C. So long as DTC is the Depository or it or its nominee is the Holder of any Bonds, the County shall comply with the provisions of the Representation Letter, as it may be amended or supplemented from time to time.

D. Additional matters with respect to, among other things, notices, consents and approvals by Holders and payments on the Bonds are set forth in the Representation Letter.

E. The provisions in the Representation Letter are incorporated herein by reference and made a part of this resolution, and if and to the extent any such provisions are inconsistent with the other provisions of this resolution, the provisions in the Representation Letter shall control.

3.06 Mutilated, Stolen or Destroyed Bonds. If a Bond becomes mutilated or is destroyed, stolen, or lost, the Bond Registrar will deliver a new Bond of like amount, number, maturity date, and tenor in exchange and substitution for and upon cancellation of the mutilated Bond or in lieu of and in substitution for any Bond destroyed, stolen, or lost, upon the payment of the reasonable expenses and charges of the Bond Registrar and the County in connection therewith, including the cost of printing new Bonds; and, in the case of a Bond destroyed, stolen, or lost, upon filing with the Bond Registrar and the County of evidence satisfactory to it and the County that the

Bond was destroyed, stolen, or lost, and of the ownership thereof, and upon furnishing to the Bond Registrar of an appropriate bond or indemnity in form, substance, and amount satisfactory to it and the County and as provided by law, in which both the County and the Bond Registrar must be named as obligees. Bonds so surrendered to the Bond Registrar will be canceled by the Bond Registrar and evidence of such cancellation must be given to the County. If the mutilated, destroyed, stolen, or lost Bond has already matured or been called for redemption in accordance with its terms, it is not necessary to issue a new Bond prior to payment.

Section 4. Form of the Bonds.

4.01 The Bonds shall be printed or typewritten in substantially the following form:

UNITED STATES OF AMERICA
STATE OF MINNESOTA

ST. LOUIS COUNTY

TAXABLE GENERAL OBLIGATION CAPITAL IMPROVEMENT BOND,
SERIES 2010A (BUILD AMERICA BONDS-DIRECT PAY)

R-_____ \$ _____

<u>Rate</u>	<u>Maturity</u>	<u>Date of Original Issue</u>	<u>CUSIP</u>
_____%	December 1, 20__	December __, 2010	

REGISTERED OWNER: CEDE & CO.

PRINCIPAL AMOUNT: DOLLARS

St. Louis County, Minnesota (the "County"), for value received, promises to pay to the registered owner specified above, or registered assigns, the principal amount specified above, on the maturity date specified above, and to pay interest on said principal amount to the registered owner hereof from the Date of Original Issue, or from the most recent Interest Payment Date to which interest has been paid or duly provided for, until the principal amount is paid or discharged, said interest being at the rate per annum specified above. Interest is payable semiannually on June 1 and December 1 of each year (each referred to herein as an "Interest Payment Date") commencing on December 1, 2011. Both principal hereof and interest hereon are payable in lawful money of the United States of America by check or draft at the main office of the County Auditor, as registrar, paying agent, authenticating agent and transfer agent (the "Bond Registrar"), or at the office of such successor registrar as may be designated by the Board of Commissioners. The Bond Registrar shall make all interest payments with respect to this Bond directly to the registered owner hereof shown on the bond registration records maintained on behalf of the County by the Bond Registrar at the close of business on the 15th day of the month next preceding the Interest Payment Date (whether or not a business day) at such owner's address shown on said bond registration records, without, except for payment of principal on the Bond, the presentation or surrender of this Bond, and all such payments shall discharge the obligations of the County to the extent of the payments so made. Payment of principal shall be made upon presentation and surrender of this Bond to the Bond Registrar when due. For the prompt and full payment of such principal and interest as they become due, the full faith and credit of the County are irrevocably pledged.

This Bond is one of a series issued by the County in the aggregate amount of \$7,135,000, all of like date and tenor, except as to number, amount, maturity date and interest rate, pursuant to the authority contained in Minnesota Statutes, Section 373.40 and Minnesota Statutes, Chapter 475, amendments to the County's Capital Improvement Plan approved by the governing board of the

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County on October 5, 2010 (the "Plan") and all other laws thereunto enabling, and pursuant to an authorizing resolution adopted by the governing body of the County on November 9, 2010 (the "Resolution"). This Bond is issued for the purpose of providing funds to finance courthouse improvements, administration building improvements, and law enforcement facilities improvements, as more fully set forth in the Plan. The County has levied a direct, annual ad valorem tax upon all taxable property within the County which shall be extended upon the tax rolls for the years and in the amounts sufficient to produce sums not less than five percent in excess of the amounts of principal and interest on the Bonds, as such principal and interest respectively come due.

The Bonds of this series maturing in the years 2011 through 2020 are not subject to optional redemption before maturity, but those maturing in the year 2021 and in subsequent years are each subject to redemption and prepayment at the option of the County on December 1, 2020, and on any day thereafter, in whole or in part, and if in part at the option of the County and in such manner as the County shall determine and by lot as to Bonds maturing in the same year, at a price of par plus accrued interest.

All of the Bonds are subject to an extraordinary optional prepayment on any date, in whole, but not in part, at the option of the County, at their principal amount and accrued interest to the redemption date, in the event of a "Determination of Ineligibility" as defined in the Resolution regarding qualified Build America Bonds.

Not less than 30 days nor more than 60 days prior to the date fixed for redemption and prepayment of any Bonds, notice of redemption shall be mailed to each registered owner of a Bond to be redeemed; however, so long as the Bonds are registered in the name of Cede & Co., as nominee for The Depository Trust Company, New York, New York ("DTC"), notice of redemption shall be given in accordance with the terms of the Blanket Issuer Letter of Representations executed by the County and DTC. If any Bond is redeemed in part, upon surrender of the Bond being redeemed, the County shall deliver or cause to be delivered to the registered owner of such Bond, a Bond in like form in the principal amount equal to that portion of the Bond so surrendered not being redeemed.

The Bonds of this series are issued as fully registered obligations without coupons, in the denomination of \$5,000 or any integral multiple thereof. Subject to limitations set forth in the Resolution, the County will, at the request of the registered owner, issue one or more new fully registered Bonds in the name of the registered owner in the aggregate principal amount equal to the unpaid principal balance of this Bond, and of like tenor except as to number and principal amount. This Bond is transferable by the registered owner hereof upon surrender of this Bond for transfer at the principal corporate office of the Bond Registrar, duly endorsed or accompanied by a written instrument of transfer in form satisfactory to the Bond Registrar and executed by the registered owner hereof or the owner's attorney duly authorized in writing. Thereupon the County shall execute and the Bond Registrar shall authenticate if required by law or the Resolution, and deliver, in exchange for this Bond, one or more new fully registered Bonds in the name of the transferee, of an authorized denomination, in an aggregate principal amount equal to the unpaid principal amount of this Bond, of the same maturity, and bearing interest at the same rate. No service charge shall be made for any transfer or exchange hereinbefore referred to but the County may require payment of a sum sufficient to cover any tax or other governmental charge payable in connection therewith.

IT IS CERTIFIED AND RECITED that all acts and conditions required by laws and the Constitution of the State of Minnesota to be done and to exist precedent to and in the issuance of this Bond, in order to make it a valid and binding general obligation of the County in accordance with its terms, have been done and do exist in form, time and manner as so required; that all taxable property within the corporate limits of the County is subject to the levy of ad valorem taxes to the extent needed to pay the principal hereof and the interest thereon when due, without limitation as to rate or amount; and that the issuance of this Bond does not cause the indebtedness of the County to exceed any charter, constitutional or statutory limitation.

IN WITNESS WHEREOF, St. Louis County, Minnesota, by its governing body, has caused this Bond to be executed in its name by the manual signatures of the Chair and the County Auditor.

Date of Execution: _____

ATTEST:

(form-no signature required) _____
 County Auditor

(form-no signature required) _____
 Chair

Certificate as to Legal Opinion

I certify that the above is a full, true and correct copy of the legal opinion rendered by Bond Counsel on the issuance of the Bonds, dated as of the date of delivery of and payment for the Bonds.

(form-no signature required) _____
 County Auditor

REGISTRATION CERTIFICATE

This Bond must be registered as to both principal and interest in the name of the owner on the books to be kept by the County Auditor of St. Louis County, Minnesota, as Bond Registrar. No transfer of this Bond shall be valid unless made on said books by the registered owner or the owner's attorney thereunto duly authorized and similarly noted on the registration books. The ownership of the unpaid principal balance of this Bond and the interest accruing thereon is registered on the books of the County Auditor in the name of the registered owner last noted below.

Date	Registered Owner	Signature of County Auditor
__/__/10	Cede & Co. c/o The Depository Trust Company 55 Water Street New York, NY 10041 Federal Taxpayer I.D. No.: 13 2555119	<i>(form-no signature required)</i>

ASSIGNMENT

FOR VALUE RECEIVED, the undersigned sells, assigns and transfers unto

_____ (Name and Address of Assignee)

_____ Social Security or Other

_____ Identifying Number of Assignee

the within Bond and all rights thereunder and does hereby irrevocably constitute and appoint _____ attorney to transfer the said Bond on the books kept for registration thereof with full power of substitution in the premises.

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

Dated: _____

NOTICE: The signature to this assignment must correspond with the name of the registered owner as it appears upon the fact of the within Bond with every particular, without alteration or enlargement or any change whatsoever.

Signature Guaranteed:

(Bank, Trust Company, member of
National Securities Exchange)

Unless this Bond is presented by an authorized representative of The Depository Trust Company, a New York corporation ("DTC"), to the County or its agent for registration of transfer, exchange, or payment, and any Bond issued is registered in the name of Cede & Co. or in such other name as is requested by an authorized representative of DTC (and any payment is made to Cede & Co. or to such other entity as is requested by an authorized representative of DTC), ANY TRANSFER, PLEDGE, OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL, inasmuch as the registered owner hereof, Cede & Co., has an interest herein.

Section 5. Covenants, Accounts and Representations.

5.01 The full faith and credit and taxing power of the County are irrevocably pledged for the prompt and full payment of the Bonds and the interest thereon, in accordance with the terms set forth in this Resolution.

5.02 On receipt of the purchase price of the Bonds, the County shall credit \$7,055,326.00 of the proceeds from the sale of the Bonds to a separate construction fund, which is hereby created and designated as the "Series 2010 Capital Improvement Bonds Construction Account" in the Capital Projects Fund (the "Construction Fund"). The Construction Fund shall be used to pay, or reimburse, expenses duly approved and allowed, which constitute capital expenditures for the Project, within the meaning of Section 1.150-(1)(b) of the Treasury Regulations (and not working capital expenditures, such as current operating expenses or refinancings), and to pay the costs of issuance for the Bonds (which costs, including underwriter's discount, shall not exceed two percent of the proceeds of the Bonds).

5.03 A separate debt service fund is hereby created and is designated as the "Taxable General Obligation Capital Improvement Bonds, Series 2010, Debt Service Fund" (the "Debt Service Fund"). Unused discount and rounding in the amount of \$12,491.50 of the proceeds from the sale of the Bonds shall be credited to the Debt Service Fund. The money in the Debt Service Fund shall be used for no purpose other than the payment of principal of and interest on the Bonds issued hereunder, as such principal and interest becomes due and payable.

5.04 A. To assure sufficient monies for the payment of the principal of and interest on the Bonds, there is hereby levied a direct, annual, ad valorem tax upon all taxable property in the County which shall be extended upon the tax rolls and collected with and as part of the other general property taxes in the County for the years and in the amounts as follows:

Levy Year	Collection Year	Tax Levy
2010	2011	\$662,485.13*
2011	2012	\$664,119.75
2012	2013	\$659,604.75
2013	2014	\$659,436.75
2014	2015	\$658,063.88
2015	2016	\$659,785.88
2016	2017	\$654,640.88
2017	2018	\$652,958.25
2018	2019	\$649,543.13
2019	2020	\$649,582.50
2020	2021	\$642,075.00
2021	2022	\$638,137.50
2022	2023	\$627,007.50
2023	2024	\$619,329.38
2024	2025	\$609,847.88

* The levy Collection Year 2010 is reduced by \$12,491.50, which is the amount of the initial deposit, at closing, into the Debt Service Fund.

B. The tax levies are such that if collected in full they, together with the initial deposit to the Debt Service Fund, if any, will produce at least five percent in excess of the amount needed to meet when due the principal and interest payments on the Bonds. Such tax receipts shall be deposited in the Debt Service Fund. If the tax receipts from such levies are ever insufficient to pay all principal and interest on the Bonds when due, the County Auditor shall, nevertheless, provide sufficient monies from other funds of the County which are available and such other funds shall be reimbursed from such tax collections when received.

C. Such tax levies shall be irrevocable as long as any of the Bonds issued hereunder are outstanding and unpaid; provided, however, that prior to the Board approving the County's debt service tax levy each year, while any Bonds issued hereunder remain outstanding, the Board may reduce or cancel the above levies to the extent of the amount on deposit in and which has been appropriated to the Debt Service Fund to pay the principal of and interest on the Bonds, and may direct the County Auditor to reduce the levy for such year by that amount.

5.05 Monies on deposit in the Construction Fund and in the Debt Service Fund may, at the discretion of the County, be invested in securities permitted by Minnesota Statutes, Chapter 118A; provided, that any such investments shall mature at such times and in such amounts as will permit for payment of the principal and interest on the Bonds when due.

Section 6. Qualified Build America Bond Designation; Irrevocable Election; Compliance with Federal Tax Laws.

6.01 The Bonds are hereby irrevocably designated qualified Build America Bonds within the meaning of Subsection 54AA(g) of the Code, and the County hereby irrevocably elects to apply Subsection 54AA(g) of the Code to the Bonds. The County represents that all proceeds of the Bonds, less costs of issuance financed with such proceeds (which costs shall be in an amount not to exceed two percent of such proceeds), plus all income from temporary permitted investments with respect to such proceeds ("Available Project Proceeds"), shall be used only for capital expenditures,

**PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS
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as described in Section 5.02 hereof. The County acknowledges that among the requirements for the Bonds to qualify and continue to qualify as qualified Build America Bonds is that the Bonds, but for their qualified Build America Bond designation, would be tax-exempt for federal income tax purposes, and hence that the requirements of the Code and Regulations regarding tax-exempt obligations apply to the Bonds. The County hereby covenants to comply with such requirements.

6.02 The County thus further represents and covenants that the Project financed by the Bonds and its ownership, management and use will not cause the Bonds to be "private activity bonds" within the meaning of Section 141 of the Code. The County further covenants that it shall comply with the provisions of the Code to the extent necessary to maintain the qualified Build America Bond status of the Bonds including, if applicable, the rebate requirements of Section 148(f) of the Code. The County further covenants that it will not take any action, omit to take any action or permit the taking or omission of any action within its control (including, without limitation, making or permitting any use of the proceeds of the Bonds) if taking, permitting or omitting to take such action would cause any of the Bonds to be arbitrage bonds or private activity bonds within the meaning of the Code or would otherwise cause the Bonds to lose their status as qualified Build America Bonds within the meaning of Subsection 54AA(g) of the Code and the Regulations. The County Auditor and other officers of the County charged with the responsibility of issuing the Bonds shall provide an appropriate certificate of the County certifying that the County can, and covenanting that it will, comply with the provisions of the Code and the Regulations.

6.03 The County also covenants to use its best efforts to meet the requirements and restrictions of any different or additional federal legislation which may be made applicable to the Bonds, provided that in meeting such requirements the County will do so only to the extent consistent with the proceedings authorizing the Bonds and the laws of the State of Minnesota and to the extent that there is a reasonable period of time in which to comply.

6.04 All investments made pursuant to this Resolution shall be permitted investment securities under Section 5.05 hereof, but no such investment shall be made in such a manner as would cause the Bonds to be "arbitrage bonds" within the meaning of Section 148 of the Code or the Regulations, and an officer of the County, charged with the responsibility for issuing the Bonds, shall certify as to facts, estimates, circumstances and reasonable expectations in existence on the date of delivery of the Bonds to the Purchaser which will permit the conclusion that the Bonds are not "arbitrage bonds" within the meaning of the Code or the Regulations. The County covenants and agrees to comply with requirements under Section 148 of the Code and the Regulations thereunder regarding the rebate of excess investment earnings to the United States if the Bonds do not qualify for an arbitrage rebate exception.

Section 7. Qualified Build America Bonds - Application for Direct Payments to the County. The County shall claim available refundable credits from the Treasury with respect to each interest payment on the Bonds as provided under Subsection 54AA(g)(1) of the Code (the "Direct Payments"). The County Auditor, or his designee, is hereby authorized and directed to take all necessary actions on behalf of the County to apply for the receipt by the County of the Direct Payments, including the timely filing of necessary Internal Revenue Service forms and information returns for that purpose and/or submitting requests electronically if and as the Treasury establishes an electronic platform in connection with its direct payment procedures. Subject to annual appropriation by the Board, the Direct Payments received by the County shall be deposited in the Debt Service Fund.

Section 8. Miscellaneous.

8.01 The County Auditor is directed to file a certified copy of this Resolution and such other information as may be required, and to provide to bond counsel a certificate stating that the Bonds herein authorized have been duly entered on his register.

8.02 The officers of the County are authorized and directed to prepare and furnish to the Purchaser and to bond counsel, certified copies of all proceedings and records of the County relating to the legality and marketability of the Bonds, as such facts appear from the official books and records in the officers' custody or are otherwise known to them. All such certified copies, Bonds, and affidavits, including any heretofore furnished, constitute representations of the County as to the correctness of the facts recited therein and the action stated therein to have been taken.

8.03 The Chair and the County Auditor are hereby authorized and directed to certify that they have examined the Official Statement prepared and circulated in connection with the issuance and sale of the Bonds and that to the best of their knowledge and belief the Official Statement is a complete and accurate representation of the facts and representations made therein as of the date of the Official Statement.

8.04 In the event of the absence or disability of the Chair or the County Auditor, such officers as in the opinion of the County Attorney, may act in their behalf, shall without further act or authorization, execute and deliver the Bonds, and do all things and execute all instruments and documents required to be done or executed by such absent or disabled officers.

Section 9. Continuing Disclosure. The County acknowledges that the Bonds are subject to the continuing disclosure requirements of Rule 15c2-12 promulgated by the Securities and Exchange Commission under the Securities Exchange Act of 1934 (17 C.F.R. § 240.15c2-12) (the "Rule"). The Rule governs the obligations of certain underwriters to require that issuers of municipal bonds enter into agreements for the benefit of the bondholders to provide continuing disclosure with respect to the bonds. To provide for the public availability of certain information relating to the Bonds and the security therefore and to permit underwriters of the Bonds to comply with the Rule, which will enhance the marketability of the Bonds, the Chair and the County Auditor are hereby authorized and directed to execute a Continuing Disclosure Certificate substantially in the form of the Certificate currently on file in the office of the County Auditor.

Yeas – Commissioners Fink, O'Neil, Sweeney, Nelson, and Raukar – 5
Nays – Commissioner Forsman – 1
Absent – Commissioner Dahlberg – 1
Adopted November 9, 2010. No. 534

BY COMMISSIONER NELSON:

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. LOUIS COUNTY,
MINNESOTA; ESTABLISHING POST-ISSUANCE DEBT COMPLIANCE POLICY**

WHEREAS, the Internal Revenue Service ("IRS") is responsible for enforcing compliance with the Internal Revenue Code and most other regulations governing certain obligations (as example: tax-exempt obligations, Build America Bonds, Recovery Zone Development Bonds and various "Tax Credit" Bonds) (collectively, the "Obligations"); and

WHEREAS, the IRS expects issuers and beneficiaries of the Obligations to adopt and implement a post-issuance debt compliance policy and procedures to safeguard against post-issuance violations; and

WHEREAS, the Board of Commissioners of St. Louis County has chosen, by policy, to take steps to help ensure that all Obligations will be in compliance with all applicable state and federal regulations. This policy may be amended, as necessary, in the future.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of St. Louis County, Minnesota (the "County"), as follows:

Post-Issuance Debt Compliance Policy

1. **Post-Issuance Debt Compliance Policy Objective.** The County desires to monitor the Obligations to ensure compliance with the IRS Code and all other regulations governing

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such obligations. To help ensure compliance, the County has developed a "Policy." The following Policy shall apply to the Obligations, including bonds, notes, loans, lease purchase contracts, or any other form of debt that is subject to compliance.

2. **Post-Issuance Debt Compliance Policy.** The County Auditor of the County is designated as the County's agent who is responsible for post-issuance compliance of the Obligations.

The County Auditor shall assemble all relevant documentation, records and activities required to ensure post-issuance debt compliance as further detailed in the "Post-Issuance Debt Compliance Procedures" as presented to the Board and on file as County Board Document File No. 59148. At a minimum, the Post-Issuance Debt Compliance Procedures for each qualifying Obligation will address the following:

- a. General Post-Issuance Compliance;
- b. Proper and timely use of bond proceeds and use of bond-financed property;
- c. Arbitrage yield restriction and rebate;
- d. Timely filings and other general requirements;
- e. Additional undertakings or activities that support points 1 through 4 above;
- f. Other requirements that become necessary in the future.

The County Auditor shall apply the Post-Issuance Debt Compliance Procedures to each qualifying Obligation and maintain a record of the results. Further, the County Auditor will ensure that the Post-Issuance Debt Compliance Policy and Procedures are updated on a regular and as needed basis.

The County Auditor, or any other individuals responsible for assisting the County Auditor in maintaining records needed to ensure post-issuance compliance, is authorized to expend funds as needed to attend training or secure use of other educational resources for ensuring compliance such as consulting, publications, and compliance assistance.

The County may in the future issue qualifying obligations for beneficiaries such as Section 501(c)(3) non-profit organizations or Industrial Revenue Bonds. This Policy applies to all such applicable obligations. In order to ensure future compliance with this Policy, the County shall consider issuing qualifying obligations for beneficiaries only when the beneficiary has retained a Trustee and an independent arbitrage consultant for the term of the obligation and this Policy has been incorporated into the Trust Indenture. The Trustee and the independent arbitrage consultant must be retained prior to issuance of such obligation.

Adopted November 9, 2010.

POST-ISSUANCE DEBT COMPLIANCE PROCEDURES

The Board of Commissioners of St. Louis County, Minnesota (the "Board") has adopted the following Post-Issuance Debt Compliance Policy dated November 9, 2010. The Post-Issuance Debt Compliance Policy applies to all tax-exempt debt obligations, Build America Bonds, Recovery Zone Development Bonds and various "Tax Credit" Bonds (the "Obligations") issued by the St. Louis County. **As directed by the adoption of this Policy, the County Auditor will perform the following Post-Issuance Debt Compliance Procedures for such Obligations.**

1. **General Post-Issuance Compliance**
 - a. Ensure written procedures and/or guidelines have been put in place for individuals to follow when more than one person is responsible for ensuring compliance with Post-Issuance Procedures.

b. Ensure training and/or educational resources for post-issuance compliance have been approved and obtained.

c. The County Auditor of St. Louis County understands that there are options for voluntarily correcting failures to comply with post-issuance compliance requirements (i.e. Treasury Regulations 1.141-12 remedial actions, Tax-Exempt Bonds Voluntary Closing Agreement Program and the ability to enter into a closing agreement under the Tax-Exempt Bonds Voluntary Closing Agreement Program described in Notice 2001-60).

2. General Recordkeeping

a. Retain record and documents for the Obligations for a period of at least three years following the final payment of the Obligations or the final payment of any refunding debt obligation unless otherwise directed by Bond Counsel.

b. Retain both paper and electronic versions of records and documents for the Obligations.

c. General Records and Documentation to be Assembled and Retained

i. Description of the purpose of the Obligations (referred to as the project) and the state statute authorizing the project.

ii. Record of tax-exempt status or revocation of tax-exempt status.

iii. Any correspondence between the County and the IRS.

iv. Audited financial statements.

v. Bond transcripts, official statements and other offering documents of the Obligations.

vi. Minutes and resolutions authorizing the issuance of the Obligations.

vii. Certifications of the issue price of the Obligations.

viii. Any formal elections for the Obligations (i.e. election to employ an accounting methodology other than the specific tracing method).

ix. Appraisals, demand surveys, or feasibility studies for property financed by the Obligations.

x. Documents related to governmental grants, associated with construction, renovation or purchase of property financed with the proceeds of the Obligations.

xi. Reports of any prior IRS examinations of the County or the County's Obligations.

3. Arbitrage Yield Restriction and Rebate Recordkeeping

a. Investment and Arbitrage Documentation to be Assembled and Retained

i. An accounting of all deposits, expenditures, interest income and asset balances associated with each fund established in connection with each Obligation. This includes an accounting of all monies deposited to the Debt Service Account to make debt service payments on the Obligations, regardless of the source derived.

ii. Statements prepared by Trustee or Investment provider.

iii. Documentation of at least quarterly allocations of investments and investment earnings to each Obligation (i.e. uncommingling analysis).

iv. Documentation for investments made with proceeds of

**PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS
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the Obligations such as:

1. Investment contracts (i.e. guaranteed investment contracts).
 2. Credit enhancement transactions (i.e. bond insurance contracts).
 3. Financial derivatives (swaps, caps, etc.).
 4. Bidding of financial products.
 - (a) Investments acquired with proceeds are purchased at fair market value (i.e. three bids for open market securities needed in advance refunding escrows).
 - b. Computations of the arbitrage yield.
 - c. Computations of yield restriction and rebate amounts including but not limited to:
 - i. Compliance in meeting the “Temporary Period from Yield Restriction Exception” and limiting the investment of funds after the temporary period expires.
 - ii. Compliance in meeting the “Rebate Exception.”
 1. Qualifying for the “Small Issuer Exception.”
 2. Qualifying for a “Spending Exception.”
 - 6 month Spending Exception
 - 18 Month Spending Exception
 - 24 Month Spending Exception
 3. Qualifying for the “Bona Fide Debt Service Fund Exception.”
 4. Qualifying arbitrage on all funds established in connection with the Obligation in lieu of satisfying arbitrage exceptions (including Reserve Funds and Debt Service Funds).
 - d. Computations of yield restriction and rebate payments.
 - e. Timely Tax Form 8038-T filing, if applicable.
 - i. Remit any arbitrage liability associated with the Obligations to the IRS at each five year anniversary date of the Obligations, and the date in which the Obligations are no longer outstanding (redemption or maturity date), whichever comes sooner, within 60 days of said date.
 - f. Timely Tax Form 8038-R filing, if applicable.
 - g. Procedures or guidelines for monitoring instances where compliance with applicable yield restriction requirements depends on subsequent reinvestment of tax-exempt proceeds in lower yielding investments (i.e. reinvestment in zero coupon SLGS).
4. Expenditure and Asset Documentation to be Assembled and Retained
- a. Documentation of allocations of proceeds of the Obligations to expenditures (i.e. allocation of proceeds to expenditures for the construction, renovation or purchase of facilities owned and used in the performance of exempt purposes).
 - b. Documentation of allocations of proceeds of the Obligations to issuance costs.
 - c. Copies of requisitions, draw schedules, draw requests, invoices, bills and cancelled checks related to proceed expenditures during the construction period.
 - d. Copies of all contracts entered into for the construction, renovation or purchase of facilities financed with proceeds.
 - e. Records of expenditure reimbursements incurred prior to issuing Obligations for facilities financed with proceeds (Declaration of Official Intent/Reimbursement Resolutions including all modifications).
 - f. List of all facilities and equipment financed with proceeds.

- g. Depreciation schedules for depreciable property financed with proceeds.
- h. Documentation that tracks the purchase and sale of assets financed with proceeds.
- i. Documentation of timely payment of principal and interest payments on the Obligations.
- j. Tracking of all issue proceeds and the transfer of proceeds into the debt service fund as appropriate.
- k. Documentation that excess earnings from a Reserve Fund is transferred to the Debt Service Fund on an annual basis. Excess earnings are balances in a Reserve Fund that exceed the Reserve Fund requirement.

5. Miscellaneous Documentation to be Assembled and Retained

- a. Procedures to ensure that the project, while the Obligation is outstanding, will avoid IRS private business concerns.
- b. Changes in the project that impact the terms or commitments of the tax-exempt debt obligation are properly documented and necessary certificates or opinions are on file.

6. Additional Undertakings and Activities that Support Sections 1 through 4 above

- a. The County Auditor will notify the County's Financial Advisor and Arbitrage Provider of any survey or inquiry by the IRS immediately upon receipt. (Usually responses to IRS inquiries are due within 21 days of receipt. Such IRS responses require the review of the above-mentioned data and must be in writing. As much time as possible is helpful in preparing the response.)
- b. The County Auditor will consult with the County's Bond Counsel, Financial Advisor and Arbitrage Provider before engaging in post-issuance credit enhancement transactions (i.e. bond insurance, letter of credit, or hedging transactions (i.e. interest rate swap, cap)).
- c. The County Auditor will monitor all "qualified tax-exempt debt obligations" within the first calendar year to determine if the limit is exceeded, and if exceeded, will address accordingly.
- d. Comply with Continuing Disclosure Requirements
 - 1. If applicable, the timely filing of annual information agreed to in the Continuing Disclosure Certificate.
 - 2. Give notice of any Material Event.
- e. Identify any post-issuance change to terms of bonds which could be treated as a current refunding of "old" bonds by "new" bonds, often referred to as a "reissuance."
- f. Confirm whether any "remedial action" in connection with a "change of use" must be treated as a "reissuance."

7. Compliance with Future Requirements

- a. Take measures to comply with any future requirements issued beyond the date of these Post-Issuance Debt Compliance Procedures which are essential to preserving the tax-exempt status of tax exempt debt obligations or Build America Bond status of Build America Bonds.

Yeas – Commissioners O'Neil, Dahlberg, Sweeney, Nelson, and Raukar – 5
Nays – Commissioner Forsman – 1
Absent – Commissioner Fink – 1

**PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS
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Adopted November 9, 2010. No. 535

BY COMMISSIONER NELSON:

WHEREAS, St. Louis County Ordinance No. 78 (Liquor Ordinance) Section 4.15, requires all licensed establishments to pay all real and personal property taxes the due; and

WHEREAS, Kountry Krossroads, Pike Township, was issued combination on/off sale and Sunday on-sale intoxicating liquor licenses for the period July 1, 2010 through June 30, 2011; and

WHEREAS, the establishment has past due or delinquent real or personal property taxes for 2010; and

WHEREAS, a public hearing was held on November 9, 2010, to consider suspension of the intoxicating liquor licenses for the establishment for failure to pay real or personal property taxes when due; and

WHEREAS, the St. Louis County Board as determined that additional information regarding this matter is required to make a decision on the license suspension.

NOW, THEREFORE, BE IT RESOLVED, that the public hearing scheduled for November 9, 2010, to consider suspension of the intoxicating liquor licenses issued to Kountry Krossroads, for failure to pay real or personal property taxes when due, is continued to March 22, 2011.

Yeas – Commissioners O’Neil, Dahlberg, Forsman, Sweeney, Nelson, and Raukar – 6

Nays – Commissioner Fink – 1

Adopted November 9, 2010. No. 553

(Assigned out of order.)

On November 9, 2010, Commissioner Nelson, supported by Commissioner Sweeney, moved to adjourn the meeting and go to closed session at 7:20 p.m.; seven yeas, zero nays.

Steve Raukar, Chair of the Board
of County Commissioners

Attest:

Donald Dicklich, County Auditor
and Ex-Officio Clerk of the Board
of County Commissioners

(Seal of the County Auditor)

**OFFICIAL PROCEEDINGS OF THE MEETING
OF THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF ST. LOUIS, MINNESOTA,
HELD ON NOVEMBER 23, 2010**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 23rd day of November, 2010, at 9:47 a.m., in the Hibbing City Council Chambers, Hibbing, Minnesota, with the following members present: Commissioners Dennis Fink, Steve O'Neil, Chris Dahlberg, Mike Forsman, Peg Sweeney, Keith Nelson and Chair Steve Raukar – 7. Absent: None.

Chair Raukar asked for a moment of silence to honor U.S. troops serving throughout the world and their families at home as well as all persons whose lives are adversely affected by war.

Chair Commissioner Steve Raukar gave the Words of Wisdom inspired by an article in TIME magazine by Joe Klein entitled “America from the Road” and “The Economic Bill of Rights” excerpts from President Roosevelt’s January 11, 1944 message to the Congress.

At 9:54 a.m. a public hearing was convened pursuant to Resolution 516, adopted November 2, 2010, to consider granting an Off-Sale Intoxicating Liquor License to the Clip Joint Tavern, Inc. Alborn Township. County Attorney Melanie Ford said the Town Board of Alborn approved the request and the Sheriff’s department approved the application. The applicant has provided proof of liability insurance and the applicants appeared at the October 12, 2010, liquor license committee. County Attorney Ford said the liquor license committee recommended approval to the county board at the November 2, 2010 meeting, and the parties said they read and understood the rules. County Attorney Ford said the applicants are up to date on their property taxes. Clip Joint Tavern co-owner Douglas Spillers requested board approval and said he had read the applicable rules. At 9:59 a.m., Commissioner Nelson, supported by Commissioner Sweeney, moved to close the public hearing; seven yeas, zero nays. Commissioner Nelson, supported by Commissioner Sweeney moved to approve the off-sale liquor license to the Clip Joint Tavern; seven yeas, zero nays. Resolution No. 548.

At 10:00 a.m. a public hearing was convened pursuant to Resolution 517, adopted November 2, 2010, to consider the naming of an island in Mattson Bay of Lake Vermilion, Town of Breitung, as Blue Heron Island. Deputy Administrator Gary Eckenberg presented the information on naming the island. Cynthia Driscoll, petitioner said she and her husband own the 7+ mile island in Mattson Bay and hope to name it Blue Heron Island. In response to a question from Commissioner Fink, Mrs. Driscoll said the Boise Forte Tribe has not been contacted about a name. Pete Boulay, MN Department of Natural Resources (DNR), said Minnesota Statutes requires the board to approve the name. Mr. Boulay searched their database and no other islands in the state or country have the name Blue Heron, adding any name can be submitted at the public hearing and the board can adopt a modified or different name. In response to a question from Commissioner Nelson, Mr. Boulay said the DNR will contact current or past native groups regarding names, adding the native groups tend to like names that are named after animals or plants. At 10:13 a.m., Commissioner Sweeney, supported by Commissioner O’Neil, moved to close the public hearing; seven yeas, zero nays. Commissioner Nelson, supported by Commissioner O’Neil moved to name the island Blue Heron, with the addition the name for Blue Heron in the Anishanabe language. County Attorney Melanie Ford said that while a public hearing is not required, since one was conducted, she recommends having another public hearing and publishing for three weeks. After further discussion, Commissioner Nelson withdrew his motion. After further discussion, Pete Boulay from the Minnesota DNR said a variant name is part of the official form and is common. County Administrator Kevin Gray said although a public hearing is not legally required the county provided one, all petitions recommend Blue Heron Island and he recommends proceeding with the public hearing. Commissioner Forsman, supported by Commissioner Nelson, moved to approve naming the island Blue Heron and adding the variant name in the Anishanabe language. Mr. and Mrs. Driscoll both said they are fine with adding the variant name in the Anishanabe language, and were actually hoping to include the native language in

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naming the island; seven yeas, zero nays. Resolution No. 549.

Citizen Jim Medure, Kinney, MN, spoke to the board regarding his concerns on the county's demolition ordinance and submitted copies of plat maps for the city of Kinney.

Commissioner Sweeney, supported by Commissioner Dahlberg, moved to approve the consent agenda. Commissioner O'Neil said there is a correction to a name in the abatement list, however the resolution is correct; seven yeas, zero nays.

Commissioner Nelson, supported by Commissioner Forsman, moved authorization to enter into a contract for architectural, engineering and design services for the upgrade and addition to the Virginia Courthouse with an amendment to change the vendor to DSGW Architects. Administrator Gray reviewed the original resolution and gave the background on the request for proposal (RFP) process. Administrator Gray said Architectural Resources, Inc., was selected through the RFP process and the county does not open second place bids. Administrator Gray said he is aware DSGW proposal was a lower amount, but other qualifications are taken into consideration for the particular project, independent of price. Administrator Gray said the original proposal from Architectural Resources, Inc., was \$298,419, however the county was able to renegotiate the price to \$285,419 and a new resolution with this amount has been distributed. Administrator Gray said administration followed the proper procedures and recommends awarding the bid to Architectural Resources, Inc. Tony Mancuso, Property Director, said the RFP process is one the board approved. Director Mancuso described the process and criteria, which includes energy savings, whether the building is on the Historic Register, etc. Director Mancuso said several people were on the team and no one communicated with each other. Director Mancuso said the Purchasing Department totaled the scores, adding it is a good process and he has concerns if it is not followed.

After further discussion, the county board recessed the meeting at 11:17 a.m.

At 11:26 a.m. the county board meeting reconvened.

In a response to a question from Commissioner O'Neil, County Attorney Melanie Ford said she agreed with administration's recommendation. After lengthy discussion, Commissioner O'Neil called the question; two yeas, five nays, Commissioners Raukar, Sweeney, O'Neil, Dahlberg and Fink.

Commissioner Nelson, supported by Commissioner Sweeney, moved to enter into a contract with Architectural Services, Inc, in the amount of \$285,419 for architectural, engineering and design services for the remodel and addition to the Virginia Courthouse; seven yeas, zero nays. Resolution No. 550.

Commissioner Nelson, supported by Commissioner Forsman, moved to suspend the rules to consider establishing a public hearing on December 14, 2010; seven yeas, zero nays. Commissioner Nelson, supported by Commissioner Forsman, moved to establish a public hearing on December 14, 2010, to consider granting an off-sale intoxicating liquor license to JDL's Landing, Inc., Beatty Township; seven yeas, zero nays. Resolution No. 551.

Commissioner Forsman, supported by Commissioner Sweeney, moved to approve a Joint Powers Agreement that authorizes Lake County to fund and operate the public/private partnership known as the "Lake County Fiber Project". Attorney John Gasele, with Fryberger Law Firm, said consent is needed to allow Lake County to spend money outside their jurisdiction. Mr. Gary Fields said he was engaged by Lake County to build the broadband network and work will start this spring. After further discussion, the motion was approved; seven yeas, zero nays. Resolution No. 552.

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

Kevin Gray, County Administrator, submitting Board Letter No. 10-403, Public Hearing to Consider Naming an Island in Lake Vermilion “Blue Heron Island”.—[59153](#)

Kevin Gray, County Administrator, and Robert Krepps, Land Commissioner, submitting Board Letter 10-390, State Tax Forfeited Land Lease Agreement with Pequaywan Area Trailblazers (Unorganized 54-13).—[59154](#)

Kevin Gray, County Administrator, and James Foldesi, Public Works Director, submitting Board Letter 10-391, Agreement for Signals, Lights and Road Improvements on CSAH 6 (Maple Grove Rd.) and Stebner Road (Hermantown).—[59155](#)

Kevin Gray, County Administrator, and James Foldesi, Public Works Director, submitting Board Letter 10-392, Agreement for Signals, Lights and Road Improvements on CSAH 4 (Rice Lake Rd.) and West Arrowhead Road (Duluth).—[59156](#)

Kevin Gray, County Administrator, and Ross Litman, Sheriff, submitting Board Letter 10-395, Modification to Joint Powers Agreement forming the Northeast Regional Radio Board.—[59157](#)

Kevin Gray, County Administrator, and Barbara Hayden, Planning Director, submitting Board Letter 10-397, Committee Vacancy Appointments to the CDBG Citizen Advisory Committee.—[59158](#)

Kevin Gray, County Administrator, and Barbara Hayden, Planning Director, submitting Board Letter 10-398, Citizen Appointments to the St. Louis County Board of Adjustment.—[59159](#)

Kevin Gray, County Administrator, and Barbara Hayden, Planning Director, submitting Board Letter 10-399, Citizen Appointments to the St. Louis County Planning Commission.—[59160](#)

Kevin Gray, County Administrator, submitting Board Letter 10-400, Joint Powers Agreement for Lake County Fiber Project.—[59161](#)

Kevin Gray, County Administrator, submitting Replacement Board Letter 10-396, Virginia Courthouse Project – Architectural, Engineering and Design Services.—[59162](#)

Sheriff Ross Litman submitting GeoComm ARMER Participation Plan presented at the Nov. 9, 2010, Board meeting.—[59163](#)

Commissioner Chris Dahlberg’s Words of Wisdom presented at the Nov. 9, 2010, Board meeting: “You Cannot” sentiments by Reverend William J. H. Boetcker.—[59164](#)

Melanie Ford, County Attorney, submitting documents from the Public Hearing dated Nov. 9th, to consider the suspension/revocation of county liquor license issued to Beverly Allis, B 2 Babs, Inc., d/b/a Kountry Krossroads, Pike Township.—[59165](#)

Commissioner Steve Raukar submitting his Words of Wisdom presentation: Excerpts from “America from the Road” by Joe Klien and “The Economic Bill of Rights” by President Roosevelt.—[59166](#)

Jim Madure, Kinney, Minnesota, submitting plats of Kinney.—[59167](#)

Commissioner Peg Sweeney submitting Talking Points from the November 18, 2010, Arrowhead Regional Development Commission meeting.—[59168](#)

Amendment to Mn/DOT Agreement No. 95980-R, Cooperative Construction Agreement between the State of Minnesota Department of Transportation, and St. Louis County and the City of Tower

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for inspection, compliance review, bridge materials inspection and environmental mitigation monitoring on Trunk Highway 135 and Trunk Highway 1/169.—[10-744](#)

State of Minnesota and St. Louis County Detour Agreement, Mn/DOT Contract No. 97449, for Trunk Highway No. 135 Detour.—[10-745](#)

FY 2011 State of Minnesota Board of Water and Soil Resources Natural Resources Block Grant Agreement with St. Louis County.—[10-746](#)

Construction and Maintenance Agreement for Surface Water Control, Treatment and Disposal between St. Louis County and the City of Duluth.—[10-747](#)

Home and Community-Based Waiver Services Contract, Contract No. 14602, between the St. Louis County Board of Commissioners and Brenda Hansen Adult Foster Home. —[10-748](#)

Home and Community-Based Waiver Services Contract, Contract No. 14815, between the St. Louis County Board of Commissioners and Dena Snyder.—[10-749](#)

Home and Community-Based Waiver Services Contract, Contract No. 14813, between the St. Louis County Board of Commissioners and Sullivan Systems.—[10-750](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14619A, between the Public Health and Human Services Department and At Home Living Facilities, Inc.—[10-751](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14557A, between the Public Health and Human Services Department and Proactive-Caring-Accommodating Services, LLC.—[10-752](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14618B, between the Public Health and Human Services Department and New Life Horizons, Inc.—[10-753](#)

Group Residential Housing Rate Agreement, Contract No. 50907, between the St. Louis County Board of Commissioners and Brainerd House.—[10-754](#)

Group Residential Housing Rate Agreement, Contract No. 50908, between the St. Louis County Board of Commissioners and At Home Living – College.—[10-755](#)

Group Residential Housing Rate Agreement, Contract No. 50914, between the St. Louis County Board of Commissioners and At Home Living – Hermantown.—[10-756](#)

Group Residential Housing Rate Agreement, Contract No. 50910, between the St. Louis County Board of Commissioners and At Home Living – Howard Mill.—[10-757](#)

Group Residential Housing Rate Agreement, Contract No. 50909, between the St. Louis County Board of Commissioners and At Home Living – Woodland.—[10-758](#)

Group Residential Housing Rate Agreement, Contract No. 50911, between the St. Louis County Board of Commissioners and At Home Living – Seville.—[10-759](#)

Group Residential Housing Rate Agreement, Contract No. 50912, between the St. Louis County Board of Commissioners and At Home Living – Rustic Ranch.—[10-760](#)

Group Residential Housing Rate Agreement, Contract No. 50913, between the St. Louis County Board of Commissioners and At Home Living – Pike Lake. [Base Rate: --[10-761](#)

Group Residential Housing Rate Agreement, Contract No. 50934, between the St. Louis County Board of Commissioners and Bethesda Homes (Jason Noe).—10-762

Minnesota State Colleges and Universities Training Contract between St. Louis County and Fond du Lac Tribal and Community College for *The Speed of Trust*.—10-763

Contract between St. Louis County and Maria Stalzer Wyant Cuzzo for *How to Handle Difficult Conversations*.—10-764

Service Contract, Contract No. 4899-1, between the County of St. Louis and K & K Cleaning, Inc., for janitorial services in Cook, Ely, and Virginia, from November 1, 2010 through August 31, 2013.—10-765

State of Minnesota Grant Contract between the Commissioner of Public Safety and the North St. Louis County Sheriff's Department for the Highway Enforcement of Aggressive Traffic (HEAT) Grant.—10-766

Project Contract, Contract No. 4912, between the County of St. Louis and Sherman Pole Buildings, Inc., for two (2) Metal Sided Industrial Type Pole Buildings.—10-767

Project Contract, Contract No. 4913-1, between the County of St. Louis and Pacific Regeneration Technologies USA, Inc., for Containerized Tree Seedlings in Sections 1, 2, 4, 5, 6, 7, 8, 10, 11 and 12 for Spring 2012 and Spring 2013.—10-768

Agreement between the County of St. Louis and the St. Louis & Lake Counties Regional Railroad Authority to provide accounting services.—10-769

Upon motion of Commissioner Sweeney, supported by Commissioner Dahlberg, Resolutions No. 536 through 547, as submitted to this Board on the Consent Agenda, were unanimously adopted as follows:

BY COMMISSIONER SWEENEY:

WHEREAS, Minn. Stat. § 282.04, Subd. 1(d), authorizes the County Auditor, as directed by the County Board, to lease state tax forfeited land to individuals, corporations, or organized subdivisions of the state for temporary uses at such prices and under such terms as the County Board may prescribe; and

WHEREAS, the Pequaywan Area Trailblazers Snowmobile Club has requested to lease three acres of state tax forfeited land for a storage facility; and

WHEREAS, the Land Department has reviewed the request and recommends authorizing a ten-year lease with an annual lease fee of \$1,200.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the County Auditor to lease for a ten year period the following described state tax forfeited land to the Pequaywan Area Trailblazers for a 60' x 40' storage building and facility:

A 3-acre site in the SW1/4 of the NW1/4 of the NW1/4, Section 25, Township 54 North, Range 13 West, St. Louis County, Minnesota.

RESOLVED FURTHER, that the Pequaywan Area Trailblazers shall agree to the terms and conditions set forth in the lease, which includes an annual lease fee of \$1,200 to be deposited into Fund 240 (Forfeited Tax Fund).

Adopted November 23, 2010. No. 536

RESOLVED, that the St. Louis County Board authorizes the appropriate county officials to enter into an agreement, and approve any amendments approved by the county attorney's office, with the

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City of Hermantown outlining responsibilities of the parties for the installation of traffic signals with street lights, signing, traffic control interconnection, and roadway improvements CSAH 6 (Maple Grove Road) with the intersection of Stebner Road under project number SP 69-606-018, CP 8300 and SP 202-103-008. The funds for Project SP 69-606-018, CP 8300 will be paid to Hermantown from Fund 220, Agency 220253, Object 551501.

Adopted November 23, 2010. No. 537

RESOLVED, that the St. Louis County Board authorizes the appropriate county officials to enter into an agreement, and approve any amendments approved by the county attorney's office, with the City of Duluth outlining responsibilities of the parties for the installation of traffic signals with street lights, signing, traffic control interconnection, and roadway improvements on CSAH 4 (Rice Lake Road) with the intersection of CSAH 90 (Arlington Ave.) and West Arrowhead Road (West and East), and CSAH 4 (Rice Lake Road) with the intersection of Sawyer Ave. and West Arrowhead Road under project number SAP 69-604-065, CP 8294 and SAP 118-160-022, City Project 0662TR. The funds for Project SAP 69-604-065, CP 8294 and SAP 118-160-022, City Project 0662TR will be received into Fund 220, Agency 220240, Object 551501, with the amount budgeted for expense and determined at the time of opening of bids.

Adopted November 23, 2010. No. 538

RESOLVED, that the St. Louis County Board approves the applications for abatements, correction of assessed valuations and taxes plus penalty and interest, and any additional accrual, identified in County Board File No. 59036.

Adopted November 23, 2010. No. 539

WHEREAS, St. Louis County requires the replacement/addition of new transfer trailers for waste haulage from transfer stations to the regional landfill and other locations within and outside of the county; and

WHEREAS, the purchase of a new trailer was competitively quoted in October 2010, with two quotes received.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the purchase of a new 2010 model #45119SCG0TW walking floor trailer from Wilkins Industries, Inc., of Morris, Minnesota, for a price of \$67,700 plus Minnesota Sales tax of \$4,654.38, for a total quoted price of \$72,354.38, payable from Fund 600, Agency 604001.

Adopted November 23, 2010. No. 540

WHEREAS, St. Louis County is a participating member of the Northeast Regional Radio Board, a joint powers entity formed pursuant to Minn. Stat. §§ 403.39 and 471.59; and

WHEREAS, a Joint Powers Agreement creating the Northeast Regional Radio Board was approved by the eleven counties and four cities comprising the Board, including St. Louis County; and

WHEREAS, the current Joint Powers Agreement provides for membership by counties and cities within Homeland Security Emergency Management (HSEM) Region 2; and

WHEREAS, the Minnesota Legislature has amended Minn. Stat. § 471.59 to provide authority for federally recognized Indian tribes to participate in joint powers agreements; and

WHEREAS, compliance with this amendment to Minnesota statute requires modification of the existing Joint Powers Agreement; and

WHEREAS, the Northeast Regional Radio Board recommends modification of the Joint Powers Agreement governing the Northeast Regional Radio Board to provide for the authority for federally recognized Indian tribes meeting the same requirements as counties and cities within HSEM Region 2 to participate in the Northeast Regional Radio Board; and

WHEREAS, the Northeast Regional Radio Board further recommends modification of the joint powers agreement to provide management and administration of regional emergency management functions by the Regional Radio Board.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the modifications to the Joint Powers Agreement recommended by the Northeast Regional Radio Board.

RESOLVED FURTHER, that the appropriate county officials are authorized to execute the required

addendum to the existing Joint Powers Agreement to implement the authorized modifications.
Adopted November 23, 2010. No. 541

RESOLVED, the St. Louis County Board hereby appoints the following five individuals to the CDBG Citizen Advisory Committee with a term ending April 30, 2013:

Darlene Saumer Northern Townships Representative

Cynthia Hagen Hibbing Representative

Margaret Taylor At-Large Representative

Alan Stanaway Small Cities Representative

William Coombe Eveleth Representative

Adopted November 23, 2010. No. 542

WHEREAS, the St. Louis County Board appoints citizens to serve on the St. Louis County Board of Adjustment; and

WHEREAS, the St. Louis County Board of Adjustment currently has one individual whose first term expires December 31, 2010, and is eligible for reappointment and wishes to be reappointed; and

WHEREAS, the St. Louis County Board of Adjustment currently has one individual whose second term expires December 31, 2010, who resigned; and

WHEREAS, the St. Louis County Board of Adjustment currently has one individual whose third term expires December 31, 2010, and is not eligible for reappointment.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board reappoints the following citizen to the St. Louis County Board of Adjustment with a term expiring December 31, 2013:

Diana L. Werschay

FURTHER RESOLVED, that the County Auditor is authorized to advertise and accept applications until January 3, 2011, for the two vacant positions on the St. Louis County Board of Adjustment.

Adopted November 23, 2010. No. 543

WHEREAS, the St. Louis County Board appoints citizens to serve on the St. Louis County Planning Commission; and

WHEREAS, the Planning Commission currently has one individual whose first term expires December 31, 2010, and is eligible for reappointment.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board reappoints the following citizen to the Planning Commission with a term expiring December 31, 2013:

Darlene M. Saumer

Adopted November 23, 2010. No. 544

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, dated November 5, 2010, on file in the office of the County Auditor, identified as County Board File No. 59016, is hereby received and ratified as payable from Fund 730, Agency 730001.

Adopted November 23, 2010. No. 545

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. 59024, are hereby approved and the County Auditor shall issue checks in the following amounts:

	October 2010	
100	General Fund	\$6,328,221.22
149	Personnel Service Fund	335.50
150	Sheriff's Nemesis Fund Group	111,208.50
167	Attorney's Forfeitures	378.70

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168	Sheriff's State Forfeitures	2,025.25
173	Emergency Shelter Grant	35,905.92
176	Revolving Loan Fund	100,000.00
180	Law Library	19,498.00
183	City/County Communications	379.88
184	Extension Service	124,845.04
200	Public Works	3,592,933.63
210	Road Maint – Unorg Townships	85,882.67
220	State Road Aid	3,911,842.81
230	Public Health & Human Services	7,129,793.47
240	Forfeited Tax	625,498.20
250	St. Louis County HRA	21,933.16
260	CDBG Grant	260,270.96
270	Home Grant	40,038.63
280	Federal Septic Loan – EPA Fund	27,310.00
281	SLC Septic Loans	8,875.00
290	Forest Resources	197,302.23
400	County Facility	52,349.54
405	Public Works Building Const	5,217.00
407	Public Works – Equipment	8,857.80
421	Northland Office Bldg Improv.	6,100.00
438	2008B Capital Improvement Bond	249,957.32
600	Environmental Services	719,489.24
616	On-Site Waste Water Division	51,463.43
700	Printing	15,379.40
705	Postage Office Supplies	5,359.47
715	County Garage	113,697.18
720	Property Casualty Liability	10,565.37
730	Workers Compensation	223,819.93
750	Management Info Systems	322,387.31
760	Telecommunications	113,242.98
770	Retired Employees Health Ins	3,195.09
825	Taconite Relief/Other	1,489,310.00
826	Taconite Production Tax	36,688.00
900	State of Minnesota	1,043,456.19
902	Courts	455,394.37
908	Cities and Towns Taxes	195,482.98
909	Tax Refunds	61,437.39
910	School Districts Taxes	9,142,960.91
911	Taxes and Penalties	8,519,838.67
919	Canceled Checks	16,518.91
925	Arrowhead Regional Corrections	2,114,668.53
955	Community Health Board	332,484.40
985	Collective Local Collaborative	21,378.83
989	Regional Railroad Authority	91,916.21
990	Northern Cities Land Use	797.64
992	Permits to Carry-Firearms	3,375.00
998	MPL-DUL Train Alliance	65,727.39
		<u>\$48,116,995.25</u>

Adopted November 23, 2010. No. 546

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of November 2, 2010, are hereby approved.

Adopted November 23, 2010. No. 547

BY COMMISSIONER NELSON:

WHEREAS, The Clip Joint Tavern, Inc. d/b/a The Clip Joint Tavern, Inc., Alborn Township, St. Louis County, Minnesota, has applied for an off-sale intoxicating liquor license; and

WHEREAS, Minn. Stat., 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 November 23, 2010, at or about 9:40 A.M. in the Hibbing 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 the license, The Clip Joint Tavern, 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 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 CMB11134) shall be issued to The Clip Joint Tavern, Inc. d/b/a The Clip Joint Tavern, Inc., located in Area 3, for an annual fee of \$150.00.

RESOLVED FURTHER, that the liquor license shall be effective through June 30, 2011;

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

RESOLVED FURTHER, that if named license holder sells the licensed place of business, the County Board may, after an investigation, transfer the license to a new owner, but without pro-rated refund of license fee to the license holder.

Unanimously adopted November 23, 2010. No. 548

BY COMMISSIONER FORSMAN:

WHEREAS, St. Louis County has received a petition, signed by at least fifteen or more legal voters residing in the county, in support of naming an island in Mattson Bay of Lake Vermilion, Town of Breitung, Section 23, Township 62, Range 15; and

WHEREAS, the owners of the island, Cynthia and Charles Driscoll, of Grand Rapids, MN, have requested the name "Blue Heron Island" for this geographic feature because "in the summer there is always a Great Blue Heron somewhere on or near the island;" and

WHEREAS, County Administration contacted Peter Boulay, State Climatology Office, Department of Natural Resources (DNR), Division of Waters, about the proposed name identification, and Mr. Boulay has researched state geographic features which may also be named "Blue Heron" in the state of Minnesota, and could find no other island identified with that name; and

WHEREAS, the DNR is supportive of the naming proposal and has encouraged a positive response to the naming request by the St. Louis County Board; and

WHEREAS, Minn. Stat. 83A.06 requires the County Board to conduct a public hearing on any request for the naming or renaming of state geographic features and waterways, and notice of a public hearing to consider the naming of the island was sent to the Commissioner of the DNR, and published in the official newspaper of St. Louis County; and

WHEREAS, a public hearing to consider assigning the name "Blue Heron Island" to an island located in Lake Vermilion, was held on Tuesday, November 23, 2010 in the City Council Chambers, Hibbing City Hall, Hibbing, MN.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board approves the name "Blue Heron Island" with a variant name for Blue Heron in the Anishanabe language for an island owned by Cynthia and Charles Driscoll, of Grand Rapids, MN, located in Mattson Bay of Lake Vermilion, Town of Breitung, Section 23, Township 62, Range 15. RESOLVED FURTHER, that the St. Louis County Board recommends that the Commissioner of the Minnesota Department of Natural Resources approve said name change.

Unanimously adopted November 23, 2010. No. 549

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BY COMMISSIONER NELSON:

WHEREAS, the Virginia Courthouse is experiencing overcrowding, critical security issues, has obsolete HVAC and mechanical infrastructure, an energy inefficient shell and windows, and has no energy management system; and

WHEREAS, the 2010A bond project package includes the remodeling, energy upgrades, window replacement, and new addition project for the building; and

WHEREAS, this project will complete the Virginia Courthouse long term master plan and bring the facility up to date for building safety, building code, and current efficiency standards; and

WHEREAS, the Purchasing Division conducted a competitive selection process with Architectural Resources Incorporated of Hibbing and Duluth, Minnesota, selected for project planning, design, engineering, and construction administration.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board authorizes the appropriate county officials to enter into a professional service contract with Architectural Resources Incorporated of Hibbing and Duluth, Minnesota, in an amount of \$285,419 to provide design, bid specifications, and project management services for the Virginia Courthouse upgrade and addition project. Funding is available from Fund 400, Agency 400023, to be reimbursed by 2010 bond sale proceeds when available.

Unanimously adopted November 23, 2010. No. 550

BY COMMISSIONER NELSON:

RESOLVED, that a public hearing will be held at 9:40 A.M. on December 14, 2010, in the St. Louis County Courthouse, Duluth, Minnesota, for the purpose of considering the granting of an Off-Sale Intoxicating Liquor License to JDL's Landing, Inc., d/b/a The Landing, Beatty Township.

Unanimously adopted November 23, 2010. No. 551

BY COMMISSIONER FORSMAN:

**RESOLUTION APPROVING A JOINT POWERS AGREEMENT WITH LAKE COUNTY
WITH RESPECT TO A FIBER-OPTIC NETWORK PROJECT**

BE IT RESOLVED, by the governing body of St. Louis County, Minnesota (the "Municipality"), as follows:

1. General Recitals.
 - a. The Municipality is a municipal corporation and political subdivision organized and existing under the laws of the State of Minnesota.
 - b. The Municipality recognizes that availability of high-speed, broadband connectivity is a necessary and desirable service for its residents and should be available on an equal basis to all its residents.
 - c. The Municipality has been asked to enter into a Joint Powers Agreement (the "Agreement") by Lake County (the "County") pursuant to Minnesota Statutes, Sections 471.59 and 471.656 (collectively, the "Act") and Chapter 238.

2. Description of the Project.
 - a. The County intends to construct a fiber-optic network to provide advanced data, video and voice communication services to every home and business in the County and certain portions of Eastern St. Louis County, Minnesota, (the "Project").
 - b. The Project will be owned by the County and operated by a management company selected by the County.

- c. The County intends to pay the cost of the Project through a grant and loan from the Rural Utility Service's Broadband Infrastructure Program and an issuance of revenue obligations pursuant to Minnesota Statutes, Chapter 475 (collectively, the "Obligations").
 - d. Portions of the Project are located in the County, the Municipality and the Municipalities of the City of Two Harbors, Minnesota; the City of Beaver Bay, Minnesota; the City of Silver Bay, Minnesota; the Town of Beaver Bay, Minnesota; the Town of Crystal Bay, Minnesota; the Town of Fall Lake, Minnesota; the Town of Silver Creek, Minnesota; the Town of Stony River, Minnesota; the County of St. Louis, Minnesota; the City of Ely, Minnesota; the City of Aurora, Minnesota; the City of Babbitt, Minnesota; the City of Hoyt Lakes, Minnesota; the Town of Basset, Minnesota; the Town of Colvin, Minnesota; the Town of Duluth, Minnesota; the Town of Embarrass, Minnesota; the Town of Morse, Minnesota; the Town of Waasa, Minnesota; and the Town of White, Minnesota (collectively, and including the County and the Municipality, the "Host Municipalities").
3. Recitals Relating to the Joint Exercise of Powers.
- a. The County has requested that the Host Municipalities cooperate (as permitted by Minnesota Statutes, Section 471.59 and Chapter 238) through a joint powers agreement in authorizing the Project and its operation and the issuance of the Obligations pursuant to the Act.
 - b. A draft copy of the Joint Powers Agreement among the Host Municipalities (the "Joint Powers Agreement") has been submitted to this body and is on file in the administrative offices of the Municipality.
4. Findings. It is hereby found, determined, and declared as follows:
- a. The Municipality desires to facilitate the selective development of the community, retain and improve the tax base and help to provide the range of services and employment opportunities required by the population. The Project will assist the Municipality in achieving those objectives; help to stabilize market valuation of the Municipality; help maintain a positive relationship between assessed valuation and debt; and enhance the image and reputation of the community.
 - b. On the basis of information made available to the Municipality by the County it appears, and the Municipality finds, that: the effect of the Project, if undertaken, will be to: (i) encourage the development of economically sound industry and commerce, (ii) assist in the prevention of the emergence of blighted and marginal land, (iii) help prevent chronic unemployment, (iv) provide the range of service and employment opportunities required by the population, (v) help prevent the movement of talented and educated persons out of the State and to areas within the State where their services may not be as effectively used, and (vi) promote more intensive development and appropriate use of land within the Municipality, eventually to increase the tax base of the community.
 - c. It is in the best interest of the Municipality to cooperate with and facilitate the issuance of the Obligations and the operation of the Project by the County.

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

- d. The Municipality will receive substantial benefit from the Project which will provide advanced voice, video and data services, accessible and available on an equal basis to residents of the Municipality.
 - e. The Municipality hereby finds that the facilities composing the Project are necessary to make Internet and other communications services that are not and will not be available through other providers or the private market accessible and available on an equal basis to the residents of the Municipality.
5. Approvals; Execution of Joint Powers Agreement; Preconditions.
- a. The proposal to undertake, finance and operate that portion of the Project located in the Municipality but outside of the jurisdictional limits of the other Host Municipalities, and the issuance of the Obligations by the County is approved.
 - b. The Joint Powers Agreement is hereby made a part of this Resolution as though fully set forth herein and is hereby approved in substantially the form presented to the Municipality. The chair and the auditor or the authorized designee of either of the foregoing (the "Authorized Officers") are authorized and directed to execute, acknowledge, and/or deliver the Joint Powers Agreement on behalf of the Municipality, such execution to be conclusive evidence of approval of such document in accordance with the terms hereof.
 - c. The Authorized Officers are authorized and directed to execute and deliver such other documents or certificates needed from the Municipality for the sale of the Obligations or with respect to the matters described in the Joint Powers Agreement.
 - d. After the adoption of this Resolution, the Authorized Officers are authorized and directed to approve, execute and deliver, on behalf of the Municipality, amendments to the Joint Powers Agreement, subject to the following conditions: (a) such amendments do not materially adversely affect the interests of the Municipality under the Joint Powers Agreement; (b) such amendments do not contravene or violate any policy of the Municipality; (c) such amendments are acceptable in form and substance to the attorney for the Municipality or other counsel retained by the Municipality to review such amendments; and (d) such amendments are approved by the County. The authorization hereby given shall be further construed as authorization for the execution and delivery of such certificates and related items as may be required to demonstrate compliance with the Joint Powers Agreement being amended and the terms of this Resolution. The execution of any instrument by the Authorized Officers, shall be conclusive evidence of the approval of such instruments in accordance with the terms hereof. In the absence of the Authorized Officers, any instrument authorized by this paragraph to be executed and delivered may be executed by the officer of the Issuer authorized to act in their place and stead.
6. Limited Obligation. The Obligations, when and if issued for the Project, shall not constitute a charge, lien or encumbrance, legal or equitable, upon any property of the Host Municipalities, other than the County. The Obligations, when and if issued, shall recite in substance that the Obligations and the interest thereon, are payable solely from revenues received from the Project and property pledged for payment thereof, and shall not constitute a debt of the Host Municipalities, other than the County.

Adopted: _____, 2010

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

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By _____
Its Chair

Attest:

By _____
Its County Auditor

Unanimously adopted November 23, 2010. No. 552

At 12:22 p.m., November 23, 2010, Commissioner Nelson, supported by Commissioner O'Neil moved to adjourn; seven yeas, zero nays.

Steve Raukar, Chair of the Board
of County Commissioners

Attest:

Donald Dicklich, 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, 2010

OFFICIAL PROCEEDINGS OF THE MEETING
OF THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF ST. LOUIS, MINNESOTA,
HELD ON DECEMBER 14, 2010

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 14th day of December, 2010, at 9:39 a.m., in the County Board Room, Duluth, Minnesota, with the following members present: Commissioners Dennis Fink, Steve O'Neil, Chris Dahlberg, Mike Forsman, Peg Sweeney, Keith Nelson and Chair Steve Raukar – 7. Absent: None.

Chair Raukar asked for a moment of silence to honor U.S. troops serving throughout the world and their families at home as well as all persons whose lives are adversely affected by war.

Commissioner Sweeney gave the Words of Wisdom inspired by her love of the arts and quotes from John F. Kennedy. Commissioner Sweeney distributed a handout on arts in the area along with a listing of holiday performances and artistic offerings.

A presentation for “Outstanding Citizen Award” was given for Walt and Linda Hautala. Commissioner Nelson said Mr. and Mrs. Hautala spent a lifetime volunteering, noting their dedication to children in St. Louis County through their work at Camp Esquagama. Walt and Linda Hautala thanked the board for the recognition adding it is about the kids. Commissioner Raukar thanked the Hautalas for improving the quality of life for children in St. Louis County.

A presentation was given for “Safety Excellence Award”. Safety and Risk Management Director Joe Austin presented the award to Public Works employee Shawn Lahti. Director Austin said on September 1st, Shawn and a co-worker, Bob Rodda, were on a lunch break when the Bob started choking on his sandwich. Shawn came swiftly to his aid and administered the Heimlich maneuver to dislodge the object. Bob Rodda’s life was saved by the responsible and cool-headed actions Shawn. Mr. Lahti thanked the board for the award and recognition.

At 10:04 a.m. a public hearing was convened pursuant to Resolution 516, adopted November 2, 2010, to consider granting an Off-Sale Intoxicating Liquor License to the JDL’s Landing, Inc., Beatty Township. County Attorney Melanie Ford said the Town Board of Beatty approved the request and Sheriff’s departed has approved. On October 12, 2010, the Town of Beatty recommended approval. County Attorney Ford said the liquor committee recommended approval to the county board and the parties said they read and understood the rules. County Attorney Ford said the applicants are up to date on their property taxes. Commissioner Nelson, supported by Commissioner O’Neil moved to close the public hearing; seven yeas, zero nays. Commissioner Forsman, supported by Commissioner Nelson moved to approve the off-sale liquor license to the JDL’s Landing; seven yeas, zero nays. Resolution No. 573.

Commissioner Sweeney, supported by Commissioner Nelson, moved to approve the consent agenda; seven yeas, zero nays.

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

Commissioner Nelson, supported by Commissioner Forsman moved to approve the 2011 proposed budget and property tax levy. County Administrator Kevin Gray reviewed the proposed 2011 budget and property tax levy and said public meetings were held on December 2nd and 9th pursuant to Minnesota statutes. Administrator Gray said the budget maintains commitment to quality core services and said he recommends the 2011 proposed budget in the amount of \$304,077,827 and property tax levy in the amount of \$108,073,565.

After further discussion, the county board recessed the meeting at 11:06 a.m. for cake and recognition for outgoing Commissioner Dennis Fink.

At 1:12 p.m. the county board meeting reconvened.

Commissioner Fink, supported by Commissioner Sweeney, moved to amend the budget to include \$10,000 for the 2012 Duluth Air Show. After further discussion, Commissioner O'Neil made a friendly amendment to budget \$3,000 for the 2012 Air Show and the makers agreed. The motion failed; three yeas, four nays, Commissioners Dahlberg, Raukar, Nelson and Forsman.

Commissioner Raukar, supported by Commissioner Nelson, moved a replacement resolution to increase commissioner salary by 5% for longevity. Commissioner Raukar said according to Minnesota Statute the county board is required to establish the salary for commissioners. Commissioner Raukar said commissioner salaries have not kept pace with the average pay for county supervisors. After further discussion, the makers withdrew the motion. Seven yeas; zero nays. Resolution No. 574.

Commissioner O'Neil, supported by Commissioner Sweeney, moved to approve the 2011 Legislative Agenda. Commissioner Fink requested a division to separate item 7 and Chair Raukar granted the request. The 2011 Legislative Agenda, without item 7, passed; seven yeas, zero nays. Commissioner Nelson, supported by Commissioner O'Neil moved item 7 on the Legislative Agenda, proposed Planning Department oversight in splitting parcels to help insure zoning requirements are met. In response to commissioner questions, Public Records and Property Valuation Director Mark Monacelli said St. Louis County currently doesn't have the authority to hold up a request to split a parcel to insure that it can be split, adding this would give the board authority to do so if they decide. Planning Director Barb Hayden said they have seen more splitting of parcels, possibly due to the economy, and have literally had people come to the county in tears because they purchased land that is unbuildable. Director Hayden said they work with these individuals to help them get variances, but if St. Louis County gets approval to review the splitting of parcels, it would better serve buyers since currently split parcels can be recorded by the county even if they don't meet building code. After further discussion, the motion passed; four yeas, three nays, Commissioners Fink, Dahlberg and Sweeney. Resolution No. 575.

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

Kevin Gray, County Administrator, and John Ongaro, Director of Intergovernmental Relations, submitting Board Letter No. 10-413, 2011 Proposed Legislative Agenda.—59169

2011 Budget & Tax Levy.—59170

Kevin Gray, County Administrator, and Robert Krepps, Land Commissioner, submitting Board Letter No. 10-408, Roadway Easement Across State Tax Forfeited Land to Leon Erickson, Matthew Johnson, and Terence Lenz. Section 26, Township 60N, Range 14W (Town of Waasa).—59171

Commissioner Peg Sweeney's Word of Wisdom handout of Performing Arts in St. Louis County.—59172

Kevin Gray, County Administrator, and Don Dicklich, County Auditor, submitting Board Letter 10-414, Public Hearing to Consider the Off-Sale Intoxicating Liquor License for JDL's Landing, Inc., d/b/a The Landing, Beatty Township.—[59173](#)

Lobbying Services Agreement between the County of St. Louis and Arrowhead Counties Association during the 2011 Legislative Session.—[10-770](#)

Home and Community-Based Waiver Services Contract, Contract No. 14814, between the St. Louis County Board of Commissioners and Jay Litman Construction/Remodeling & Handyman Services, Inc.—[10-771](#)

Amendment No. 1 to Mn/DOT Agreement No. 90984, between the County of St. Louis, the Duluth, Missabe and Iron Range Railway Company, and the State of Minnesota Commissioner of Transportation for State Project 69-00179, SAP 69-607-044, CP 9308.—[10-772](#)

Service Contract, Contract 4899-2, between the County of St. Louis and Whistle Carpet Cleaning for custodial/janitor service at the Pike Lake Public Works building.—[10-773](#)

Minnesota Department of Employment and Economic Development 2010 Greater Minnesota Business Development Public Infrastructure Grant Program General Obligation Bond Proceeds Construction Grant Agreement for the St. Louis County – Voyageur's National Park Project, Grant #DBPI-10-0009-O-FY11.—[10-774](#)

State of Minnesota Department of Veterans Affairs Operational Improvement Grant – County Veteran Services Officer Enhancement Grant.—[10-775](#)

Home and Community-Based Waiver Services Contract, Contract No. 14816, between the St. Louis County Board of Commissioners and Wheelchairs Plus.—[10-776](#)

Home and Community-Based Waiver Services Contract, Contract No. 14818, between the St. Louis County Board of Commissioners and Jay Litman Construction/Remodeling & Handyman Services, Inc.—[10-777](#)

Home and Community-Based Waiver Services Contract, Contract No. 14826, between the St. Louis County Board of Commissioners and Cummings Mobility.—[10-778](#)

Agreement for Professional Services between the County of St. Louis and Foster Jacobs & Johnson, Inc., for Jail Laundry Cost Benefit Analysis.—[10-779](#)

Agreement for Professional Services between the County of St. Louis and Architectural Resources, Inc., for Hibbing Annex Observation Room.—[10-780](#)

Agreement for Professional Services between St. Louis County and Norell on Real Property for Appraisal Services for highway right of way acquisition for SAP 69-603-011, CP 8175.—[10-781](#)

Agreement for Professional Services between St. Louis County and Norell on Real Property for Appraisal Services for highway right of way acquisition for SAP 69-648-026, CP 8273.—[10-782](#)

Agreement for Professional Services between St. Louis County and Ridgewood Appraisals, Inc., for Appraisal Services for the Gerald Norlander cartway petition, CP 117417.—[10-783](#)

Amendment of Agreement for Professional Services between St. Louis County and Superior Design & Planning.—[10-784](#)

Arrowhead Regional Arts Council Grant – Rural & Community Art Grant.—[10-785](#)

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

Agreement for Professional Services between the County of St. Louis and Architecture Advantage for Government Services Center – Space Plan – Phase II.—10-786

Employee Development Training Contract between St. Louis County and Rod Raymond Seminars for *Wellness Training*.—10-787

Upon motion of Commissioner Sweeney, supported by Commissioner Nelson, Resolutions numbered 554 through 572, as submitted to this Board on the Consent Agenda, were unanimously adopted as follows:

BY COMMISSIONER SWEENEY:

WHEREAS, there is a disparity between the outcomes of American Indian and African American participants compared to the general Minnesota Family Investment Program (MFIP) population in St. Louis County; and

WHEREAS, providing culturally-specific services to these populations may improve the Work Participation Rate (WPR) for the groups and the county as a whole; and

WHEREAS, the Minnesota Department of Human Services has awarded an Innovation Funds Grant for the 2011 calendar year to St. Louis County to address the disparities encountered by these populations.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board accepts the Innovation Funds grant from the Minnesota Department of Human Services for the period January 1, 2011 through December 31, 2011 in the amount of \$142,175 for the purpose of reducing disparities in the MFIP/WPR for African American and American Indian populations.

RESOLVED FURTHER, that the expenditure budget for 2011 be increased in Fund 230, Agency 232020, Object 540213, Grant 2312, Year 2011, and the revenue budget for 2011 be increased in Fund 230, Agency 232020, Object 540213, Grant 23212, Year 2011 by \$142,175.

RESOLVED FURTHER, that the funds will be receipted into Fund 230, Agency 232020, Object 540213 (MFIP Employment and Training Funds), Grant 23212, Grant Year 2011, and expended from Fund 230, Agency 232020, Object 603800, Grant 23212, Grant Year 2011.

Adopted December 14, 2010. No. 554

WHEREAS, the Minnesota Department of Human Services (DHS) has identified transportation as being an area of need not currently being met for Minnesota Family Investment Program (MFIP) participants; and

WHEREAS, DHS has dedicated a portion of the Commissioner's Innovation Fund to assist in this area of need; and

WHEREAS, the Public Health and Human Services Department was notified that it was allocated DHS funding for Transportation for Minnesota Family Investment Program/Diversionsary Work Program (MFIP/DWP) participants in the amount of \$64,233 for CY 2011.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes acceptance of a Minnesota Innovation Fund Transportation Allocation in the amount \$64,233 for the period of January 1, 2011 through December 31, 2011; and authorizes contracts with Arrowhead Economic Opportunity Agency, City of Duluth, NE Minnesota Office of Job Training, and Community Action Duluth for service provision.

RESOLVED FURTHER, that the St. Louis County Board authorizes the Auditor's Office to adjust the 2011 proposed budget to include an increase in 2011 budget expenditures in Fund 230, Agency 232020, Object 603800, Grant 23207, Year 2011, and an increase in 2011 budget revenues in Fund 230, Agency 232020, Object 540213, Grant 23207, Year 2011 for the period January 1, 2011 through December 31, 2011.

Adopted December 14, 2010. No. 555

WHEREAS, the St. Louis County Purchasing Division solicited bids for tree planting on state tax forfeited land for the years 2011, 2012, 2013, 2014, and 2015; and

WHEREAS, Northwoods Forestry of Eleva, WI, submitted the low bid in the amount of \$54,715.50 for 2011 with payment for 2012, 2013, 2014, and 2015 to be adjusted using the Consumer Price

Index for all Urban Consumers (CPI-U) of the previous year.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the appropriate county officials to execute a five-year contract with Northwoods Forestry of Eleva, WI, to plant trees on 1,737 acres in 2011 at the low specification bid price of \$54,715.50, and to plant a minimum of 1,000 acres each year in 2012, 2013, 2014, and 2015, and that the rate per acre for 2012, 2013, 2014, and 2015 will be adjusted annually, using the previous year's cost per acre +/- the percentage increase or decrease in the Consumer Price Index for all Urban Consumers (CPI-U), Midwest Region, Nonmetropolitan, as of October of the previous year, in accordance with the specifications of Bid No. 4917 and subject to approval of the County Attorney, payable from Fund 290, Agency 290001 (Forest Resources Fund).

Adopted December 14, 2010. No. 556

WHEREAS, several private landowners have requested a non-exclusive roadway easement across state tax forfeited land; and

WHEREAS, there are no reasonable alternatives to obtain access to their properties; and

WHEREAS, exercising the easement will not cause significant adverse environmental or natural resource management impacts; and

WHEREAS, Minn. Stat. § 282.04, Subd. 4(a) allows for the granting of private easements across state tax forfeited land for such purposes; and

WHEREAS, the appraised value of this easement was previously accounted for in easement E13070026 which did not benefit the landowners described here.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Auditor, pursuant to Minn. Stat. § 282.04, Subd. 4(a) is authorized to grant the following non-exclusive roadway easement to Leon Erickson, Matthew Johnson, and Terence Lenz:

A non-exclusive easement for ingress and egress 33.00 feet in width over, under, and across the northwest quarter of the northwest quarter of section 26, Township 60 North, Range 14 West of the Fourth Principal Meridian, St. Louis County, Minnesota, being 16.50 feet on each side of the centerline described as follows: Commencing at the northwest corner of said section 26; thence easterly on the calculated north line of said section 26 on an assigned azimuth of 89°17'19" a distance of 993.71 feet to the point of beginning and the centerline of an existing road where all succeeding courses will follow said centerline; thence at an azimuth of 156°49'16" (0°=North) a distance of 15.7 feet; thence at an azimuth of 152°02'33" a distance of 69.0 feet; thence at an azimuth of 155°38'16" a distance of 89.3 feet; thence at an azimuth of 163°53'15" a distance of 133.8 feet; thence at an azimuth of 159°25'04" a distance of 119.6 feet; thence at an azimuth of 150°20'49" a distance of 177.4 feet; thence at an azimuth of 149°54'53" a distance of 49.2 feet; thence at an azimuth of 140°21'06" a distance of 55.1 feet; thence at an azimuth of 118°45'17" a distance of 23.6 feet; thence at an azimuth of 106°47'38" a distance of 40 feet more or less to the east line of said northwest quarter of the northwest quarter and there terminating. The side lines of said easement are prolonged or shortened to terminate on the respective land lines. EXCEPTING easements, restrictions, and reservations of record and SUBJECT to minerals and mining reservations of record. This easement is 773 feet in length and contains 0.58 acres more or less.

Adopted December 14, 2010. No. 557

WHEREAS, in February of 2003 the Depot Operating Board, which managed and operated the St. Louis County Heritage and Arts Center (the Depot), a county owned facility, ceased to exist and on June 1, 2005, the county entered into an agreement with Historic Union Depot Incorporated (HUD) for Depot operations, marketing, and management services, which expires December 31, 2010; and

WHEREAS, St. Louis County will begin the process of analyzing Depot operations management and building maintenance agreements in the first quarter of 2011 and this review requires a one year extension of the current contract with HUD; and

WHEREAS, there will be no change in the scope of services provided by HUD, and no change in the payment structure for the one year extension to be based on offsetting actual building operating costs, with HUD reimbursing the county \$180,000 for the term of this one year extension.

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

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board authorizes the appropriate county officials to execute a one year agreement with Historic Union Depot Incorporated, 506 West Michigan Street, Duluth, Minnesota, 55802, for operation, marketing, and management of the Depot facility, beginning January 1, 2011 and continuing through December 31, 2011. Funds are available from and payable to Fund 100, Agency 103015.

Adopted December 14, 2010. No. 558

WHEREAS, in February of 2003 the Depot Operating Board, which managed and operated the St. Louis County Heritage and Arts Center (the Depot), a county owned facility, ceased to exist and on June 1, 2005, the county entered into an agreement with Oneida Realty Company (Oneida) for maintenance, cleaning, repair, buildings and grounds operations, building accounting services, and tenant lease management services, which expires December 31, 2010; and

WHEREAS, St. Louis County will begin the process of analyzing Depot operations management and building maintenance agreements in the first quarter of 2011 and this review requires a one year extension of the current contract with Oneida; and

WHEREAS, there will be no changes in the scope of services provided by Oneida, and there will be no cost increase for janitorial and maintenance staff labor cost, supplies, or materials for the term of this one year extension.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board authorizes the appropriate county officials to execute a one year agreement with Oneida Realty Company, 1605 Alworth Building, Duluth, Minnesota, 55802, for an amount of \$11,105 per month, \$133,260 annually, for the cleaning, maintenance, repair and operation of the Depot facility, beginning January 1, 2011 and continuing through December 31, 2011, payable from Fund 100, Agency 103015.

Adopted December 14, 2010. No. 559

WHEREAS, the St. Louis County Sheriff and Duluth Police Chief have successfully utilized the services of a shared Grant Coordinator as a cost-effective means to research, apply for, and manage public safety grants; and

WHEREAS, the Sheriff and Duluth Police Chief wish to renew the Professional Services Agreement for the Grant Coordinator for the term of January 1, 2010 to December 31, 2011.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the appropriate county officials to renew the Professional Services Agreement for the Grant Coordinator position for the term beginning January 1, 2010 through December 31, 2011, with funding for the county's portion in the amount of \$30,000 per year for 2010 and 2011 to be accounted for in Fund 100, Agency 129003, Object 629900.

Adopted December 14, 2010. No. 560

RESOLVED, that the St. Louis County Board authorizes the appropriate county officials to execute an agreement on behalf of St. Louis County with the Human Development Center (HDC), Duluth, MN, to provide psychiatric and professional mental health services at the County Jail from January 1, 2011 through December 31, 2011, with an annual automatic renewal on January 1 of each year thereafter unless cancelled or superseded by another agreement between the parties.

RESOLVED FURTHER, that total payments to HDC shall not exceed \$40,000 per year, payable from Fund 100, Agency 137002, Object 626400.

Adopted December 14, 2010. No. 561

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. 59015, is hereby approved and the County Auditor is authorized to issue the license as follows;

RESOLVED FURTHER, license is effective January 1, 2011 through December 31, 2011;

RESOLVED FURTHER, that if named license holder 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 license holder:

Boondocks Saloon & Grill, Inc., d/b/a Boondocks Saloon & Grill, Gnesen Township, Tobacco Products License No. T11225, *NEW*.
Adopted December 14, 2010. No. 562

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. 59015, is hereby approved and the County Auditor is authorized to issue the license as follows;

RESOLVED FURTHER, that if named license holder 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 license holder:

Bois Forte Reservation Tribal Council d/b/a Y Store, Vermilion Lake Township, Tobacco Products License No. T11256, *CHANGE OF OFFICERS*.

Adopted December 14, 2010. No. 563

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. 59015, is hereby approved and the County Auditor is authorized to issue the license as follows;

RESOLVED FURTHER, that if named license holder 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 license holder:

Bernard Zupancich/Matt Zupancich d/b/a Zup's Cook, City of Cook, Tobacco Products License No. T11257, *TRANSFER*.

Adopted December 14, 2010. No. 564

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. 59015, is hereby approved and the County Auditor is authorized to issue the license as follows;

RESOLVED FURTHER, that if named license holder 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 license holder:

Smith Dam Company, LLC d/b/a Pequaywan Inn, Unorganized Township 54-13, Tobacco Products License No. T11258, *TRANSFER*.

Adopted December 14, 2010. No. 565

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. 59021;

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 license holder submitting Gnesen Township approval, certificate of liquor liability insurance and workers' compensation insurance company name, policy number and effective dates;

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 December 14, 2010 through June 30, 2011:

Boondocks Saloon & Grill, Inc. d/b/a Boondocks Saloon & Grill, Inc., Gnesen Township, On-Sale Intoxicating Liquor License No. CMB11136 and Sunday On-Sale Intoxicating Liquor License No. SUN11136, *NEW*.

Adopted December 14, 2010. No. 566

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

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. 59015, are hereby approved and the County Auditor is authorized to issue the licenses as follows;

RESOLVED FURTHER, that if named license holders 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 license holders:

C & B Warehouse Distributing, Inc., d/b/a Britt Short Stop, Township of Unorganized 60-18, Tobacco Products License No. T1118;

Buffalo Valley, Inc., d/b/a Buffalo House, Township of Midway, Tobacco Products License No. T11202;

C. C. Campground #717, Inc., d/b/a C. C. Campground #717, Inc., Township of French, Tobacco Products License No. T1122;

The Clip Joint Tavern, Inc., d/b/a The Clip Joint Tavern, Inc., Township of Alborn, Tobacco Products License No. T11253;

Van Gillen's Dry Dock Bar, Inc., d/b/a Dry Dock Bar & Restaurant, Township of Midway, Tobacco Products License No. T1142;

Gateway Store, LLC, d/b/a Gateway Store, LLC, Township of Unorganized 68-21, Tobacco Products License No. T1155;

Violet Hall, d/b/a Greaney Store, Township of Unorganized 63-21, Tobacco Products License No. T1158;

Gruben's Marina, Inc., d/b/a Gruben's Marina, Township of Greenwood, Tobacco Products License No. T1159;

Grumpy's Gas & Bait, LLC, d/b/a Grumpy's Gas & Bait, LLC, Township of Unorganized 63-19, Tobacco Products License No. T11249;

Charles Halmet, d/b/a Halmet's General Store, Township of White, Tobacco Products License No. T1160;

Hi Banks Resort, Inc., d/b/a Hi Banks Resort, Township of Fredenberg, Tobacco Products License No. T11187;

Holiday Stationstores, Inc., d/b/a Holiday Stationstore #85, City of Proctor, Tobacco Products License No. T1164;

Holiday Stationstores, Inc., d/b/a Holiday Stationstore #184, Township of White, Tobacco Products License No. T1165;

Holiday Stationstores, Inc., d/b/a Holiday Stationstore #409, Township of Canosia, Tobacco Products License No. T11245;

Stutzman Group, Inc., d/b/a Hoyt Lakes IGA, City of Hoyt Lakes, Tobacco Products License No. T11247;

Edwards Oil, Inc., d/b/a Hoyt Lakes Lucky Seven, City of Hoyt Lakes, Tobacco Products License No. T1169;

Back Country Bar, Inc., d/b/a Hugo's, Township of Ault, Tobacco Products License No. T11252;

Inter City Oil Co., Inc., d/b/a Inter City Oil Co., Inc., Township of Cotton, Tobacco Products License No. T1170;

Knutson & Son, Inc., d/b/a Jim's Ash Trail Store, Township of Unorganized 68-21, Tobacco Products License No. T11189;

Oveson Kab-Con, Inc., d/b/a Kettle Falls Hotel, Township of Unorganized 70-18, Tobacco Products License No. T1176;

JDL's Landing, Inc., d/b/a The Landing, Township of Beatty, Tobacco Products License No. T11254;

Edwards Oil Co., Inc., d/b/a Lucky Seven General Store, City of Aurora, Tobacco Products License No. T1187;

Curran Enterprises, Inc., d/b/a Makinen Market, Inc., Township of Unorganized 56-16, Tobacco Products License No. T1188;

Elephant Lake Lodge, Inc., d/b/a Melgeorge's Elephant Lake Lodge, Township of Camp 5, Tobacco Products License No. T11216;

Liupakka, Inc., d/b/a Munger Tavern & Grill, Township of Solway, Tobacco Products License No. T11163;

Mar Mar, Inc., d/b/a Novy's Haven, City of Hoyt Lakes, Tobacco Products License No. T11172;

Porky's Truck Stop, LLC, d/b/a Porky's Truck Stop, Township of Gnesen, Tobacco Products License No. T11242;

CMK Management, Inc., d/b/a Powerhouse Bar, City of Proctor, Tobacco Products License No. T11141;

Ely-Winton Rod & Gun Club, Inc., d/b/a Samz Place, Township of Morse, Tobacco Products License No. T11243;

Jeffrey/Betty Schanche, d/b/a Schanche's Side Lake Store, Township of French, Tobacco Products License No. T11211;

Lakeway Drive II, LLC, d/b/a Sunset Bottle Shop & Lounge, Township of Rice Lake, Tobacco Products License No. T11152;

Thirsty Moose Bar & Grill, Inc., d/b/a Thirsty Moose Bar & Grill, Township of Cherry, Tobacco Products License No. T11218;

Timbuktu Marina, LLC, d/b/a Timbuktu Marina, Township of Greenwood, Tobacco Products License No. T11161;

Trailside Lounge & Grill, Inc., d/b/a Trailside Lounge & Grill, City of Meadowlands, Tobacco Products License No. T11234;

Sullivan's Mercantile, Inc., d/b/a Twig General, Township of Grand Lake, Tobacco Products License No. T11129;

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

Wayside Corner Store, Inc., d/b/a Wayside Corner Store, Township of New Independence, Tobacco Products License No. T11214;

Wilbert, Inc., d/b/a Wilbert Cafe & El Toro Lounge, Township of Cotton, Tobacco Products License No. T11199;

M. & T. Wedin, Inc., d/b/a Wooden Table Inn, Township of Unorganized 60-19, Tobacco Products License No. T11185;

Zupancich Bros., Inc., d/b/a Zupancich Bros., Inc., City of Aurora, Tobacco Products License No. T11140.

Furry's, Inc., d/b/a Dino's, Township of City of Aurora, Tobacco Products License No. T11201;

City of Winton, d/b/a Winton Municipal Liquor Store, City of Winton, Tobacco Products License No. T11135.

Adopted December 14, 2010. No. 567

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. 59015, are hereby approved and the County Auditor is authorized to issue the licenses as follows;

RESOLVED FURTHER, that if named license holders 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 license holders.

The following license holders 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., Township of Unorganized 55-21, Tobacco Products License No. T119, May 25, 2000;

Susan Chalstrom/John Chalstrom, d/b/a Chalstrom's Bait, Township of Rice Lake, Tobacco Products License No. T1124, December 31, 2002; December 22, 2004; November 22, 2008;

Randall Willeck, d/b/a Country Corner, Township of Culver, Tobacco Products License No. T1132, December 30, 2002; December 23, 2004;

T. Musech Enterprise, Inc., d/b/a Country Store, City of Cook, Tobacco Products License No. T1133, August 25, 2001;

Jauert, Inc., d/b/a Eagle's Nest Resort, Township of Fredenberg, Tobacco Products License No. T1143, December 29, 2003;

Edwards Oil, Inc., d/b/a Edwards Lucky 7, Ashawa, City of Cook, Tobacco Products License No. T1144, September 7, 1998, August 25, 2001; October 18, 2002;

C & B Warehouse Distributing, Inc., d/b/a Ely Lake Short Stop, Township of Fayal, Tobacco Products License No. T1146, December 10, 2002;

Misty, Inc., d/b/a Fredenberg Minnoette, Township of Fredenberg, Tobacco Products License No. T1153, December 31, 2002;

Homecroft Super Valu, Inc., d/b/a Homecroft Super Valu, Township of Rice Lake, Tobacco Products License No. T1166, November 22, 2008;

Susan/Patrick Carey, d/b/a Lakeland Store, Township of Biwabik, Tobacco Products License No. T11169, December 15, 2002;

Marshall's One Stop, Inc., d/b/a Lakewood One Stop, Township of Lakewood, Tobacco Products License No. T1181, December 31, 2002;

Paulson's Super Valu, Inc., d/b/a Paulson's Super Valu, Inc., Township of Canosia, Tobacco Products License No. T11103, December 28, 2002;

Pike Lake Liquors, Inc., d/b/a Pike Lake Liquors, Inc., Township of Canosia, Tobacco Products License No. T11106, December 28, 2002;

Leon Polley, d/b/a Polley's Resort, Township of Unorganized 63-17, Tobacco Products License No. T11108, September 13, 1998;

Best Oil Co., Inc., d/b/a Proctor Little Store, City of Proctor, Tobacco Products License No. T11110, September 30, 1998;

Proctor Milk House, Inc., d/b/a Proctor Milk House, Inc., City of Proctor, Tobacco Products License No. T11111, September 30, 1998; December 22, 2000;

Curtis Convenience Stores, Inc., d/b/a SuperAmerica, Township of Cotton, Tobacco Products License No. T1150, December 23, 2004;

DeWall Service Center, Inc., d/b/a Troy's Amoco, City of Proctor, Tobacco Products License No. T11235, December 11, 2008;

Burns Bar & Grill, Inc., d/b/a Burns Bar & Grill, Inc., Township of Rice Lake , Tobacco Products License No. T1121, November 22, 2008;

Cold Springs, Inc., d/b/a Cold Springs, Inc., Township of Unorganized 67-20, Tobacco Products License No. T11182, September 6, 1998; August 16, 2003;

5717, Inc., d/b/a Crossroads Store, Township of Brevator, Tobacco Products License No. T1137, October 1, 1998; December 23, 2004.
Adopted December 14, 2010. No. 568

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, dated November 19, 2010, on file in the office of the County Auditor, identified as County Board File No. 59016, is hereby received and ratified as payable from Fund 730, Agency 730001.
Adopted December 14, 2010. No. 569

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, dated December 3, 2010, on file in the office of the County Auditor, identified as County Board File No. 59016, is hereby received and ratified as payable from Fund 730, Agency 730001.
Adopted December 14, 2010. No. 570

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. 59024, are hereby approved and the County Auditor shall issue checks in the following amounts:

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

November 2010

100	General Fund	\$5,239,437.12
150	Sheriff's Nemesis Fund Group	66,732.50
167	Attorney's Forfeitures	495.82
168	Sheriff's State Forfeitures	1,610.43
170	Boundary Waters-Forfeitures	7,066.25
173	Emergency Shelter Grant	37,817.84
179	Enhanced 9-1-1	6,991.21
180	Law Library	12,669.45
184	Extension Service	43,716.56
200	Public Works	2,083,610.65
210	Road Maint – Unorg Townships	792.23
220	State Road Aid	5,464,307.68
230	Public Health & Human Services	6,375,291.74
240	Forfeited Tax	402,553.76
250	St. Louis County HRA	22,122.14
260	CDBG Grant	407,683.99
270	Home Grant	13,576.94
281	SLC Septic Loans	8,482.99
290	Forest Resources	105,860.13
400	County Facility	111,759.21
405	Public Works Building Const	5,700.00
407	Public Works – Equipment	120,795.47
421	Northland Office Bldg Improv.	21,422.24
437	2008A Capital Equipment Note	7,447.05
438	2008B Capital Improvement Bond	111,168.32
600	Environmental Services	407,438.87
616	On-Site Waste Water Division	40,250.08
625	Chris Jensen Health & Rehab	13,383.92
626	Cap Exp/Operations Account	39,270.90
640	Plat Books	12,666.00
670	Supervised Living	2,004.98
700	Printing	8,954.38
705	Postage Office Supplies	127,568.03
715	County Garage	82,377.41
720	Property Casualty Liability	5,890.83
730	Workers Compensation	288,794.34
750	Management Info Systems	239,182.58
760	Telecommunications	114,190.56
770	Retired Employees Health Ins	1,717.32
900	State of Minnesota	995,355.82
902	Courts	262,336.31
909	Tax Refunds	74,594.14
910	School Districts Taxes	9,010,738.00
925	Arrowhead Regional Corrections	1,511,445.84
955	Community Health Board	188,087.25
985	Collective Local Collaborative	95,516.33
989	Regional Railroad Authority	49,711.52
992	Permits to Carry-Firearms	7,720.28
994	Sheriff Forfeits/Evidence	11,620.92
998	MPL-DUL Train Alliance	<u>26,263.99</u>
		\$34,296,192.32

Adopted December 14, 2010. No. 571

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

meeting of November 9, 2010, are hereby approved.
Adopted December 14, 2010. No. 572

BY COMMISSIONER FORSMAN:

WHEREAS, JDL's Landing, Inc. d/b/a The Landing, Beatty 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 December 14, 2010, 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, The Landing 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 CMB11135) shall be issued to JDL's Landing, Inc. d/b/a The Landing, located in Area 3, for an annual fee of \$150.
RESOLVED FURTHER, that said liquor license shall be effective through June 30, 2011;
RESOLVED FURTHER, that said license is approved contingent upon payment of real estate taxes when due;
RESOLVED FURTHER, that if named license holder 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 license holder.
Unanimously adopted December 14, 2010. No. 573

BY COMMISSIONER NELSON:

**BUDGET AND LEVY RESOLUTION
FISCAL YEAR 2011**

A. County-wide Levy (Non-debt)		
Fund 100 General Fund	45,080,944	
Fund 184 County Extension	799,126	
Fund 200 Road & Bridge Fund	19,828,804	
Fund 230 Public Health & Human Services	32,793,260	
Fund 400 Capital Projects-Courthouse	648,564	
Fund 405 Capital Project - Road & Bridge	479,468	
Fund 407 Capital Project - Road & Bridge Equipment	325,687	
		\$99,955,853
B. Regional Levy (Non-debt)		
Fund 100 General Fund - Arrowhead Regional Library	777,226	
		\$777,226
C. Debt Service Funds (County-wide)		
Fund 302 Hibbing PW Facility	78,169	
Fund 309 Capital Improvement Bond 2004A	1,212,203	
Fund 311 Capital Improvement Bond 2005	435,818	
Fund 312 Law Enforcement Refunding Bond 2005	394,943	
Fund 313 - Capital Equipment Note 2007	1,145,358	
Fund 314 Capital Equipment Note 2007	1,316,811	
Fund 315 2008 Capital Improvement Bond	820,418	
Fund 316 2008 Capital Equipment Note	1,105,501	
Fund 317 Capital Improvement Bonds 2010A	588,640	
		\$7,097,861
D. Enterprise Fund (County-wide)		
Fund 616 - ISTS	242,625	
		\$242,625
		\$108,073,565

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

2011 ADOPTED RESOLUTION

		Total Use of Assets				Total Source of Assets					
		Adopted Expenditures	897800 Transfers Out	511591 Accumulation of Fund Balance	Total	606100 Property Tax Levy	Other Revenue	690100 Transfers In	811202 Use of Fund Balance	Total	
GENERAL FUND	100 General Fund	85,471,842	859,307	109,411	86,440,560	(45,858,170)	(37,744,371)	(1,500,328)	(937,691)	(86,440,560)	
	159 Sheriff's Nemesis Fund Group	421,399	-	111,641	533,039	-	(533,039)	-	-	(533,039)	
	159 Attorney-CS-Mod Filing Fee	-	-	2,500	2,500	-	(2,500)	-	-	(2,500)	
	166 Sheriff Fine Contingency	70,000	-	-	70,000	-	(70,000)	-	-	(70,000)	
	167 Attorney's Forfeitures	-	35,000	-	35,000	-	-	-	(35,000)	(35,000)	
	168 Sheriff's State Forfeitures	65,000	-	-	65,000	-	(65,000)	-	-	(65,000)	
	169 Attorney Trust Accounts-VW	5,000	-	-	5,000	-	(5,000)	-	-	(5,000)	
	170 Boundary Waters-Forfeiture	48,000	-	-	48,000	-	(48,000)	-	-	(48,000)	
	171 Controlled Substances	35,000	-	-	35,000	-	(35,000)	-	-	(35,000)	
	173 Emergency Shelter Grant	108,000	-	-	108,000	-	(108,000)	-	-	(108,000)	
	179 Enhanced 9-1-1	415,000	-	-	415,000	-	(415,000)	-	-	(415,000)	
	180 Law Library	239,356	11,287	-	250,643	-	(209,000)	-	(42,643)	(250,643)	
	183 City/County Communications	200,000	-	-	200,000	-	(200,000)	-	-	(200,000)	
	184 Extension Service	867,320	-	-	867,320	(799,126)	(27,800)	-	(40,394)	(867,320)	
			87,945,916	905,594	223,652	89,075,061	(46,657,296)	(39,461,710)	(1,500,328)	(1,255,728)	(89,075,061)
	SPECIAL REVENUE FUNDS	200 Public Works	39,578,105	-	-	39,578,105	(19,828,804)	(18,644,871)	(709,241)	(395,187)	(39,578,105)
		210 Road Maint - Unorg Townships	1,298,000	-	-	1,298,000	-	(648,000)	-	(650,000)	(1,298,000)
		220 State Road Aid	21,337,229	-	-	21,337,229	-	(21,337,229)	-	-	(21,337,229)
SPECIAL REVENUE FUNDS	230 Public Health & Human Services	78,730,448	-	-	78,730,448	(32,793,260)	(45,271,697)	(11,923)	(653,569)	(78,730,448)	
	240 Forfeited Tax	6,576,204	-	1,321,595	7,897,799	-	(7,778,000)	(122,799)	-	(7,897,799)	
	250 St. Louis County HRA	353,549	-	-	353,549	-	(204,824)	-	(148,725)	(353,549)	
	260 CDBG Grant	2,560,000	-	-	2,560,000	-	(2,560,000)	-	-	(2,560,000)	
	261 CDBG Program Income	60,000	-	-	60,000	-	(60,000)	-	-	(60,000)	
	270 Home Grant	1,060,000	-	-	1,060,000	-	(1,060,000)	-	-	(1,060,000)	
	280 Federal Septic Loan - EPA Fund	32,090	-	-	32,090	-	(8,600)	-	(22,490)	(32,090)	
290 Forest Resources	1,640,141	200,000	-	1,840,141	-	(657,636)	(1,469)	(1,181,036)	(1,840,141)		
		153,225,766	200,000	1,321,595	154,747,361	(52,622,064)	(96,228,657)	(845,432)	(3,051,007)	(154,747,361)	

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

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DEBT SERVICE FUNDS	302 Hibbing P/W Facility 1997	84,744	-	-	84,744	(78,169)	-	-	(6,575)	(84,744)
	308 Capital Improve Bonds 2004A	1,209,513	-	57,724	1,267,236	(1,212,203)	-	-	(55,033)	(1,267,236)
	311 Capital Improve Bonds 2005A	537,620	-	20,754	558,374	(435,818)	-	-	(122,556)	(558,374)
	312 Law Enforce Refund Bonds 2005B	496,000	-	18,807	514,807	(394,943)	-	-	(119,864)	(514,807)
	313 Cap Imp Cross Ref Bonds 2006A	1,301,500	-	54,541	1,356,041	(1,145,358)	-	-	(210,683)	(1,356,041)
	314 Capital Equipment Notes 2007	1,398,800	-	62,705	1,461,505	(1,316,811)	-	-	(144,694)	(1,461,505)
	315 Capital Equipment Notes 2008A	793,050	-	39,067	832,117	(820,418)	-	-	(11,699)	(832,117)
	316 Capital Improve Bonds 2008B	1,056,435	-	52,643	1,109,078	(1,105,501)	-	-	(3,577)	(1,109,078)
	317 Capital Improve Bonds 2010A	630,938	-	28,030	658,969	(588,640)	(70,328)	-	-	(658,969)
		<u>7,508,600</u>	<u>-</u>	<u>334,271</u>	<u>7,842,871</u>	<u>(7,097,861)</u>	<u>(70,328)</u>	<u>-</u>	<u>(674,661)</u>	<u>(7,842,871)</u>
CAPITAL PROJECTS	400 County Facility	755,000	-	-	755,000	(648,564)	(106,436)	-	-	(755,000)
CAPITAL PROJECTS FUNDS	402 Depreciation Reserve Fund	-	-	220,840	220,840	-	-	(220,840)	-	(220,840)
	405 Public Works Building Const	495,000	-	-	495,000	(479,468)	(15,532)	-	-	(495,000)
	407 Public Works - Equipment	325,687	-	-	325,687	(325,687)	-	-	-	(325,687)
	<u>1,575,687</u>	<u>-</u>	<u>220,840</u>	<u>1,796,527</u>	<u>(1,453,719)</u>	<u>(121,968)</u>	<u>(220,840)</u>	<u>-</u>	<u>(1,796,527)</u>	
PERMANENT FUND	500 Shoreline Sales	17,087	305,600	-	322,687	-	-	-	(322,687)	(322,687)
	<u>17,087</u>	<u>305,600</u>	<u>-</u>	<u>322,687</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>(322,687)</u>	<u>(322,687)</u>	
ENTERPRISE FUNDS	600 Environmental Services	10,682,892	-	-	10,682,892	-	(6,345,711)	(30,417)	(4,306,764)	(10,682,892)
	615 919 Fees	-	-	65,000	65,000	-	(65,000)	-	-	(65,000)
	616 On-Site Waste Water Division	574,285	-	-	574,285	(242,625)	(160,000)	(167,000)	(4,660)	(574,285)
	625 Chris Jensen Health & Rehab	604,715	-	-	604,715	-	(50,000)	(1,525)	(553,189)	(604,715)
	640 Plat Books	89,600	-	-	89,600	-	(58,100)	-	(31,500)	(89,600)
	<u>11,951,492</u>	<u>-</u>	<u>65,000</u>	<u>12,016,492</u>	<u>(242,625)</u>	<u>(6,678,811)</u>	<u>(199,942)</u>	<u>(4,896,113)</u>	<u>(12,016,492)</u>	
INTERNAL SERVICE FUNDS	700 Printing	-	-	225,926	225,926	-	(225,926)	-	-	(225,926)
	705 Postage Office Supplies	933,567	-	-	933,567	-	(845,000)	-	(88,567)	(933,567)
	715 County Garage	1,854,904	377,568	-	2,232,472	-	(1,439,616)	(146,019)	(646,838)	(2,232,472)
	720 Property Casualty Liability	371,428	1,300,000	-	1,671,428	-	(90,000)	-	(1,581,428)	(1,671,428)
	730 Workers Compensation	3,422,005	-	-	3,422,005	-	(3,303,479)	-	(118,527)	(3,422,005)
	740 Medical Dental Insur	31,959,811	222,801	1,054,020	33,236,632	-	(33,236,632)	-	-	(33,236,632)
	<u>38,541,716</u>	<u>1,900,369</u>	<u>1,279,946</u>	<u>41,722,031</u>	<u>-</u>	<u>(39,140,652)</u>	<u>(146,019)</u>	<u>(2,435,361)</u>	<u>(41,722,031)</u>	
Total	360,766,265	3,311,562	3,445,204	367,523,031	(108,073,565)	(183,702,326)	(3,311,562)	(12,435,577)	(367,523,031)	

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

	2011 Projected Budget
General Fund	
Policy & Management	
Board of Commissioners	1,151,168
Aid to Other Agencies-Econ Dev	68,678
Aid to Other Agencies-Other	11,786,839
Administration	2,576,284
Intergovernmental Affairs	293,325
Labor Relations	88,000
	<u>15,964,295</u>
Planning and Development	
Planning & Development	1,943,108
	<u>1,943,108</u>
Administration	
MIS	4,371,578
MIS - Capital	425,000
Veterans Service Officer	739,122
Mine Inspector	260,862
Safety and Risk Management	545,014
	<u>6,341,576</u>
Property Management	
Property Management	7,374,651
	<u>7,374,651</u>
Purchasing	
Purchasing	269,796
	<u>269,796</u>
Auditor	
Auditor	4,570,634
Elections	34,200
	<u>4,604,834</u>
Reserve for Retired Employees	
Ret Employee Health Ins/Payoff	1,226,892
	<u>1,226,892</u>
Employee Relations	
Employee Relations	1,466,381
Employee Development & Wellness	355,463
	<u>1,821,844</u>
Attorney	
County Attorney	6,590,839
	<u>6,590,839</u>
Assessor	
Assessor	1,909,469
	<u>1,909,469</u>
Recorder	
Recorder	2,774,083
	<u>2,774,083</u>
Communications	
Emergency Communications	3,855,317
Radio Maintenance	700,480
	<u>4,555,797</u>
Commitment Representation	
Commitment Representation	73,060
	<u>73,060</u>

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

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	2011 Projected Budget
<u>General Fund</u>	
Sheriff	
Sheriff	13,368,200
Boat & Water Safety	127,181
Medical Examiner	520,400
Emergency Management	246,987
Rescue Squad	215,673
Law Enforcement Services	1,193,941
Jail Prisoners	11,985,109
	27,657,492
Courts	
Court Administrator	1,034,871
Examiner of Titles	136,754
	1,171,624
MIS	
Microfilming	176,539
	176,539
Non-Departmental Revenue	88,443
Telecom	1,566,809
Telecom - Capital	220,000
	1,875,252
Total Expenses	86,331,150
Means of Financing	
Property Taxes	(45,858,170)
Other Taxes	(6,377,830)
Licenses and Permits	(116,650)
Intergovernmental Revenues	(9,276,007)
Charges for Services	(5,703,161)
Fines and Forfeitures	(1,000)
Investment Earnings	(1,500,000)
Gifts and Contributions	(2,000)
Miscellaneous	(1,369,966)
Intra-County Revenues	(13,397,757)
Others	(1,900,328)
Total Revenues	(85,502,869)
Total General Fund	828,280
Use of (Contribute to) Fund Balance	828,280

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

	2011 Projected Budget
<u>MN Extension Service</u>	
MN Extension Service	
MN. Extension Services/S.L.C	649,681
MN. Extension Service - Grants	19,150
Youth Task Force	198,489
	867,320
Total Expenses	867,320
Means of Financing	
Property Taxes	(799,126)
Charges for Services	(21,800)
Gifts and Contributions	(6,000)
Total Revenues	(826,926)
Total MN Extension Service	
Use of (Contribute to) Fund Balance	40,394
<u>Emergency Shelter Grant</u>	
Emergency Shelter Grant	
SLC-Essential Service - ESG	108,000
	108,000
Total Expenses	108,000
Means of Financing	
Intergovernmental Revenues	(108,000)
Total Revenues	(108,000)
Total Emergency Shelter Grant	
Use of (Contribute to) Fund Balance	-

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

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	2011 Projected Budget
<u>Other General Fund</u>	
Fund 150 Nemesis	
Nemesis	421,398
	421,398
Fund 166 Sheriff's Fine Contingency	
Sheriff Fine Contingency	70,000
	70,000
Fund 168 Sheriff' State Forfeitures	
Sheriff's State Forfeitures	65,000
	65,000
Fund 170 Boundary Waters - Forfeitures	
Boundry Waters-Forfeiture	48,000
	48,000
Fund 171 Controlled Substances	
Controlled Substances	35,000
	35,000
Fund 179 Enhanced 911	
Enhanced 9-1-1	415,000
	415,000
Fund 180 Law Library	
Law Library	171,474
Hibbing Law Library	41,039
Virginia Law Library	38,129
	250,643
Fund 183 City County Communications	
Emergency Communications	200,000
	200,000
Attorney's Forfeitures	35,000
Attorney Trust Accounts	5,000
	40,000
	40,000
Total Expenses	1,545,041
Means of Financing	
Intergovernmental Revenues	(447,000)
Charges for Services	(668,539)
Fines and Forfeitures	(180,000)
Investment Earnings	(35,000)
Miscellaneous	(251,000)
Total Revenues	(1,581,539)
Total Other General Fund	
Use of (Contribute to) Fund Balance	(36,498)

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

	2011 Projected Budget
<u>Public Works</u>	
Administration & Engineering	6,591,972
Road Maintenance	12,851,114
Equipment and Shops	5,525,140
Road Construction - County	6,800,000
PW Inventory Control	7,809,879
Road Maint-Unorg Townships	1,298,000
Road Construction - State	21,337,229
Total Expenses	62,213,334
Means of Financing	
Property Taxes	(19,828,804)
Other Taxes	(7,553,961)
Licenses and Permits	(45,000)
Intergovernmental Revenues	(29,061,732)
Charges for Services	(286,800)
Miscellaneous	(3,676,688)
Intra-County Revenues	(5,921)
Others	(709,241)
Total Revenues	(61,168,147)
Total Public Works	
Use of (Contribute to) Fund Balance	1,045,187
<u>Public Health & Human Services</u>	
Administration	11,187,912
Financial	15,235,733
Social Services	47,515,439
Public Health Nursing	3,825,252
Public Health Administration	797,765
Environmental Health	168,347
Total Expenses	78,730,448
Means of Financing	
Property Taxes	(32,793,260)
Other Taxes	(9,200)
Intergovernmental Revenues	(40,740,847)
Charges for Services	(3,858,350)
Miscellaneous	(663,300)
Others	(11,923)
Total Revenues	(78,076,880)
Total Public Health & Human Services	
Use of (Contribute to) Fund Balance	653,569

	<u>2011 Projected Budget</u>
<u>Land Department</u>	
Land - Administration	3,688,939
290 Qualifying Expenses	<u>2,887,265</u>
Total Expenses	<u>6,576,204</u>
Means of Financing	
Timber and Land Sales	(7,590,000)
Miscellaneous	(185,000)
Others	<u>(122,799)</u>
Total Revenues	<u>(7,897,799)</u>
Total Land Department	
Use of (Contribute to) Fund Balance	<u>(1,321,595)</u>
<u>Other Special Revenue Funds</u>	
HRA Administration	353,549
	<u>353,549</u>
Total Expenses	<u>353,549</u>
Means of Financing	
Other Taxes	(204,824)
Total Revenues	<u>(204,824)</u>
Total Other Special Revenue Funds	
Use of (Contribute to) Fund Balance	<u>148,725</u>
<u>Comm Devel Block Grant</u>	
Planning and Development	
CDBG Administration	2,560,000
CDBG Projects	<u>60,000</u>
Total Expenses	<u>2,620,000</u>
Means of Financing	
Intergovernmental Revenues	(2,560,000)
Miscellaneous	<u>(60,000)</u>
Total Revenues	<u>(2,620,000)</u>
Total Comm Devel Block Grant	
Use of (Contribute to) Fund Balance	<u>-</u>
<u>Home Grant</u>	
Home Projects	1,010,000
Home CHDO Projects	<u>50,000</u>
Total Expenses	<u>1,060,000</u>
Means of Financing	
Intergovernmental Revenues	(1,010,000)
Miscellaneous	<u>(50,000)</u>
Total Revenues	<u>(1,060,000)</u>
Total Home Grant	
Use of (Contribute to) Fund Balance	<u>-</u>

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

	2011 Projected Budget
<u>Septic Loans</u>	
Federal Septic Loan - EPA	32,090
Total Expenses	32,090
Means of Financing	
Miscellaneous	(9,600)
Total Revenues	(9,600)
Total Septic Loans	22,490
Use of (Contribute to) Fund Balance	22,490
 <u>Forest Resources</u>	
Memorial Forests	1,840,141
Total Expenses	1,840,141
Means of Financing	
Other Taxes	(557,636)
Intergovernmental Revenues	(100,000)
Others	(1,469)
Total Revenues	(659,104)
Total Forest Resources	1,181,036
Use of (Contribute to) Fund Balance	1,181,036
 <u>Debt Service Funds</u>	
Hibbing PW Facility	84,744
Capital Improvemenet Bond 2004	1,209,513
Capital Improvement Bond 2005	537,620
Law Enforcement Refunding Bond	496,000
Cap Imp Crossover Refund	1,301,500
2007 Capital Equipment Note	1,398,800
Capital Equipment Notes 2008A	793,050
Capital Improve Bonds 2008B	1,056,435
NEW 2011 BOND	630,938
Total Expenses	7,508,600
Means of Financing	
Property Taxes	(7,097,861)
Others	(70,328)
Total Revenues	(7,168,190)
Total Debt Service Funds	340,410
Use of (Contribute to) Fund Balance	340,410

	2011 Projected Budget
<u>Capital Projects Funds</u>	
Court House - Capital Projects	755,000
Road & Bridge Build Constr	495,000
Public Works-Equipment	325,687
Total Expenses	1,575,687
Means of Financing	
Property Taxes	(1,453,719)
Intergovernmental Revenues	(47,240)
Miscellaneous	(74,728)
Others	(220,840)
Total Revenues	(1,796,527)
Total Capital Projects Funds	
Use of (Contribute to) Fund Balance	(220,840)
<u>Environmental Services</u>	
Administration-Environmental Se	2,257,041
Recycling - Score	1,650,796
Canister	1,032,167
Transfer Stations	1,825,680
Demolition Fill	272,667
Household Hazardous Waste	470,834
Regional Landfill	3,173,708
ISTS	574,285
Total Expenses	11,257,177
Means of Financing	
Property Taxes	(242,625)
Licenses and Permits	(4,676)
Intergovernmental Revenues	(495,900)
Charges for Services	(5,099,546)
Investment Earnings	(530,587)
Miscellaneous	(440,002)
Others	(197,417)
Total Revenues	(7,010,753)
Total Environmental Services	
Use of (Contribute to) Fund Balance	4,246,424
<u>Chris Jensen Heath & Rehab Cen</u>	
Jensen Nursing Home	604,715
Total Expenses	604,715
Means of Financing	
Miscellaneous	(50,000)
Others	(1,525)
Total Revenues	(51,525)
Total Chris Jensen Heath & Rehab Cen	
Use of (Contribute to) Fund Balance	553,189

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

	2011 Projected Budget
<u>Plat Books</u>	
Plat Books	89,600
Total Expenses	89,600
Means of Financing	
Miscellaneous	(58,100)
Total Revenues	(58,100)
Total Plat Books	
Use of (Contribute to) Fund Balance	31,500
<u>County Garage/Motor Pool</u>	
County Garage - Motor Pool	1,418,452
MP Inventory Control	814,020
Total Expenses	2,232,472
Means of Financing	
Charges for Services	(586,045)
Miscellaneous	(26,500)
Intra-County Revenues	(827,071)
Others	(146,019)
Total Revenues	(1,585,634)
Total County Garage/Motor Pool	
Use of (Contribute to) Fund Balance	646,838
<u>Property Casualty Liability</u>	
Property Casualty Liability	1,671,428
Total Expenses	1,671,428
Means of Financing	
Charges for Services	(5,000)
Investment Earnings	(75,000)
Miscellaneous	(10,000)
Total Revenues	(90,000)
Total Property Casualty Liability	
Use of (Contribute to) Fund Balance	1,581,428
<u>Workers Compensation</u>	
Workers Compensation	3,422,006
Total Expenses	3,422,006
Means of Financing	
Intergovernmental Revenues	(500,000)
Investment Earnings	(172,000)
Intra-County Revenues	(2,631,478)
Total Revenues	(3,303,478)
Total Workers Compensation	
Use of (Contribute to) Fund Balance	118,527

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

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	2011 Projected Budget
<u>Medical Dental Insurance</u>	
Medical/Dental Self Insurance	32,182,812
Total Expenses	32,182,812
Means of Financing	
Charges for Services	(33,141,632)
Investment Earnings	(95,000)
Total Revenues	(33,236,632)
Total Medical Dental Insurance	
Use of (Contribute to) Fund Balance	(1,054,020)
<u>Other Internal Service Funds</u>	
Postage/Office Supplies	933,567
	933,567
Total Expenses	933,567
Means of Financing	
Charges for Services	(845,000)
Intra-County Revenues	(225,926)
Total Revenues	(1,070,926)
Total Other Internal Service Funds	
Use of (Contribute to) Fund Balance	(137,358)
<u>Permanent Fund</u>	
Shoreline Sales Trust	322,687
Total Expenses	322,687
Means of Financing	
Total Revenues	
Total Permanent Fund	
Use of (Contribute to) Fund Balance	322,687
Total Expenses	304,077,827
Total Revenues	(295,087,453)
Total Use of Fund Balance	8,990,373

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

COUNTY-WIDE

1. RESOLVED FURTHER, that at year's end any unpaid 2010 encumbrances will be carried forward into the 2011 expenditure budget.
2. RESOLVED FURTHER, that the 2010 unspent balances of grants which extend into 2011 will be carried forward into 2011 as increases to that revenue and expenditure budget.
3. RESOLVED FURTHER, that 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.
4. 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 to the department involved and the revenue and expenditure budget be increased accordingly.
5. 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 up to 5/12 of the 2011 levy, plus the 2011 County Program Aid.
6. RESOLVED FURTHER, that the county board authorizes the county auditor to use the assigned for Retiree Obligations portion of fund balance in the governmental funds to pay for any retiree obligations that are not budgeted.
7. RESOLVED FURTHER, that the county board hereby authorizes spending within departmental budgets on any line item within a department so long as the 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.
8. 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, with the approval of the county administrator, 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 2011 budget as approved by the county board. The county administrator shall give such approval only if he/she determines that there are no reasonable alternatives to filling the position.
9. RESOLVED FURTHER, that increases to the original governmental funds revenue and expenditure budgets cannot be made without County Board approval.
10. 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.
11. RESOLVED FURTHER, that beginning January 1, 2011, a change in the medical insurance premium will be implemented for all non-represented employees and elected officials enrolled. All non-represented employees and elected officials who are enrolled under single coverage will be responsible for \$37.72 per month of the total single premium cost. All non-represented employees and elected officials whose current share for family coverage is 20/80 and who enroll under family coverage, will be responsible for \$216.31 per month of the total family premium cost and all nonrepresented employees and elected officials whose current share for family coverage is 30/70 and who enroll under family coverage, will be responsible for \$305.60 per month of the total family premium cost. In addition, any non-represented employees, who work on a part-time basis, will be required to contribute a pro-rated portion of the employer contribution, based on the full-time-equivalent percentage of the position to which they are appointed.

12. RESOLVED FURTHER, that all employees and elected department heads who are not represented by a collective bargaining agreement shall receive no cost of living salary increase effective for 2011 payroll year.
13. RESOLVED FURTHER, the following positions are eliminated from the 2011 department budgets:

Department	Position Code	Position Title	FTE
Administration	0060-001	Purchasing Agent	-1.00
Administration	0411-023	Information Specialist I	-1.00
Administration	0413-020	Information Specialist I	-1.00
MIS	0411-047	Information Specialist I	-1.00
PHHS	0016-009	Social Worker (MSW)	-1.00
MIS	0543-003	PC Support Technician I	-1.00
Assessor	0421-059	Information Specialist II	-1.00
TOTAL POSITIONS			-7.00

GENERAL FUND

Fund Balance

14. RESOLVED FURTHER, as required by GASB Statement 54, the priorities for the General Fund, Fund Balance for year end 2010 will be as follows;

Committed – the committed fund balance classification includes amounts that can be used only for the specific purposes determined by formal action of the County Board. Formal Board action to commit fund balance must occur prior to year end, although the amount need not be determined at that time.

1. Motorplex \$277,430
2. Ditching \$275,000

Assigned – the assigned fund balance classification includes amounts that are intended to be used by the County for specific purposes but do not meet the criteria to be classified as restricted or committed. Assignments may be made by the County Board or by the Administrator and Auditor acting together.

1. Encumbrances (open PO's on Accounting Software, Mitchell Humphrey)
2. Retiree Obligations (vested) (eligible individuals at hourly rate times sick leave hours)
3. Parking (net of Agency 128010 Parking)
4. Hibbing Raceway (net of Agency 128020 Hibbing Racetrack)
5. Planning GIS (net of Agency 109003 Planning GIS) the Planning and Development Department is authorized to expend this assigned fund balance to continue Geographic Information System (GIS) activities and specifically parcel layer development (Fund 100, Object 311122).
6. Future unallotments (departmental budget cut savings)
7. Vesting sick leave (eligible individuals at hourly rate times sick leave hours)

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

Non-Departmental Revenues

15. RESOLVED FURTHER, whereas the county receives federal program revenues as 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 quarterly settlement payments are received.

Board of Commissioners

16. RESOLVED FURTHER, pursuant to Minnesota Statutes 2008, Section 375.055, subdivision 1, notice is given that the county board sets the compensation for county commissioners on an annual basis at \$55,673.83 effective January 1, 2011, which reflects no salary increase for the 2011 payroll year. Any commissioner may choose a lesser amount upon written notification to the county auditor before December 31, 2010.
17. RESOLVED FURTHER, that the chair of the county board will continue to receive an additional payment as in the past. This amount is set at \$1500 for 2011.
18. RESOLVED FURTHER, that the salaries of county commissioners shall be published in one newspaper in the county in a municipality to be determined by the county auditor, in addition to the official newspaper, as required by law.

Administration

19. RESOLVED FURTHER, that the county administrator will hold county departments accountable for progress in designated priority areas through the regular monitoring of performance measures and outcomes.
20. RESOLVED FURTHER, that a 1.0 FTE Buyer 1 position is added to the Purchasing Division of Administration FTE count.

Aid to Other Agencies

21. Arrowhead Regional Corrections
RESOLVED FURTHER, St. Louis County's share of the Arrowhead Regional Correction's 2011 budget is the following:
- | | |
|----------------------|--------------|
| 2011 Budgeted Amount | \$10,153,503 |
|----------------------|--------------|
22. RESOLVED FURTHER, that \$468,397 of St. Louis County's share of funding for ARC will be in a separate contract designated for the continuation of the Drug Courts in partnership with the State of Minnesota Sixth Judicial District which will include reimbursement for 1.0 Public Health and Human Services Social Worker. In addition, \$91,800 is allocated to Drug Courts which will reimburse deputy sheriff support. Drug Court funding is contingent upon a formal contract with Administration.
23. RESOLVED FURTHER, that the 2011 administrative budget includes funding allocations for FY 2011 for grants to the following agencies within the Aid to Other Agencies Account:

St. Louis County Historical Society, including Historical Society/Range Affiliates and Veterans' Memorial Hall	103003-890200	\$324,598
Community Fairs	103005-890400	1,000
County Fair, Hibbing	103006-890500	12,806
South St. Louis County Fair, Proctor	103007-890600	12,806
Arrowhead Library System	103016-894500	777,226
Range Women's Advocates	103023-829900	3,000
Historic Union Depot (St. Louis County Heritage and Arts Center)	103015-829900	158,000
Duluth Port Authority	102005-891600	12,000
North Shore Management Board	102008-895100	2,500
St. Louis County Promotional Bureau	102006-890300	54,178
	TOTAL	\$1,358,114

24. RESOLVED FURTHER, that the County Administrator will be responsible for monitoring the results achieved by outside agencies through the use of performance measures.

Employee Relations

25. RESOLVED FURTHER, that the position of Health Promotions Coordinator (position code 0882-004) in the Employee Relations Department is hereby increased from .5 FTE to 1.0 FTE effective January 1, 2011, payable from the Health Education Wellness Agency (Fund 100, Agency 126002).
26. RESOLVED FURTHER, that the Health Insurance Fund (Fund 740, Agency 740002) will reimburse the Health Education Wellness Agency (Fund 100, Agency 126002) for actual eligible expenditures that occur in 2011 up to the budgeted amount of \$157,801.
27. RESOLVED FURTHER, that the Health Insurance Fund (Fund 740, Agency 740002) will reimburse Employee Relations (Fund 100, Agency 123001) \$66,000 for staff time spent administering the self-insured health and dental programs and administrative support to the Health Insurance Committee.
28. RESOLVED FURTHER, that the St. Louis County Employee Relations Department is hereby authorized to enter into an agreement with Arrowhead Regional Corrections for personnel services in the amount of \$230,776, and that said funds will be payable to the St. Louis County Employee Relations Department, Fund 100, Agency 123001, and training services in the amount of \$9,070, payable to Fund 100, Agency 126001.

Recorders Office

29. Technology Fund
RESOLVED FURTHER, that a transfer of up to \$100,000 from the Recorder's Technology Fund (121002) to the Planning Department for Geographic Information Systems (GIS) activities (109003) for 2011 is approved, contingent on the Recorder's Technology Fund revenues.
30. Integrated Fund
RESOLVED FURTHER, that a transfer of the following from the Recorder's Integrated Fund (121003) for Geographic Information Systems (GIS) activities is approved, contingent on adequate 2011 revenues, to Recorder's Integrated Fund revenues:
- | | |
|---|-----------|
| Planning Department GIS (109003) Personnel Budget | \$273,484 |
| 911 Communications (135003) Personnel Budget | 88,684 |
| Auditor's Office (115015) Personnel Budget | 69,932 |
| Total | \$432,000 |

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

Auditor

31. RESOLVED FURTHER, that the county auditor is directed to make changes in departmental budgets to comply with this resolution.
32. RESOLVED FURTHER, that the St. Louis County Auditor is hereby authorized to enter into an agreement with Arrowhead Regional Corrections for fiscal services in the amount of \$173,089, and that said funds will be payable to the St. Louis County Auditor's Office, Fund 100, Agency 115001.
33. RESOLVED FURTHER, that the St. Louis County Auditor is hereby authorized to enter into an agreement with the Carlton-Cook-Lake-St. Louis Community Health Board for fiscal services in the amount of \$5,500, and that said funds will be payable to the St. Louis County Auditor's Office, Fund 100, Agency 115001.
34. RESOLVED FURTHER, that the St. Louis County Auditor is hereby authorized to enter into an agreement with the Regional Rail Authority for fiscal services in the amount of \$5,500, and that said funds will be payable to the St. Louis County Auditor's Office, Fund 100, Agency 115001.

Sheriff

35. RESOLVED FURTHER, that the Sheriff's budget includes \$85,000 for Animal Control contracts (Fund 100, Agency 129003, Object 629900).

Attorney

36. RESOLVED FURTHER, that the St. Louis County Attorney is hereby authorized to enter into an agreement with the St. Louis County Housing and Redevelopment Authority for legal services in the amount of \$40,000 and with Arrowhead Regional Corrections in the amount of \$105,173 to be payable to the St. Louis County Attorney's Office, Fund 100, Agency 113002.

Safety and Risk Management

37. RESOLVED FURTHER, that St. Louis County Safety and Risk Management is hereby authorized to enter into an agreement with Arrowhead Regional Corrections for consulting and testing services in the amount of \$18,641, and that said funds will be payable to the St. Louis County Safety and Risk Management Department, Fund 100, Agency 139001.

Property Management

38. RESOLVED FURTHER, that St. Louis County Property Management is hereby authorized to enter into an agreement with Arrowhead Regional Corrections for rent in the amount of \$271,534, and that said funds will be payable to the St. Louis County Property Management Department, Fund 100, Agency 128000.

SPECIAL REVENUE FUNDS**Public Health and Human Services****Fund Balance**

39. RESOLVED FURTHER, as required by GASB Statement 54, the priorities for the Public Health and Human Services Fund Balance for year end 2010 will be as follows:

Committed – the committed fund balance classification includes amounts that can be used only for the specific purposes determined by formal action of the County Board. Formal Board action to commit fund balance must occur prior to year end, although the amount need not be determined at that time.

1. Central Client Intake \$979,350

Assigned – the assigned fund balance classification includes amounts that are intended to be used by the County for specific purposes but do not meet the criteria to be classified as restricted or committed. Assignments may be made by the County Board or by the Administrator and Auditor acting together.

1. Encumbrances (open PO's on Accounting Software, Mitchell Humphrey)
2. Retiree Obligations (vested) (eligible individuals at hourly rate times sick leave hours)
3. Vesting sick leave (eligible individuals at hourly rate times sick leave hours)

40. RESOLVED FURTHER, that the 2011 Public Health and Human Services budget (Fund 230, Agency 232000, Object 608000) includes funding for the following public service contracts. These total \$174,136 as listed below:

AEOA - RSVP (combined with Meals on Wheels)	20,000
Elder Services Network	16,213
Ely Community Resources	4,580
Indian Legal Assistance	9,120
Legal Aid of NE Minnesota	63,439
Salvation Army	5,000
St. Louis County Council on Aging	28,941
United Way of Greater Duluth (211 Information & Referral activities)	10,000
Valley Youth Center (now includes Copeland Community Center)	\$ 16,863
TOTAL	\$174,136

Public Works

Fund Balance

41. RESOLVED FURTHER, as required by GASB Statement 54, the priorities for the Road and Bridge Fund Balance for year end 2010 will be as follows:

Committed – the committed fund balance classification includes amounts that can be used only for the specific purposes determined by formal action of the County Board. Formal Board action to commit fund balance must occur prior to year end, although the amount need not be determined at that time.

Assigned – the assigned fund balance classification includes amounts that are intended to be used by the County for specific purposes but do not meet the criteria to be classified as restricted or committed. Assignments may be made by the County Board or by the Administrator and Auditor acting together.

42. RESOLVED FURTHER, that the unspent balances of those Public Works projects that fall under agency 203000 Road Construction - County can be carried forward into the next calendar year.

43. RESOLVED FURTHER, that effective January 1, 2011, the Land Survey Department will be moved from the General Fund to Public Works Fund 200 as agency 200122.

44. RESOLVED FURTHER, Minnesota Laws 1995, Chapter 47, authorizes the county to pool unorganized town road levies pursuant to Minn. Stat. §163.06 that the County Board, acting on behalf of unorganized townships for the purpose of furnishing road maintenance, adopts and certifies a maximum levy of \$530,000 for the year 2011 to be levied only in such unorganized townships.

Land Department

Fund Balance

45. RESOLVED FURTHER, as required by GASB Statement 54, the priorities for the Forfeited Tax Sale Fund Balance for year end 2010 will be as follows:

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

Committed – the committed fund balance classification includes amounts that can be used only for the specific purposes determined by formal action of the County Board. Formal Board action to commit fund balance must occur prior to year end, although the amount need not be determined at that time.

Assigned – the assigned fund balance classification includes amounts that are intended to be used by the County for specific purposes but do not meet the criteria to be classified as restricted or committed. Assignments may be made by the County Board or by the Administrator and Auditor acting together.

1. Encumbrances (open PO's on Accounting Software, Mitchell Humphrey)
2. Retiree Obligations (vested) (eligible individual at hourly rate times sick leave hours)
3. Vesting sick leave (eligible individual at hourly rate times sick leave hours)

46. RESOLVED FURTHER, that the auditor is authorized to bill the Land Department (Fund 240) for 2011 services it will receive as follows:

Legal services from the Attorney's Office	\$129,358
Accounting services charges	86,277
Personnel services from the Employee Relations	54,886
Purchasing services from the Purchasing Department	25,631
Rent	59,287
Dataprocessing	143,462
Telecommunications	19,593
Data Comm	27,625
Employee Training	5,895
Safety and Risk Management	18,985
Administration	29,166
TOTAL	\$598,743

Forest Resources

47. RESOLVED FURTHER, that qualified expenses of the Land Department Fund 240 can be transferred to Fund 290.

CAPITAL PROJECTS FUNDS

Fund Balance

48. RESOLVED FURTHER, as required by GASB Statement 54, the priorities for the Capital Projects Fund, Fund Balance for year end 2010 will be as follows;

Committed – the committed fund balance classification includes amounts that can be used only for the specific purposes determined by formal action of the County Board. Formal Board action to commit fund balance must occur prior to year end, although the amount need not be determined at that time.

Assigned – the assigned fund balance classification includes amounts that are intended to be used by the County for specific purposes but do not meet the criteria to be classified as restricted or committed. Assignments may be made by the County Board or by the Administrator and Auditor acting together.

1. Encumbrances (open PO's on Accounting Software, Mitchell Humphrey)
2. Depreciation reserve (funded by rents charged to departments above the operating cost of the building)

49. RESOLVED FURTHER, that each Capital Projects Fund (Fund 400) 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.
50. RESOLVED FURTHER, that at the end of 2010 any increase in net assets due from operations (net of revenues and expenditures) for each county-owned building will be transferred into Fund 402, (Depreciation Reserve Fund). These funds will be utilized to fund capital improvements to all county facilities.
51. RESOLVED FURTHER, that Fund 405 is established for Public Works capital building projects and any balance can be carried forward each year.
52. RESOLVED FURTHER, that Fund 407 is established for Public Works capital equipment and any balance can be carried forward each year.

INTERNAL SERVICE FUNDS

Management Information Systems

53. RESOLVED FURTHER, that effective January 1, 2011, the Management Information Systems Department will be renamed the Department of Information Technology and become part of Administration – Operations and Budget.
54. RESOLVED FURTHER, that Fund 750 (MIS) and Fund 760 (Telecommunications) be closed out effective January 1, 2011 and that MIS/IT becomes part of the General Fund, Department of Information Technology, (Agencies 116000 (Telecommunications) and 117000 (MIS)).
55. RESOLVED FURTHER, that the St. Louis County Department of Information Technology is hereby authorized to enter into an agreement with Arrowhead Regional Corrections for telephone services, computer network services, and data processing services in the amount of \$501,868 total for all services listed, and that said funds will be payable to the St. Louis County IT, Fund 100, Agency 116001, for telephone services, and Fund 100, Agency 117001, for computer network and data processing services.

County Garage

56. RESOLVED FURTHER, that funds available in the County Garage fund balance be transferred to the Sheriff's Office to fund 2011 equipment (\$377,568).

ENTERPRISE FUNDS

Environmental Services

57. RESOLVED FURTHER, that the auditor is authorized to bill the Environmental Services Department (Fund 800) for 2011 services it will receive as follows:

Legal services from the Attorney's Office	\$33,689
Accounting services from the Auditor's Office	207,559
Personnel services from the Employee Relations Department	36,887
Purchasing services from the Purchasing Department	25,303
Rent	19,699
Dataprocessing	44,349
Telecommunications	11,675
Data Comm	8,927
Employee Training	3,738
Safety and Risk Management	12,445
Administration	19,140
TOTAL	\$422,411

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

PERMANENT FUNDS**Shoreline Sales**

58. RESOLVED FURTHER, that a transfer of \$187,000 for the on-site wastewater program is authorized from the Shoreline Sales/Environmental Trust Fund (Fund 500, Agency 500001) for continued On-Site Wastewater operations (Fund 616, Agency 616001).
59. RESOLVED FURTHER, that a grant payment of \$18,600 to Midway Township from the Shoreline Sales/Environmental Trust Fund (Fund 500, Agency 500001) is authorized on January 1, 2011 to continue year two of the ten year commitment.
60. RESOLVED FURTHER, that, the following budgeted transfers between funds be approved:

From Object 697600	To object 590100	Purpose	Amount
100-100001 Non-Departmental Revenue	100-115099 Auditor	Reimburse for staff time spent on investments	88,443
100-121002 Technology Fund	100-109003 Plan & GIS Research	GIS Planning	100,000
100-121002 Technology Fund	100-120001 Microfilm	Fund microfilm operating budget	176,539
100-121003 Data Integration Fund	100-109003 Plan & GIS Research	GIS Planning	273,484
100-128000 Property Management	402-402001 Depreciation Reserve Fund	Excess revenues from rent payments fund depreciation reserve	220,840
187-187001 Attorney's Forfeitures	100-113001 Attorney	Reimburse for Attorney staff time	35,000
180-181001 Hibbing Law Library	100-113008 Attorney Law Library	Res. 359 – 7/1/08	5,643
180-182001 Virginia Law Library	100-113008 Attorney Law Library	Res. 359 – 7/1/08	5,643
290-290003 Forest Resources	100-109003 Plan & GIS Research	GIS Planning	200,000
500-500001 Shoreline Sales	100-109010 General	Soil and Water Conservation District South	60,000
500-500001 Shoreline Sales	100-109011 General	Soil and Water Conservation District North	60,000
500-500001 Shoreline Sales	616-616001 Onsite WW Program	Fund On-Site Wastewater Program	187,000
500-500001 Shoreline Sales	100-103025 Midway Township Sewer	Grant to Midway Township	18,600
715-715001 Motor Pool	100-129003 Sheriff	To fund Sheriff's equipment	377,588
720-720001 Property Casualty Ins	100-129003 Sheriff	Rebate \$1,300,000 of insurance in 2011	266,092
720-720001 Property Casualty Ins	200-206003 Public Works	Rebate \$1,300,000 of insurance in 2011	883,079
720-720001 Property Casualty Ins	200-200122 Surveyor	Rebate \$1,300,000 of insurance in 2011	26,162
720-720001 Property Casualty Ins	100-128002 Property Management	Rebate \$1,300,000 of insurance in 2011	10,514
720-720001 Property Casualty Ins	230-230099 Public Health Human Services	Rebate \$1,300,000 of insurance in 2011	11,923
720-720001 Property Casualty Ins	240-240001 Land Department	Rebate \$1,300,000 of insurance in 2011	122,799
720-720001 Property Casualty Ins	290-290001 Memorial Forest	Rebate \$1,300,000 of insurance in 2011	1,469
720-720001	800-800001	Rebate \$1,300,000 of	30,417

Property Casualty Ins 720-720001	Environmental Services 715-715001	insurance in 2011	
Property Casualty Ins 720-720001	Motor Pool – Garage 625-625016	Rebate \$1,300,000 of insurance in 2011	146,019
Property Casualty Ins 740-740002	Chris Jensen Laundry 100-126002	Rebate \$1,300,000 of insurance in 2011	1,525
Health Insurance Admin	Health Education Wellness	To reimburse Health Education Wellness up to the \$157,801	157,801
Health Insurance Admin	Employee Relations 100-123001	To reimburse Employee Relations for staff time spent on the Health Insurance Fund	65,000

Unanimously adopted December 14, 2010. No. 574

BY COMMISSIONER O’NEIL:

WHEREAS, the County Board was presented with a draft of legislative priorities for the 2011 Legislative Session at its Board Workshop held on November 16, 2010; and

WHEREAS, Intergovernmental Relations Director John Ongaro discussed each item with commissioners and received input in finalizing the list of priorities.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the “2011 Legislative Session - St. Louis County Priorities” as found in County Board File No. 59169, and directs its Intergovernmental Relations Director to work to achieve these outcomes during the 2011 Legislative Session.

Unanimously adopted December 14, 2010. No. 575

At 3:05 p.m., December 14, 2010, Commissioner Nelson, supported by Commissioner O’Neil moved to adjourn; seven yeas, zero nays.

Steve Raukar, Chair of the Board
of County Commissioners

Attest:

Donald Dicklich, 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**

**OFFICIAL PROCEEDINGS OF THE MEETING
OF THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF ST. LOUIS, MINNESOTA,
HELD ON DECEMBER 21, 2010**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 21st day of December, 2010, at 9:38 a.m., in the Morse Town Hall, Ely, Minnesota, with the following members present: Commissioners Dennis Fink, Steve O'Neil, Chris Dahlberg, Mike Forsman, Keith Nelson and Chair Steve Raukar – 6. Absent: Commissioner Peg Sweeney – 1.

Chair Raukar asked for a moment of silence to honor U.S. troops serving throughout the world and their families at home as well as all persons whose lives are adversely affected by war.

Commissioner Forsman gave the Words of Wisdom inspired by the writings of St. Paul and his second letter to the Thessalonians, and noted the Minnesota State Capitol was named after the Saint. Commissioner Forsman provided a copy of his Words of Wisdom.

At 9:43 a.m. a public hearing was convened pursuant to Resolution 489, adopted October 12, 2010, to consider granting a cartway petition to Gerald Norlander. Assistant County Attorney Tim Lee said he reviewed the petition and it meets the statutory requirements. Mr. Steve Kniefel, Public Works, said the cartway is across Mr. Keith Erickson's land, who owns 20 acres next to Mr. Norlander and the proposed cartway is on the existing road, plus a small sliver of land. In response to commissioner questions, Mr. Kniefel said there is not good access to this parcel, except for the proposed cartway. Mr. Kniefel reviewed the appraisals, \$14,000 for the larger area and \$7,000 for the smaller parcel. Attorney Mark Weir, representative for Gerald Norlander, said Mr. Erickson has not responded to the notice of private easement, as required by law. Attorney Weir said the appraisals were a little high, and utilities should not be included. Other than that, he was fine with it. Mr. Keith Erickson handed out a presentation and read it to the board, citing the reasons he is opposed to the cartway. In response to a question from Commissioner Nelson, Mr. Erickson said he spent between \$1,000 and \$2,000 on gravel for the road. Commissioner Fink said 80% of Mr. Erickson's concerns would go away with a private easement. Mr. Kniefel said thus far the county has expended \$3,824.52 on this cartway, which includes staff time and the appraisal. Attorney Weir said all concerns would be resolved with a private easement. Discussion ensued regarding easements given to Mr. Norlander and possible alternative routes. Assistant County Attorney Tim Lee clarified some legal issues and said a gentleman's agreement doesn't defeat the cartway and recently the MN Supreme Court ruled a county board can deviate from the proposed cartway, however the route established should be the least damaging and in the best interest of the public. After further discussion, Commissioner Nelson, supported by Commissioner O'Neil, moved to close the hearing at 11:19 a.m.; six yeas, zero nays.

Commissioner Raukar said the board will go to the regular agenda and deliberate on the cartway hearing afterwards.

Commissioner O'Neil, supported by Commissioner Fink, moved the consent agenda. At the request of Commissioner Nelson, item 24, tobacco license application, was moved to the regular agenda. Commissioner Nelson said item 26 liquor licensing hearing needed to be removed as the town board did not approved the off-sale license. Commissioner Nelson, supported by Commissioner Forsman moved to remove the public hearing from consideration; six yeas, zero nays. The remainder of the consent agenda was approved; six yeas, zero nays.

Commissioner Fink, supported by Commissioner Dahlberg, moved to approve a contract with Merrimac Construction on their low bid of \$1,160,521.00 to provide remodeling and construction services for the first floor of the Governmental Services Center in Duluth; six yeas, zero nays. Resolution No. 609.

Commissioner Fink, supported by Commissioner Forsman, moved to approved item 26 from consent, tobacco license to Keith and Lois Nelson, d/b/a At Your Convenience, Fayal Township; five yeas, zero nays, one abstention - Commissioner Nelson. Resolution No. 600.

Commissioner Forsman, supported by Commissioner Nelson, moved to approve a \$4,000 lobbying service agreement to Smith, Esposito, and Lysterly Company, Inc. for Highway 53 federal funding. Administrator Kevin Gray handed out a spreadsheet of the lobby services currently utilized by the county. Commissioner O'Neil moved an amendment to lower the amount to \$3,000, supported by Commissioner Dahlberg. Commissioner Nelson said funds are used to improve the safety of Highway 53 and this is a partnership with the Trunk HWY 53 Taskforce, which includes Koochiching County and International Falls. Commissioner Forsman said lobbying efforts have literally brought hundreds of millions of dollars to improve Highway 53. After further discussion, Commissioner O'Neil withdrew his amendment and the resolution was approved; six yeas, zero nays. Resolution No. 610.

Commissioner O'Neil, supported by Commissioner Nelson, moved to authorize an agreement with Fredrickson & Byron, for an amount not to exceed \$20,000 for state legislative lobbying services for 2011; five yeas, one nay – Commissioner Fink. Resolution No. 611.

At 12:00 noon the county board meeting recessed until after the committee of the whole and lunch.

At 1:55 p.m., the county board meeting reconvened with Commissioners Fink, Dahlberg, Forsman, Nelson and Raukar present; Commissioners O'Neil and Sweeney absent. Chair Commissioner Raukar read the second consent agenda, as approved at the committee of the whole. Commissioner Forsman, supported by Commissioner Nelson moved to approve the second consent; five yeas, zero nays.

At 1:58 p.m. the cartway public hearing reconvened. Commissioner Nelson, supported by Commissioner Forsman, moved to award the cartway to Mr. Norlander and assess damages in the amount of \$33,911. After further discussion, Commissioner Fink, supported by Commissioner Dahlberg, offered an amendment to increase the damage award to \$44,911. After further discussed the amended resolution was approved; four yeas, one nay – Commissioner Raukar. Resolution No. 608.

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

Kevin Gray, County Administrator, and Robert Krepps, Land Commissioners, submitting Board Letter 10-421, Roadway Easement for Sharon E. Beatty across Section 36, Township 63N, Range 19W (Unorganized).—[59174](#)

Kevin Gray, County Administrator, and Robert Krepps, Land Commissioners, submitting Board Letter 10-422, Roadway Easement for Lynn and Donna Rogers across Sections 20 and 21, Township 61N, Range 13W (Unorganized).—[59175](#)

Kevin Gray, County Administrator, and John Ongaro, Intergovernmental Relations Director, submitting Board Letter 10-435, Trunk Highway 53 Task Force Lobbyist Services for 2011.—[59176](#)

Kevin Gray, County Administrator, and John Ongaro, Intergovernmental Relations Director, submitting Board Letter 10-436, 2011 State Lobbying Services Contract with Fredrikson & Byron.—[59177](#)

Kevin Gray, County Administrator, and Don Dicklich, County Auditor, submitting Board Letter 10-431, 2011 Memorandum of Agreement with University of MN Extension.—[59178](#)

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

Kevin Gray, County Administrator, and Don Dicklich, County Auditor, submitting Board Letter 10-432, 2011 Memorandum of Intent with University of MN Extension – Nutrition Education Programs.—59179

Kevin Gray, County Administrator, and John Ongaro, Intergovernmental Relations Director, submitting Board Letter 10-437, 2011 Federal Lobbying Services Contract with Lockridge, Grindal & Nauen.—59180

Kevin Gray, County Administrator, and Robert Krepps, Land Commissioners, submitting Board Letter 10-454, Reclassification of State Tax Forfeited Land to Non-Conservation.—59181

Kevin Gray, County Administrator, submitting Lobbying and Membership Association Costs handout.—59182

Commissioner Mike Forsman submitting his Words of Wisdom presentation.—59183

Agreement for Professional Services between the County of St. Louis and MacNeil Environmental Incorporated for Hazardous Material Inspection for the Virginia Courthouse Remodeling Project.—10-788

Agreement for Professional Services between St. Louis County and LHB Corporation for Bridge Load Capacity Rating – County Bridges 637 and 587.—10-789

Agreement for Professional Services between St. Louis County and LHB Corporation for Hydraulic Analysis and Recommendations for County Bridges Nos. 335, 336 and 465.—10-790

Agreement for Professional Services between St. Louis County and LHB Corporation for Bridge Design – County Bridge No. 465, CP 61843, MP 95-61843.—10-791

Amendment to Professional Services Agreement, County Attorney Contract No. 2008-004164, between the County of St. Louis and Northland Consulting Engineers, LLP, for the Hibbing Raceway Grandstand Repair project.—10-792

Upon motion of Commissioner O’Neil, supported by Commissioner Fink, Resolutions No. 576 through 599 and 601 through 607, as submitted to this Board on the Consent Agenda, were unanimously adopted as follows:

BY COMMISSIONER O’NEIL:

WHEREAS, St. Louis County has a variety of children’s services available in the community that are Federal Title IV-E eligible with the county paying the entire cost for any child who does not have private insurance coverage or is not eligible for Medical Assistance; and

WHEREAS, the Public Health and Human Services Department has contracted with the providers listed below to provide needed children’s services on behalf of the county and wishes to renew these agreements.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes agreements for children’s services covering the period January 1, 2011 through December 31, 2011 with the following providers at the per diem rates listed as follows:

Emergency Shelters:

LSS - Bethany Crisis Shelter/Duluth	
Shelter Care and Emergency Foster Care	\$152.00
Diagnostic – 25-day Evaluation	\$168.00
Family Assessment Fee for Diagnostic	\$ 86.00
Health Screening Fee	\$ 70.00

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

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LSS Family Resource Ctr.-Range Youth Shelter Services
 Children's Shelter
 \$188.35/day
 Health Screening Fee \$ 40.00

Residential Treatment Centers:

Woodland Hills
 Main Residential Treatment Center/Corrections \$221.52
 Chisholm House Short-Term Consequence \$131.49
 Chisholm House Treatment Program \$199.93
 Semi Independent Living Program \$170.42
 Residential Treatment Center/Mental Health Services \$237.37

Mesabi Academy

Long-Term Residential Program \$202.04
 Secure Residential Program \$219.27
 Sexual Offender Residential Program \$245.68
 Diagnostic Residential Program \$231.89
 Short-Term Residential Program \$163.03
 Fire Setter Diagnostic Program \$270.30
 Fire Setter Residential Program \$270.30
 Fire Setter Evaluation (excluding travel) \$188.70
 Detention Program (for internal use only) (No Additional Cost)

Northwood Children's Services \$222.77
 Diagnostic & Assessment \$223.24

Budget Reference

Fund	230	Social Services
Agency	232008	Children's Services
Expense Objects	601200	Out-of-Home Placement Costs
	601600	Children's Mental Health Services

RESOLVED FURTHER, that the St. Louis County Board authorizes Purchase of Service Agreements for emergency and respite child foster care with Northwood Children's Services, Fond du Lac Foster Care Licensing and Placement Agency, and LSS Bethany Foster Care Program for Child Foster Care Program. The Purchase of Service Agreements with Northwood Children's Services shall include therapeutic Child Foster Care Services. The therapeutic Child Foster Care Service rates for Northwood Children's Services and Child Foster Care with the Fond du Lac Foster Care Licensing and placement Agency and LSS Bethany Foster Care Program shall comply with Basic Maintenance and Difficulty of Care (DOC) Rates set by the Minnesota Department of Human Services (DHS). Respite Child Foster Care, emergency Child Foster Care and the licensing and placement fees shall be at the per diem rates listed below. This Agreement shall be in effect from January 1, 2011 through December 31, 2011.

Foster Care:

Northwood Children's Services
 Therapeutic Foster Care DHS Difficulty of Care (DOC) Guidelines
 Licensing & Placement Administration \$30.58

Fond du Lac Foster Care Licensing & Placement Agency
 Foster Care DHS Difficulty of Care (DOC) Guidelines
 Licensing & Placement Administration \$ 20.00
 Respite Care (paid to foster home) \$ 35.00

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

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NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the appropriate county officials to execute contracts for chemical dependency services through the Consolidated Chemical Dependency Treatment Fund for the period January 1, 2011 through December 31, 2011 with the providers listed below for the following services and rates to be paid from Fund 230, Agency 232006, Object 605600:

Arrowhead Center, Inc.			
505 W. 12 th Ave. N., Ste. 1, Virginia	Outpatient Treatment	\$37.17	per hour
1918 Arlington Ave., Duluth	Intensive Outpatient	\$55.00	per hour
	Outpatient Aftercare	\$34.97	per hour
Center for Alcohol & Drug Treatment			
1402 E. Superior St., Duluth	Residential Treatment, High	\$201.67	per day
	Room and Board	\$79.61	per day
Howard Friese House	Residential Treatment, Low	\$41.08	per day
1520 E. 2 nd St., Duluth	Residential Treatment, Medium	\$129.14	per day
	Room and Board	\$39.44	per day
Marty Mann House	Residential Treatment, Low	\$41.08	per day
1502 E. 2 nd St., Duluth	Residential Treatment, Medium	\$129.14	per day
	Room and Board	\$39.44	per day
NERCC			
6102 Abrahamson Rd., Saginaw	Outpatient Treatment	\$30.42	per hour
Woodland Hills			
110 W. Redwing St., Duluth	Outpatient Treatment	\$30.42	per hour
1025 London Rd., Duluth	Outpatient Treatment	\$30.42	per hour
	MI-CD Outpatient Treatment	\$62.76	per hour
Duluth Bethel Society			
23 Mesaba Ave., Duluth	Halfway House Treatment	\$35.17	per day
	Halfway House Room and Board	\$32.46	per day
	Extended Treatment	\$64.28	per day
	Extended Room and Board	\$54.10	per day
	Outpatient Treatment	\$27.43	per day
Lake Superior Treatment Center			
14 Central Entrance, Duluth	Treatment, Methadone	\$12.78	per day
Minnesota Teen Challenge Northland Campus			
2 E. Second St., Duluth	Outpatient Treatment	\$34.97	per day
Pioneer Recovery Center			
5388 Road 37, Aurora	Residential Treatment, Medium	\$201.69	per day
	Room and Board	\$43.37	per day
	Treatment, Non-residential	\$44.66	per hour
Ridgewood Recovery – Superior Treatment Center			
209 W. 1 st St., Suite 200, Duluth	Outpatient Treatment	\$33.18	per hour
Miller-Dwan Medical Center			
502 E. 2 nd St., Duluth	Hospital-based Inpatient	\$312.25	per day
	Outpatient Treatment	\$62.76	per day
Minn. Indian Primary Residential Treatment Center			
Thunderbird and Wren House	Residential Treatment	\$10.02	per day
229 N. 4 th Ave. W., Duluth	Room and Board	\$30.75	per day
Range Mental Health Center			
3203 W. 3 rd Ave., Hibbing	Outpatient Treatment	\$39.08	per hour

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS
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626 S. 13th St., Virginia

Outpatient Treatment	\$39.08	per hour
Residential Treatment, High	\$209.73	per day
Room and Board	\$66.23	per day

Adopted December 21, 2010. No. 578

WHEREAS, the Registrar of Titles is authorized to require Registered Land Survey Number 97 pursuant to Minn. Stat. § 508.47; and

WHEREAS, the County Surveyor and Examiner of Titles have approved Registered Land Survey Number 97; and

WHEREAS, the final prints have been submitted for filing.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board grants final approval to Registered Land Survey Number 97 located over Tract A Registered Land Survey Number 46 (Government Lot 2, Section 4, Township 62 North, Range 12 West of the Fourth Principal Meridian-Morse Township).

Adopted December 21, 2010. No. 579

WHEREAS, the St. Louis County Planning Commission held a public hearing regarding the preliminary plat of Pike River Wilderness Preserve on September 16, 2004, and granted preliminary approval for the plat; and

WHEREAS, the final prints have been submitted and conform with the requirements set forth by the Planning Commission.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board grants final approval to the plat of Pike River Wilderness Preserve, located in Sections 4, 5, 6 and 7, Township 58 North, Range 16 West (Biwabik) and Sections 28, 32 and 33, Township 59 North, Range 16 West (Unorganized).

Adopted December 21, 2010. No. 580

WHEREAS, the Land Department plans to plant tree seedlings on approximately 1,700 acres in the spring of 2011; and,

WHEREAS, the containerized portion of those tree seedlings needed for planting have already been purchased; and,

WHEREAS, bids were requested for bare-root tree seedlings and the Minnesota Department of Natural Resources - Badoura Nursery of Badoura, Minnesota, was the only bidder able and willing to supply the quantity and variety of species of bare-root tree seedlings needed.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the appropriate county officials to execute a contract with Minnesota Department of Natural Resources - Badoura Nursery, of Badoura, Minnesota, to furnish and deliver 263,000 bare-root tree seedlings for \$64,150 in the spring of 2011 in accordance with the specifications of Bid No. 4923, payable from Fund 290, Agency 290001, subject to approval by the County Attorney.

Adopted December 21, 2010. No. 581

WHEREAS, Sharon E. Beatty has requested a non-exclusive roadway easement across state tax forfeited land for access to her property; and

WHEREAS, there are no reasonable alternatives to obtain access to her property; and

WHEREAS, exercising the easement will not cause significant adverse environmental or natural resource management impacts; and

WHEREAS, Minn. Stat. § 282.04, Subd. 4(a) allows for the granting of private easements across state tax forfeited land for such purposes.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Auditor, pursuant to Minn. Stat. § 282.04 Subd. 4(a), is authorized to grant the following non-exclusive roadway easement to Sharon E. Beatty:

A 33 foot wide access easement over and across the South One-half of the Southwest One-quarter of Section 36, Township 63 North, Range 19 West, St. Louis County, Minnesota, that lies within 16.5 feet on either side of the following described centerline: Assuming the line between the Southwest and Southeast corners of said Section 36 to bear N89E47'05"E and

commencing at the Southwest of said Section 36; thence N89E47'05"E, a distance of 2234.63 feet to the centerline of Olson Road and the Point of Beginning; thence N9E46'06"E, a distance of 215.52 feet; thence N14E42'59"W, a distance of 70.22 feet; thence N34E53'42"W, a distance of 367.39 feet; thence N1E26'07"E, a distance of 191.43 feet; thence N43E00'44"W, a distance of 329.35 feet; thence N55E48'02"W, a distance of 300.59 feet; thence N73E26'02"W, a distance of 66.30 feet; thence S87E29'18"W, a distance of 157.83 feet; thence N64E40'48"W, a distance of 54.21 feet; thence N30E01'53"W, a distance of 100 feet, more or less, to the North line of the South One-half of the Southwest One-quarter of said Section 36 and there terminating. Said easement being 1852 feet in length, and totaling 1.4 acres, more or less.

RESOLVED FURTHER, the granting of this easement is conditioned upon payment of \$1,512 land use fee, \$150 administrative fee, and \$46 recording fee, for a total of \$1,708, to be deposited into Fund 240 (Forfeited Tax Fund).

Adopted December 21, 2010. No. 582

WHEREAS, Lynn and Donna Rogers have requested a non-exclusive roadway easement across state tax forfeited land to access private land; and

WHEREAS, there are no reasonable alternatives to obtain access to the Rogers's property; and

WHEREAS, exercising the easement will not cause significant adverse environmental or natural resource management impacts; and

WHEREAS, Minn. Stat. § 282.04, Subd. 4(a) allows for the granting of private easements across state tax forfeited land for such purposes.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Auditor, pursuant to Minn. Stat. § 282.04, Subd. 4(a), is authorized to grant a non-exclusive roadway easement across state tax forfeited land to Lynn and Donna Rogers described as follows:

A 33 foot wide easement for ingress, egress, and utility purposes over and across the southwest quarter of the northwest quarter of Section 21 and the southeast quarter of the northeast quarter, the southwest quarter of the northeast quarter, the southeast quarter of the northwest quarter, and the southwest quarter of the northwest quarter of section 20, Township 61 North, Range 13 West of the Fourth Principal Meridian, Saint Louis County, Minnesota, being 16.5 feet on each side of the following described centerline:

Commencing at the east quarter corner of said Section 20; thence on an assigned azimuth of 73 degrees 38 minutes 04 seconds, 1154.2 feet to the centerline of the existing road and the actual point of beginning; thence continue along said centerline on an azimuth of 306 degrees 34 minutes 43 seconds, 141.0 feet; thence continue along said centerline on an azimuth of 293 degrees 32 minutes 36 seconds, 244.8 feet; thence continue along said centerline on an azimuth of 266 degrees 34 minutes 35 seconds, 171.5 feet; thence continue along said centerline on an azimuth of 255 degrees 23 minutes 35 seconds, 49.7 feet; thence continue along said centerline on an azimuth of 272 degrees 10 minutes 43 seconds, 661.7 feet; thence continue along said centerline on an azimuth of 290 degrees 04 minutes 17 seconds, 265.3 feet; thence continue along said centerline on an azimuth of 279 degrees 13 minutes 59 seconds, 246.4 feet; thence continue along said centerline on an azimuth of 280 degrees 05 minutes 51 seconds, 177.7 feet; thence continue along said centerline on an azimuth of 257 degrees 23 minutes 45 seconds, 197.6 feet; thence continue along said centerline on an azimuth of 264 degrees 45 minutes 45 seconds, 144.4 feet; thence continue along said centerline on an azimuth of 313 degrees 08 minutes 25 seconds, 261.0 feet; thence continue along said centerline on an azimuth of 266 degrees 06 minutes 35 seconds, 300.2 feet; thence continue along said centerline on an azimuth of 286 degrees 21 minutes 39 seconds, 136.1 feet; thence continue along said centerline on an azimuth of 338 degrees 07 minutes 03 seconds, 157.5 feet; thence continue along said centerline on an azimuth of 307 degrees 30 minutes 14 seconds, 129.9 feet; thence continue along said centerline on an azimuth of 271 degrees 44 minutes 08 seconds, 118.7 feet; thence continue along said centerline on an azimuth of 244 degrees 04 minutes 09 seconds, 145.2 feet; thence continue along said centerline on an azimuth of 273 degrees 12 minutes 56 seconds, 355.2 feet; thence continue along said centerline on an azimuth of 271 degrees 17 minutes 03 seconds, 267.2 feet; thence

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continue along said centerline on an azimuth of 237 degrees 08 minutes 39 seconds, 246.2 feet; thence continue along said centerline on an azimuth of 270 degrees 37 minutes 15 seconds, 443.7 feet; thence continue along said centerline on an azimuth of 299 degrees 47 minutes 22 seconds, 190.5 feet; thence continue along said centerline on an azimuth of 274 degrees 23 minutes 55 seconds, 125.0 feet; thence continue along said centerline on an azimuth of 249 degrees 44 minutes 57 seconds, 307.5 feet; thence continue along said centerline on an azimuth of 218 degrees 12 minutes 07 seconds, 515.3 feet; thence continue along said centerline on an azimuth of 264 degrees 14 minutes 14 seconds, 393.7 feet; thence continue along said centerline on an azimuth of 300 degrees 13 minutes 42 seconds, 352.2 feet; thence continue along said centerline on an azimuth of 286 degrees 24 minutes 30 seconds, 147 feet more or less to the west line of said southwest quarter of the northwest quarter of section 20 and there terminating; with the sidelines of said easement being lengthened or shortened to terminate on the respective landlines. Said easement is 6881 feet in length.

RESOLVED FURTHER, the granting of this easement is conditioned upon payment of a \$4,689 land use fee, \$50 administration fee and \$46 recording fee, for a total of \$4,785 to be deposited into Fund 240 (Forfeited Tax Fund).

Adopted December 21, 2010. No. 583

WHEREAS, pursuant to Minn. Stat. § 459.06, Subd. 3, state tax forfeited land which has been included in an established Memorial Forest and found more suitable for other purposes may by resolution of the County Board be withdrawn from the forest for disposal if the Commissioner of Natural Resources approves the sale of such land; and

WHEREAS, the state tax forfeited parcels listed are currently included in an established Memorial Forest; and

WHEREAS, said parcels are more suitable for purposes other than forest management.

NOW, THEREFORE, BE IT RESOLVED, that the state tax forfeited parcels described in County Board file No. 59022 shall be withdrawn from Lake Vermilion and Lake Upham Memorial Forests, and approval for the sale of said parcels shall be requested from the Commissioner of Natural Resources.

Adopted December 21, 2010. No. 584

WHEREAS, the St. Louis County Board 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, the parcels of land as described in County Board File No. 59022 have been classified as non-conservation land as provided for in Minn. Stat. Chapter 282.01; and

WHEREAS, these parcels of land are not withdrawn from sale pursuant to Minn. Stat. §§ 85.012, 92.461, 282.01, Subd. 8, and 282.018, and other statutes that require the withholding of state tax forfeited lands from sale; and

WHEREAS, the Commissioner of Natural Resources has approved the sale of said lands, as required by Minn. Stat. Chapter 282.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the County Auditor to offer these lands at public sale for not less than the basic sale price in accordance with terms set forth in the Land Department policy, and in a manner provided for by law on Thursday, February 10, 2011, at 10:00 a.m. at the Depot, 506 W. Michigan Street, Duluth, MN. Funds from the land sale are to be deposited into Fund 240 (Forfeited Tax Fund).

Adopted December 21, 2010. No. 585

WHEREAS, St. Louis County has in the past sponsored Federal Enhancement projects for various groups; and

WHEREAS, under guidelines cities under 5,000 population, townships, and organized groups require a sponsor; and

WHEREAS, the listed projects merit sponsorship by St. Louis County; and

WHEREAS, the projects listed below do not require funding or maintenance by St. Louis County.

NOW, THEREFORE BE IT RESOLVED, that the St. Louis County Board agrees to sponsor the listed projects for the purpose of securing Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) funding; and
RESOLVED FURTHER, that St. Louis County shall provide assistance on a limited basis to assure the success of the following projects:

1. Bike/Pedestrian Trail (2015): Mesabi Trail Segment Embarrass to Tower, by St. Louis/Lake County Regional Rail Authority.
2. Bike/Pedestrian Trail (2015): Mesabi Trail Segment Soudan to Ely, by St. Louis/Lake County Regional Rail Authority.
3. Bike/Pedestrian Trail (2015): Mountain Iron Bicycle and Pedestrian Connection, by City of Mountain Iron.
4. Boiler Recertification (2015): Soo Line Steam Locomotive #2719 by St. Louis/Lake County Regional Rail Authority.

Adopted December 21, 2010. No. 586

WHEREAS, it appears to the County Board of the County of St. Louis that the road hereinafter described should be designated County State Aid Highway under the provisions of Minnesota Law.

NOW, THEREFORE, BE IT RESOLVED, by the County Board of the County of St. Louis that the road described as follows, to-wit:

From the easterly intersection of CSAH 70 and CSAH 112, in the City of Babbitt, easterly along the existing County Road 623, Unorganized Township Road 8210, the proposed partial realignment of County Road 623, and the existing Forest Road 424 (known as the Tomahawk Road or the Denley Lake Road) to the Lake County Line, for a length of 7.71 miles, be and hereby is established, located, and designated a County State Aid Highway of said County, subject to the approval of the Commissioner of Transportation of the State of Minnesota.

RESOLVED FURTHER, that the County Auditor is hereby authorized and directed to forward two certified copies of this resolution to the Commissioner of Transportation for consideration, and that upon his approval of the designation of said road or portion thereof, that same be constructed, improved and maintained as a County State Aid Highway of the County of St. Louis, to be numbered and known as County State Aid Highway 70.

Adopted December 21, 2010. No. 587

WHEREAS, St. Louis County is planning to implement County State Aid Construction Projects in 2011 which will require State Aid funds in excess of those available in its State Aid Regular Construction Account; and

WHEREAS, the county is prepared to proceed with the construction of these projects through the use of an advance from the County State Aid Construction Fund to supplement the available funds in its State Aid Regular/Municipal Construction Account; and

WHEREAS, the advance is based on the following determination of estimated expenditures:

Project No. SP 69-613-032	\$1,800,000
Project No. SP 69-604-060	\$1,700,000
Total 2010 Advance Amount:	\$3,500,000

WHEREAS, repayment of the funds advanced will be made in accordance with the provisions of Minn. Stat. § 162.08, Subd. 5 & 7 and Minnesota Rules, Chapter 8820; and

WHEREAS, the county acknowledges advance funds are released on a first-come-first-serve basis and this resolution does not guarantee the availability of funds.

NOW, THEREFORE, BE IT RESOLVED, that the Commissioner of Transportation is requested to approve this advance for financing approved County State Aid Highway Projects of St. Louis County in an amount up to \$3,500,000 in accordance with Minnesota Rules 8820.1500, Subp. 9.

RESOLVED FURTHER, that St. Louis County authorizes repayments from subsequent accruals to the Regular State Aid Construction Account of St. Louis County with repayment from the 2012 year allocation until fully repaid.

Adopted December 21, 2010. No. 588

RESOLVED, that the St. Louis County Board authorizes Agreement 92666, SP 69-00186, CP 9326

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and any amendments approved by the County Attorney's Office with the Burlington Northern and Santa Fe Railway Co., and the Commissioner of Transportation for crossing improvements at crossing number USDOT 061255N (F-1986) on County Road 444, in Hibbing, Minnesota, and appointing the Commissioner of Transportation agent for the county to supervise said project and administer available federal funds in accordance with Minn. Stat. Section 161.36.

RESOLVED FURTHER, that the county's share of the cost shall be 10% of the total estimated project cost of \$337,181, or \$33,718.10 payable from Fund 200, Agency 203095, Object 652800. Adopted December 21, 2010. No. 589

RESOLVED, that the St. Louis County Board authorizes Agreement No. 92667, SP 69-00187, CP 97039 and any amendments approved by the County Attorney's Office with the Burlington Northern and Santa Fe Railway Co., and the Commissioner of Transportation for crossing improvements at crossing number USDOT 061253A (F-1987) on County State Aid Highway 27, 1.3 miles east of Hibbing, Minnesota, and appointing the Commissioner of Transportation agent for the county to supervise said project and administer available federal funds in accordance with Minn. Stat. Section 161.36.

RESOLVED FURTHER, that the county's share of the cost shall be 10% of the total estimated project cost of \$365,412.00, or \$36,541.20 payable from Fund 220, Agency 220218, Object 652700. Adopted December 21, 2010. No. 590

RESOLVED, that the St. Louis County Board approves the applications for abatements, correction of assessed valuations and taxes plus penalty and interest, and any additional accrual, identified in County Board File No. 59036.

Adopted December 21, 2010. No. 591

WHEREAS, on November 24, 2010 the County Extension Committee recommended that the St. Louis County Board of Commissioners approve a Memorandum of Agreement (MOA) between the County and University of Minnesota to provide specific Extension programs within St. Louis County and for Extension staff to perform these services; and

WHEREAS, the proposed MOA is for one year beginning January 1, 2011 through December 31, 2011, including five positions identified as Extension Educators (2 FTEs) and 4-H Program Coordinator (2.75 FTEs) for a total contract price of \$345,275.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board authorizes the appropriate county officials to execute the 2011 Memorandum of Agreement with the University of Minnesota to provide Extension programs totaling \$345,275, payable from Fund 184, Agency 184001, Object 629900; and Fund 184, Agency 186002, Object 629900.

Adopted December 21, 2010. No. 592

WHEREAS, on November 24, 2010 the County Extension Committee recommended that the St. Louis County Board of Commissioners approve a Memorandum of Intent between the county and University of Minnesota for specific Extension Nutrition Education Programs within St. Louis County and for Extension staff to perform these services; and

WHEREAS, Nutrition Education Programs are funded by the United States Department of Agriculture and must be matched with in-kind support from St. Louis County; and

WHEREAS, the University of Minnesota has contracted with Maximus, a private company, to prepare a cost allocation plan to determine what the county's in-kind support will be for 2011, which is based on actual in-kind support from previous years.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board authorizes the appropriate county officials to execute the 2011 Memorandum of Intent with the University of Minnesota for Nutrition Education Programs within St. Louis County and for Extension staff to perform these services for one year beginning January 1, 2011 through December 31, 2011.

Adopted December 21, 2010. No. 593

WHEREAS, all increases in original governmental funds revenue and expenditure budgets require County Board approval; and

WHEREAS, departments anticipate being notified of additional revenues throughout the year and need approval to increase revenue and expenditure budgets; and

WHEREAS, proposed budget adjustments are levy neutral;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners authorizes the following budget changes:

1. Increase revenue and expense budget in Gardens Galore Program to pay additional expenses for the program, which are covered by additional revenue that was collected (\$55.78).
2. Increase Northeast Law Enforcement Administrators' Council meth grant revenue and expenditure budget to reflect amounts actually received (\$2,275.63).
3. Establish revenue and expense budget for new Extension program, Herb Garden Fest (\$1,900.00).
4. Use of Attorney Forfeiture fund balance to cover payment to help fund the Sixth Judicial District Specialty Courts - Drug Court (\$5,344.93).
5. Approve use of parking fund balance for lower green lot reconstruction (\$78,352.23).
6. Increase revenue and expense budget in Fund 280 Septic Loans to allow for the principal received in 2010 to be available for new septic loans (\$98,308.89).
7. Use of fund balance to cover second quarter unemployment compensation for Community Foods and Assisted Living programs (\$19,410.02).
8. Use of fund balance to cover additional expense needed to meet higher than anticipated demand for plat books (\$15,000.00).
9. Use of fund balance for legally required debt service payment (\$660.20).
10. Increase budget for energy saving projects to reflect University of Minnesota grant award received for green roof project (\$10,000.00).
11. Increase revenue and expense budget for Tower law enforcement services to the amount shown on Exhibit A of the contract; prior budget amount was an estimate, as contract was not approved in time for 2010 adopted budget (\$22,796.09).
12. Increase revenue and expense budget by the amount of unanticipated revenue from selling items from Chris Jensen (light bulbs, lawn mowers, old appliances, etc.) The additional funds will be used to expand the impound lot at 2030 North Arlington Avenue (\$7,511.27).
13. Increase NEMESIS (Northeastern Minnesota Enforcement Safety Information System) revenue and expense budgets to reflect higher than anticipated revenue due to an increase in the subscription costs (\$30,447.70).
14. Increase expense and revenue budgets for the North Heat Grant, to reflect new amounts per amendment to the grant contract (\$24,700.00).
15. Add revenue and expense budget for County Extension Committee Educational Holiday Project (\$2,200.00).
16. Use of Attorney Forfeiture fund balance to cover cell phone stipends, which were not included in the adopted budget (\$1,420.62).
17. Increase revenue budget to match actual revenue received for sale of silver (extracted from microfilm during processing), as well as expense budget, which will be used to purchase equipment (\$6,310.97).
18. Accumulation of fund balance resulting from Public Health & Human Services position reclassification from Social Worker to Social Services Specialist I (\$868.00).
19. Establish revenue and expense budget for new Ely Government Services Center lease (\$24,145.00).
20. Add revenue budget to Economic Development and expense budget to Public Works to transfer back funds previously transferred to but not spent by Public Works for projects SP 69-601-001 and SP 69-596-004 (\$262,010.53).

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3rd Quarter	FUND	AGENCY	Expense Budget	Transfer	Out	Accumulation of Fund Balance	Revenue Budget	Transfers	In	Use of Fund Balance	Total
1	184	185012	552506					(55,78)			
	184	185012	642200	\$	55.78						
2	100	129999	629000	\$	2,275.63			(2,275.63)			
	100	129999	540515								
3	184	185025	552506					(1,900.00)			
	184	185025	620200	\$	200.00						
	184	185025	623100	\$	100.00						
	184	185025	627800	\$	900.00						
	184	185025	627900	\$	100.00						
	184	185025	629900	\$	100.00						
	184	185025	634900	\$	250.00						
	184	185025	641100	\$	100.00						
	184	185025	642200	\$	150.00						
4	167	167001	637900	\$	5,344.93					(5,344.93)	
	167	999999	311030								
5	100	999999	311105							(78,352.23)	
	100	128010	660600	\$	57,475.26						
	100	128010	626600	\$	17,787.57						
	100	128010	630900	\$	3,089.40						
6	280	280001	584101					(43,000.00)			
	280	280001	636200	\$	43,000.00						
	281	281001	583100	\$	55,308.89						
	281	281001	639900					(55,308.89)			
7	100	104011	617200	\$	7,809.00						
	100	104007	617200	\$	11,601.02						
	100	999999	311200							(19,410.02)	
8	640	640001	629900	\$	15,000.00						(15,000.00)
	640	999999	311500								
9	302	302001	636100	\$	660.20						(660.20)
	302	999999	311200								
10	400	400015	545102					(10,000.00)			
	400	400015	630900	\$	10,000.00						
11	100	134003	610300	\$	12,000.00						
	100	134003	639900	\$	10,796.09						
	100	134003	551535					(22,796.09)			
12	400	400003	630900	\$	7,511.27						
	400	400003	583210					(7,511.27)			
13	150	150003	629900	\$	30,447.70						
	150	150003	551506	\$	(5,479.69)						
	150	150003	551508	\$	(4,472.46)						
	150	150003	551509	\$	(15,265.25)						
	150	150003	551549	\$	(5,230.30)						
14	100	129999	540705					(24,700.00)			
	100	129999	629900	\$	24,700.00						
15	184	185026	623100	\$	350.00						
	184	185026	642200	\$	1,600.00						
	184	185026	620300	\$	250.00						
	184	185026	575300					(2,200.00)			
16	167	167001	623700	\$	1,420.62						(1,420.62)
	167	999999	311030								
17	100	120001	583210							(6,310.97)	
	100	120001	640300	\$	6,310.97						
18	230	232004	610000	\$	(868.00)						
	230	999999	311200			868.00					
19	100	128021	634200	\$	24,145.00						(22,046.00)
	100	128021	553001								(2,099.00)
	100	128021	583103								
20	220	220103	697600	\$	45,679.06						
	220	220132	697600	\$	216,331.47						
	178	178001	590100								(262,010.53)

Adopted December 21, 2010. No. 594

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the appropriate county officials to sign an extension to the licensing for the Websense web filtering and logging software for three years at a cost of \$55,000.00 plus Minnesota State Sales Taxes of \$3,781.25.

RESOLVED FURTHER, that the County Board authorizes the MIS Department to continue ongoing licensing and support of the product at a rate mutually agreed to by the vendor and the MIS Department.

Adopted December 21, 2010. No. 595

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 2011.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes an agreement with Lockridge, Grindal & Nauen in 2011 for an amount not to exceed \$52,500, payable from Fund 100, Agency 105001, Object 629900.

Adopted December 21, 2010. No. 596

WHEREAS, the Property Tax Study Project was formed to provide analyses of the implications of reductions in state aid on property taxes.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves \$10,750 for participation in the Property Tax Study Project payable from Fund 100, Agency 104001, Object 624200.

Adopted December 21, 2010. No. 597

WHEREAS, the creation of a Master Address Repository (MAR) will significantly enhance public safety in St. Louis County; and

WHEREAS, this project will be built to Federal Geographic Data Committee (FGDC) Standards and shall include all cities, townships, unorganized townships, and reservations within St. Louis County; and

WHEREAS, Spatial Focus, Inc. has the experience and knowledge to develop a MAR to the FGDC standards; and

WHEREAS, Pro-West & Associates Inc. has the ability to create a Geographic Information System (GIS) based address point data set for St. Louis County.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the appropriate county officials to enter into contractual agreement with Pro-West & Associates for the development of the Geographic Information System (GIS) point based address set in the amount of \$189,400, and with Spatial Focus, Inc. in the amount of \$273,140 to develop a GIS Master Address Repository.

RESOLVED FURTHER, that funds for the project are to be expended as follows:

E-911:	Fund 100, Agency 179001	\$40,000 a year for three years
Sheriff:	Fund 100 Agency 129003	\$34,680 a year for three years
Planning:	Fund 100 Agency 109003	\$17,000 the first year and \$16,500 for two years
Technology:	Fund 100 Agency 121002	\$63,000 for two years and \$62,500 for the third year

Adopted December 21, 2010. No. 598

WHEREAS, bids have been received by the County Auditor for the following project:

MP 10022R Crack Sealing 2010 located at various locations in St. Louis County.

WHEREAS, bids were opened in the County Board Room at 10:00 a.m., December 6, 2010, and the lowest responsible bidder determined.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the award on the above project to the lowest bidder:

<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
Fahrner Asphalt Sealers, Inc.	P.O. Box 659 Eau Claire, WI 54702-0659	\$204,711.15

RESOLVED FURTHER, that the County Board Chair, the County Auditor, and the County Attorney are authorized to approve the Contractor's Performance Bonds and to execute the bonds and contract for the above listed project payable from Fund 200, Agency 201062, Object 653300.

With additional revenue budgeted for expense:

City of Chisholm	Fund 200, Agency 201062, Object 551530	\$4,633.20
Township of Gnesen	Fund 200, Agency 201062, Object 551551	\$3,575.00

Adopted December 21, 2010. No. 599

WHEREAS, the St. Louis County master space plan for Duluth area offices has been in place since 1995, with considerable progress made to date; and

WHEREAS, the county's main data center is currently located on the 4th floor of the GSC, an inefficient location for communication and HVAC infrastructure, energy consumption, operational logistics, and a very poor use of prime office space; and

WHEREAS, there is now an opportunity to relocate the data center to an appropriate and efficient

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location in the GSC basement allowing the county to continue to consolidate its office space in the downtown Duluth area and realize significant electrical savings; and

WHEREAS, St. Louis County Purchasing solicited bids (Bid # 4831) which were opened on November 10, 2010, with Erling Hansen Construction of Duluth, Minnesota as the lowest responsible bidder.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board authorizes the appropriate county officials to enter into a contract for construction services for the data center relocation and energy upgrades at the Duluth Government Services Center with Erling R. Hansen Construction of Duluth, Minnesota, in an amount of \$254,600, payable from Fund 400, Agency 400006.

Adopted December 21, 2010. No. 601

WHEREAS, the St. Louis County Heritage and Arts Center (the Depot) train shed roof is presently in very poor condition, structurally marginal, leaking in several areas, and un-insulated; and

WHEREAS, LHB Engineers & Architects, Incorporated performed the preliminary roof condition investigation and assessment (phase one) for the county and the design has been approved by the Minnesota State Historic Preservation Office; and

WHEREAS, these initial repairs are required for phase two, the actual roof and skylight replacement project; and

WHEREAS, funds were budgeted for this project in 2009 and set aside by County Board Resolution in December of 2009 and are available in Fund 400, Agency 400024, Object 663100; and

WHEREAS, Bids (bid # 4782) for phase one of the Depot Train Museum roof repair were opened on Tuesday, December 7, 2010, with Lipe Brothers of Duluth, MN being determined the lowest responsible bidder.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the appropriate county officials to enter into an agreement with Lipe Brothers of Duluth, Minnesota in an amount of \$232,900 for the preliminary structural repairs to the train shed roof at the Depot in preparation for the upper roof repair project.

Adopted December 21, 2010. No. 602

WHEREAS, the St. Louis County Board supports the goal of providing efficient and effective county government.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the establishment of the Information Technology Steering Committee and the Information Technology Investments Committee.

Adopted December 21, 2010. No. 603

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of November 23, 2010, are hereby approved.

Adopted December 21, 2010. No. 604

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. 59015, are hereby approved and the County Auditor is authorized to issue the licenses as follows;

RESOLVED FURTHER, that if named license holders 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 license holders:

The following license holders were issued a tobacco violation citation on the dates as stated:

 Wieber & Associates, Inc., d/b/a Ash Trail Lodge, Township of Unorganized 68-19, Tobacco Products License No. T113, August 16, 2003;

 Martinson Log Cabin, Inc., d/b/a Log Cabin, Township of Angora, Tobacco Products License No. T1185, September 26, 1998.

Adopted December 21, 2010. No. 605

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. 59015, are hereby approved and the County Auditor is authorized to issue the licenses as follows;

RESOLVED FURTHER, that if named license holders 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 license holders:

Vermilion Ventures, LLC, d/b/a Bayview Lodge, Township of Greenwood, Tobacco Products License No. T11251;
Brook Saloon, Inc., d/b/a Brook Saloon, Inc., City of Brookston, Tobacco Products License No. T11250;
Traci Melin, d/b/a Char Mars, Township of Alborn, Tobacco Products License No. T11230;
Paul/Mary Lautigar, d/b/a Corner Express, Township of Biwabik, Tobacco Products License No. T1131;
GJL Enterprise, LLC, d/b/a The Crescent Bar & Grill, Township of Beatty, Tobacco Products License No. T11238;
Belo Enterprises, Inc., d/b/a Crossroads Convenience/Liquor Store, Township of Clinton, Tobacco Products License No. T1136;
Gnesen Convenience Store, LLC, d/b/a Gnesen Convenience Store, LLC, Township of Gnesen, Tobacco Products License No. T11186;
ILI, LLC, d/b/a Island Lake Inn, Township of Gnesen, Tobacco Products License No. T11240;
J & J Investments of Britt, Inc., d/b/a The Oasis, Township of Unorganized 60-18, Tobacco Products License No. T11209;
Pauline Hill, d/b/a Pauline's Baits & Boats, Township of Bassett, Tobacco Products License No. T11102;
Erceg Enterprises, Inc., d/b/a Saginaw Grand Lake Station, Township of Solway, Tobacco Products License No. T11212;
Brian Kirsh, d/b/a Sportsmens Inn, Township of Gnesen, Tobacco Products License No. T11200.

Adopted December 21, 2010. No. 606

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. 59021;

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 applicant submitting proof of liquor liability insurance;

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, 2011:

Richard Gary Huth, Jr. d/b/a Red Pine Lodge, Kabetogama Township, On-Sale Intoxicating Liquor License No. CMB11134 and Sunday On-Sale Intoxicating Liquor License No. SUN11134, *NEW*.

Adopted December 21, 2010. No. 607

BY COMMISSIONER FINK:

WHEREAS, on September 21, 2010, a cartway petition was presented to the St. Louis County Auditor by Gerald Norlander, the owner of property described as "the W1/2 of the NE1/4 of the NE1/4 of the SE1/4, and the SE1/4 of the NE1/4 of the SE1/4, Section 27, Township 60, Range 18" in St. Louis County, Minnesota; and

WHEREAS, the Norlander property contains at least five (5) acres of land which has no established access to it, except over the lands of others, to connect the petitioner's land to a public road; and

WHEREAS, in accordance with Minn. Stat. 164.08, subd.2., the petitioner is requesting that a

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cartway be established two (2) rods in width across the property of Jean M. Erickson and Keith P. Erickson, described as "the Southerly 33 feet of the Southerly 66 feet of the Northwest Quarter of the Southeast Quarter (NW 1/4 of SE 1/4) lying East of County Road 308, AND the Southerly 33 feet of the West Half of the Northeast Quarter of the Southeast Quarter (W 1/2 of NE 1/4 of SE 1/4), ALL in Section Twenty-seven (27), Township Sixty (60), Range Eighteen (18)"; and WHEREAS, on December 21, 2010, the St. Louis County Board of Commissioners held a public hearing at 9:40 a.m. in the Morse Town Hall, Ely, MN to consider the cartway petition of Gerald Norlander.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners hereby approves and ratifies the Findings of Fact, Conclusions, and Order in the matter of the petition of Gerald Norlander for a cartway, on file in the office of the County Auditor, identified as County Board Document File No. 59137.

Yeas – Commissioners Fink, Dahlberg, Forsman and Nelson – 4

Nays – Chair Raukar – 1

Absent – Commissioners Sweeney and O'Neil – 2

Adopted December 21, 2010. No. 608

BY COMMISSIONER FINK:

RESOLVED, that the St. Louis County Board authorizes a contract with Merrimac Construction of East Bethel, Minnesota, in the amount of \$1,160,521.00, for the remodeling and construction services for the first floor of the Government Services Center in Duluth.

RESOLVED FURTHER, that funding for the project is available in Fund 400, Agency 400006, Object 633100, with \$979,350 in funds transferred from Public Health and Human Services fund balance, designated for Central Client Area (Fund 230, Object 311129), which was set aside in 2009 from additional stimulus-funded reimbursement.

Unanimously adopted December 21, 2010. No. 609

BY COMMISSIONER FINK:

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. 59015, is approved and the County Auditor is authorized to issue the license as follows;

Keith/Lois Nelson d/b/a At Your Convenience, Fayal Township, Tobacco Products License No. T1104, renewal.

RESOLVED FURTHER, that if named license holder sells their licensed business, the County Board may, after an investigation, transfer the license to a new owner but without pro-rated refund to the license holder.

Yeas – Commissioners Fink, O'Neil, Dahlberg, Forsman, and Chair Raukar – 5

Nays – None

Abstained – Commissioner Nelson – 1

Absent – Commissioner Sweeney – 1

Adopted December 21, 2010. No. 600

BY COMMISSIONER FORSMAN:

WHEREAS, the Trunk Highway 53 Task Force, which was formed to support improvements to Trunk Highway 53 between Virginia and International Falls, wishes to hire Sante Esposito, of Smith, Esposito & Lylerly Company, to lobby for Federal Highway funding in Washington, D.C.; and WHEREAS, the St. Louis County Board has been requested by the Trunk Highway 53 Task Force to contribute \$4,000 toward the lobbying effort from January 1, 2011 through December 31, 2011.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves \$4,000 toward the purchase of services for lobbying from Smith, Esposito & Lylerly Company, Inc., in the effort to obtain Federal Highway Funds to accomplish needed improvements to Trunk Highway 53, payable from Fund 100, Agency 105001, Object 629900, upon appropriate billing and documentation of actual expenditures.

Unanimously adopted December 21, 2010. No. 610

BY COMMISSIONER O'NEIL:

WHEREAS, the county requires the services of a consultant to assist with state legislative and administrative matters; and

WHEREAS, Fredrikson & Byron has demonstrated professional expertise and knowledge of state legislation and administrative activities; and

WHEREAS, the contractor desires and is capable of providing state legislative consultant services to St. Louis County during 2011.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes an agreement with Fredrikson & Byron for an amount not to exceed \$20,000, for state legislative lobbying services in 2011, payable from Fund 100, Agency 105001, Object 629900.

Yeas – Commissioner O'Neil, Dahlberg, Forsman, Nelson and Chair Raukar – 5

Nays – Commissioner Fink – 1

Absent – Commissioner Sweeney – 1

Adopted December 21, 2010. No. 611

Upon motion of Commissioner Forsman, supported by Commissioner Nelson, Resolutions No. 612 through 622, as submitting to this Board on a second Consent Agenda, were unanimously adopted as follows:

BY COMMISSIONER FORSMAN:

WHEREAS, St. Louis County purchases employment services for persons with disabilities; and

WHEREAS, the Department of Public Health and Human Services has contracted with Occupational Development Center, Inc. (Virginia, MN) and Goodwill Industries Vocational Enterprises, Inc. (Duluth, MN) for over 30 years to provide extended employment services for persons with disabilities and wishes to renew these agreements.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes an agreement with Occupational Development Center, Inc. and Goodwill Industries Vocational Enterprises, Inc. for extended employment services at the rates listed below for shelter-based work, supported employment, and job coaching at their respective contract maximum of \$90,407 for the period January 1, 2011 through December 31, 2011; payable from Fund 230, Agency 232006, Object 604800.

<u>Agency</u>	<u>Services</u>	<u>Recommended</u>
ODC	Shelter-Based Work	\$15.00/worker/day
	Supported Employment	\$15.00/worker/day
	Job Coaching	\$30.00/hour
GIVE	Shelter-Based Work	\$15.00/worker/day
	Supported Employment	\$15.00/worker/day
	Job Coaching	\$30.00/hour

Adopted December 21, 2010. No. 612

WHEREAS, the county provides sites throughout its Solid Waste Service Area to collect waste appliances, ballasts and scrap metal in order to provide an opportunity to recycle for county residents; and

WHEREAS, the county requires services to process hazardous materials found in appliances and process the recyclable scrap metals generated in the St. Louis County Solid Waste Management Area; and

WHEREAS, the Solid Waste Subcommittee discussed and approved the negotiation of an agreement with Central Scrap Metal Processing, Inc., doing business as Quad City Recycling, at its December 9, 2010 meeting; and

WHEREAS, the Environmental Services Department has negotiated an agreement with Quad City Recycling to secure processing services for the period from January 1, 2011 through December 31, 2013, with the possibility of two 1-year extensions.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes a three year agreement, with the possibility of two 1-year extensions, with Central Scrap Metal Processing, Inc.,

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doing business as Quad City Recycling, for the processing of appliances and ballasts at no charge and pay the county at the rate of \$36.00 per ton for all metals recycled, to be accounted for in Fund 600, Agency 601003, Object 62990.

Adopted December 21, 2010. No. 613

WHEREAS, Timothy Chuk of Hibbing, Minnesota, has agreed that the contract for the purchase of state tax forfeited lands should be cancelled; and

WHEREAS, the purchaser voluntarily agreed to admission of service and waiver of time to cure default to the State of Minnesota; and

WHEREAS, Minn. Stat. § 282.04, Subd. 2(d) and 504B.271 authorizes the County Auditor to dispose of abandoned personal property; and

WHEREAS, the previous owners of the property will be notified by posting of property or by mail.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the cancellation of contract for purchase of state tax forfeited lands by Timothy Chuk of Hibbing, Minnesota, listed on file in County Board File No. 59038, according to the provisions of Minn. Stat. § 282.01, Subd. 5, and Minn. Stat. § 282.40, and according to the procedures of Minn. Stat. § 559.21.

RESOLVED FURTHER, that the St. Louis County Board authorizes the County Auditor to dispose of abandoned personal property from the above described state tax forfeited property.

Adopted December 21, 2010. No. 614

WHEREAS, Minn. Stat. § 282.241 provides that state tax forfeited land may be repurchased by the previous owners subject to payment of delinquent taxes and assessments with penalties, interest and costs; and

WHEREAS, the applicants, Brett and Laurie Ekman of Brookston, Minnesota, have applied to repurchase state tax forfeited land; and

WHEREAS, the applicants were the owners of record at the time of forfeiture, and are eligible to repurchase the property; and

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

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the repurchase application by Brett and Laurie Ekman of Brookston, Minnesota, on file in County Board File No. 59058, subject to payments including total taxes and assessments of \$645.51, service fee of \$114, deed tax of \$2.13, deed fee of \$25, and recording fee of \$46; for a total of \$832.64, to be deposited into Fund 240 (Forfeited Tax Fund).

Adopted December 21, 2010. No. 615

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 Minn. Stat. § 282.01, Subd. 1; and

WHEREAS, the parcels described in County Board File No. 59181 forfeited to the State of Minnesota for nonpayment of real estate taxes and were previously classified as 'conservation'; and

WHEREAS, the Land Department has recommended that the parcels 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 their peculiar suitability or desirability for particular uses; and

WHEREAS, these parcels of land may be located inside the boundaries of a municipality or town and Minn. Stat. § 282.01 provides that classification or reclassification and sale of lands situated within a municipality or town must be approved by the governing body of the municipality or town; and

WHEREAS, the reclassification and sale of the parcels will be deemed approved if the County Board does not receive notice of the municipality's or town's disapproval of the reclassification and sale of any parcel within 60 days of the date on which this resolution is delivered to the clerk of the municipality or town in which the parcels are located.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board reclassifies the state tax forfeited parcels described in County Board File No. 59181 as 'non-conservation' and the request for approval of the reclassification shall be transmitted by the St. Louis County Land Department to the clerk of the municipality or town in which the parcels are located.

Adopted December 21, 2010. No. 616

WHEREAS, St. Louis County desires to offer for sale certain parcels of tax forfeited land; and
WHEREAS, the parcels are not withdrawn from sale pursuant to Minn. Stat. § 85.012, 92.461, 282.01, Subd. 8; and 282.018, and other statutes that require the withholding of state tax forfeited lands from sale; and

WHEREAS, the parcels of land cannot be improved because they are less than the minimum size required by the applicable zoning ordinance; and

WHEREAS, the County Auditor has determined that a non-public sale to adjacent property owners will encourage the return of the lands to the tax rolls; and

WHEREAS, the parcels of land have been classified as non-conservation land pursuant to Minn. Stat. § 282.01.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the sale of the parcels described in County Board File No. 59022, and the County Auditor is authorized to offer the parcels at private sale for not less than appraised value to the adjacent property owners to encourage return of the parcels to the tax rolls. Funds from the sales are to be deposited into Fund 240 (Forfeited Tax Fund).

RESOLVED FURTHER, that the Land Commissioner shall give at least 30 days notice of its sales to all adjoining owners.

Adopted December 21, 2010. No. 617

RESOLVED, that the St. Louis County Board approves the applications for abatements, correction of assessed valuations and taxes plus penalty and interest, and any additional accrual, identified in County Board File No. 59036.

Adopted December 21, 2010. No. 618

WHEREAS, the Sheriff's Office has decommissioned Snowmobile #361, a 1998 Polaris Indy snowmobile, VIN #3345025, as it has been replaced by newer equipment; and

WHEREAS, the Embarrass Region Volunteer Fire Department has need for a snowmobile for response to rural emergencies; and

WHEREAS, the Sheriff's Office wishes to transfer ownership of this vehicle to the Embarrass Region Volunteer Fire Department to support its firefighting and first response to emergencies for the residents of St. Louis County.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the Sheriff's Office to transfer the 1998 Polaris Indy snowmobile, vehicle #361, VIN #3345025, to the Embarrass Region Volunteer Fire Department.

RESOLVED FURTHER, this transfer shall be made at no cost to the Embarrass Region Volunteer Fire Department, except for any title transfer and registration expenses.

Adopted December 21, 2010. No. 619

RESOLVED, that a public hearing will be held at 9:45 A.M. on January 11, 2011, in the St. Louis County Courthouse, Duluth, Minnesota, for the purpose of considering the granting of an Off-Sale Intoxicating Liquor License to Cape Superior Bottle Shop, LLC, Duluth Township.

Adopted December 21, 2010. No. 620

WHEREAS, Minnesota Statutes, section 388.18, Subd. 2 requires county boards to set by resolution the salary of the county attorney, and to set the minimum such salary in January before a regular election; and

WHEREAS, the St. Louis County Board of Commissioners set the minimum salary at \$104,522.34 by Resolution No. 52 on January 26, 2010; and

WHEREAS, Mark S. Rubin has been elected to serve as the new St. Louis County Attorney for a

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term to begin on January 3, 2011; and

WHEREAS, the County Board has considered a variety of factors in determining where to set the salary for the County Attorney-elect, including the duties and responsibilities of the office and Mr. Rubin's extensive experience as an assistant county attorney in the Criminal Division of the County Attorney's Office; and

WHEREAS, the County Board recognizes that the responsibilities and duties of the County Attorney are many and varied, and that the largest of these is the prosecution of adult and juveniles accused of crimes and providing assistance to victims and witnesses involved in those cases; and

WHEREAS, the County Board recognizes that County Attorney-elect, Mark S. Rubin, is an experienced attorney with more than 30 years of exemplary experience as a St. Louis County assistant county attorney and prosecutor of numerous criminal cases.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board establishes the 2011 salary for the St. Louis County Attorney at Step 4 (\$120,998), of the Management Compensation Pay Plan for elected department heads.

Adopted December 21, 2010. No. 621

WHEREAS, the concept of the state making payments to offset the loss of tax base for local governments provided in support of tax-exempt natural resource lands has been in existence since the 1940's; and

WHEREAS, results of a late 1970s study concluded that local government service costs were consistent regardless of ownership, or higher because land is public; and

WHEREAS, also in the late 70s, the federal government recognized its obligation to help defray costs that local government services provided in support of tax-exempt natural resource lands and established federal payments in lieu of taxes on certain federal natural resource lands; and

WHEREAS, following suit with these actions, the 1979 State Legislature approved what is known today as State Payments-in-Lieu-of -Taxes (PILT) for tax-exempt natural resource lands; and

WHEREAS, that considerable deliberation continued over the years to improve PILT reimbursement resulted in an overhaul of the PILT laws in 2000 that is still in place today; and

WHEREAS, PILT payments are an administrative process and should be a function of the Department of Revenue responsibility, per Minn. Stat. 477A.12, Subd. 1.a.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners support the current language of Minn. Stat. 97A.061 and Minn. Stat. 477A.11 to 477A.145.

RESOLVED FURTHER, that the St. Louis County Board of Commissioners supports the Department of Revenue as the administrator of the PILT program.

Adopted December 21, 2010. No. 622

At 2:47 p.m., December 21, 2010, Commissioner Nelson, supported by Commissioner Forsman moved to adjourn; five yeas, zero nays.

Steve Raukar, Chair of the Board
of County Commissioners

Attest:

Donald Dicklich, County Auditor
and Ex-Officio Clerk of the Board
of County Commissioners

(Seal of the County Auditor)