

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

MARCH, 2011

OFFICIAL PROCEEDINGS OF THE MEETING
OF THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF ST. LOUIS, MINNESOTA,
HELD ON MARCH 1, 2011

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 1st day of March, 2011, at 9:37 a.m., in the County Board Room, Duluth, Minnesota, with the following members present: Commissioners Frank Jewell, Chris Dahlberg, Mike Forsman, Peg Sweeney, Keith Nelson, Steve Raukar, and Chair Steve O'Neil – 7. Absent: None.

Chair O'Neil asked for a moment of silence to honor U.S. troops serving throughout the world and their families as well as all persons adversely affected by war.

Commissioner Sweeney recognized Robert Gardner, artistic director for the Minnesota Ballet, for excellence in the arts and sciences. Robert Gardner thanked the board and said arts are the soul of the community. A video was shown of the ballet Coppelia, which Director Gardner choreographed and performed in for the Minnesota Ballet. Commissioner Sweeney read his biography and Director Gardner discussed some of the upcoming Minnesota Ballet events.

Chair O'Neil 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 Krepps, Land Commissioner, Duluth, brought to the board's attention House File No. 401, a legislative diversion of approximately 1420 acres of land in the Giants Ridge Area. Land Commissioner Krepps said if this legislation passes, the land will transfer to the Iron Range Resources and Rehabilitation Board (IRRRB) with no compensation to the county. Commissioner Krepps said a companion bill was filed in the senate and time is of the essence, adding he spoke to the county's lobbyist on this and is available to answer commissioner questions.

Donald Dicklich, Brevator Township, commented on House File No. 401 and said the IRRRB has a revenue source for economic development and the ability to pay for the land.

Commissioner Raukar, supported by Commissioner Dahlberg, moved to approve the consent agenda; seven yeas, zero nays.

Commissioner Nelson, supported by Commissioner Forsman, moved to approve the abatement list. After further discussion, the motion passed; seven yeas, zero nays. Resolution No. 105.

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

59

Commissioner Nelson, supported by Commissioner Jewell, moved to authorize the Information Technology (IT) Department to purchase additional storage hardware and authorize ongoing maintenance and support with Compar, Inc., in the amount of \$88,049.49. IT Director Martin Buscombe said this is an upgrade to the existing system and briefly described the history of purchases and upgrades to the network/storage system. Administrator Kevin Gray submitted revised language to reflect the standardized language “authorizes appropriate county officials” to finalize negotiations. In response to a question from Commissioner Sweeney, Director Buscombe said the lifespan of this type of equipment is 7-10 years. The motion with the amended language passed; seven yeas, zero nays. Resolution No. 106.

Commissioner Raukar, supported by Commissioner Jewell, moved to approved two evening county workshop meetings. Administrator Gray said there would be a change in location for the Duluth meeting on April 19 to the Evergreen Recreation Center in West Duluth, due to additional costs and required security at the Duluth Courthouse. The Mesabi Station in Eveleth will be the location for the June 21 meeting. After further discussion the motion passed with the amended location for the Duluth meeting; seven yeas, zero nays. Resolution No. 107.

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

Cancellations of Contract for Purchase of State Tax Forfeited Lands for the year 2011, as submitted by the Land Commissioner.—[59222](#)

Applications for Permit to Display Intoxicating Liquors (Set-Ups) for the year 2011, as submitted by the County Auditor.—[59223](#)

Kevin Gray, County Administrator, and Martha Watson, Employee Relations Director, submitting Board Letter No. 11-65, Confidential Unit Bargaining Agreement – 2010/2011.—[59224](#)

Kevin Gray, County Administrator, and Donald Dicklich, County Auditor, submitting Board Letter No. 11-55, Letter of Understanding for 2010 Audit by State Auditor’s Office.—[59225](#)

Commissioner Peg Sweeney submitting biography of Excellence in Science and Arts Recognition recipient Robert Gardner, Minnesota Ballet Artistic Director.—[59226](#)

Robert Krepps, Land Commissioner, submitting House File No. 401.—[59227](#)

Kevin Gray, County Administrator, and Ross Litman, Sheriff, submitting Board Memo No. 11-11, Summary of 2010 Rescue Squad Activities.—[59228](#)

Commissioner Keith Nelson submitting Levy Collection by Year.—[59229](#)

Chair Steve O’Neil submitting a letter to Senator Amy Klobuchar regarding the Community Development Block Grant (CDBG) program.—[59230](#)

Chair Steve O’Neil submitting a letter to Representative Chip Cravaack regarding the Community Development Block Grant (CDBG) program.—[59231](#)

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

60

Chair Steve O'Neil submitting a letter to Senator Al Franken regarding the Community Development Block Grant (CDBG) program.—[59232](#)

Chair Steve O'Neil submitting a letter to Kathleen Vitalis, President/CEO, Minnesota Assistance Council for Veterans regarding the Veteran's Families Program.—[59233](#)

Safety and Risk Management Services 2011 Agreement between the County of St. Louis and the Arrowhead Regional Corrections Board to perform consulting, testing services, and workers' compensation claims administration.—[11-169](#)

Personnel and Training Services 2011 Agreement between the County of St. Louis and Arrowhead Regional Corrections Board for personnel and training services.—[11-170](#)

Property Management Services 2011 Agreement between the County of St. Louis and Arrowhead Regional Corrections Board for office space and certain services.—[11-171](#)

Amendment to 2010 Boundary Waters Drug Task Force Grant from MN Department of Public Safety; increase of \$49,500 and extended to December 31, 2011.—[11-172](#)

Joint Powers Agreement between Lake Superior Forensic Technology and Internet Crimes Against Children Task Force to coordinate efforts to apprehend and prosecute offenders who use digital technology and target offenses related to the production, distribution and possession of child pornography, involving Internet child enticement and other crimes.—[11-173](#)

Group Residential Housing Rate Agreement, Contract No. 50924, between the St. Louis County Board of Commissioners and Range Center – Outlook.—[11-174](#)

Group Residential Housing Rate Agreement, Contract No. 50941, between the St. Louis County Board of Commissioners and Innovative Living, Inc. (Hermantown II).—[11-175](#)

Group Residential Housing Rate Agreement, Contract No. 50942, between the St. Louis County Board of Commissioners and Innovative Living, Inc. (Hermantown III).—[11-176](#)

Group Residential Housing Rate Agreement, Contract No. 50921, between the St. Louis County Board of Commissioners and Innovative Living – Hermantown 4.—[11-177](#)

Group Residential Housing Rate Agreement, Contract No. 50922, between the St. Louis County Board of Commissioners and Innovative Living – Hermantown 5.—[11-178](#)

Group Residential Housing Rate Agreement, Contract No. 50920, between the St. Louis County Board of Commissioners and Innovative Living – Hermantown 6.—[11-179](#)

Group Residential Housing Rate Agreement, Contract No. 50943, between the St. Louis County Board of Commissioners and Innovative Living, Inc. (Highland).—[11-180](#)

Group Residential Housing Rate Agreement, Contract No. 50944, between the St. Louis County Board of Commissioners and Innovative Living, Inc. (Hutchinson I).—[11-181](#)

Group Residential Housing Rate Agreement, Contract No. 50945, between the St. Louis County Board of Commissioners and Innovative Living, Inc. (Hutchinson II).—[11-182](#)

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

61

Group Residential Housing Rate Agreement, Contract No. 50940, between the St. Louis County Board of Commissioners and Innovative Living, Inc. (Hermantown I).—[11-183](#)

Group Residential Housing Rate Agreement, Contract No. 50939, between the St. Louis County Board of Commissioners and Innovative Living, Inc. (Gearhart).—[11-184](#)

Group Residential Housing Rate Agreement, Contract No. 50938, between the St. Louis County Board of Commissioners and Innovative Living, Inc. (Crest House I).—[11-185](#)

Group Residential Housing Rate Agreement, Contract No. 50950, between the St. Louis County Board of Commissioners and Kathy Jo Carlson.—[11-186](#)

Addendum to Contract No. 20854 between the St. Louis County Board of Commissioners and Arrowhead Economic Opportunity Agency (AEOA), increasing the Flex Funding administration \$96,695 to \$109,580 for Year 2 of the Family Homeless Prevention and Assistance Program (FHPAP).—[11-187](#)

Addendum to Purchase Agreement, Contract No. 14338C, between the St. Louis County Board of Commissioners and Goodwill Industries Vocational Enterprises, Inc.—[11-188](#)

Addendum to Purchase Agreement, Contract No. 14339C, between the St. Louis County Board of Commissioners and Occupational Development Center, Inc. (ODC).—[11-189](#)

Agreement between the County of St. Louis and the Historic Union Depot, Inc., for operation, marketing, and management of the Depot facility beginning January 1, 2011 through December 31, 2011.—[11-190](#)

Agreement for Professional Services between the County of St. Louis and North St. Louis Soil and Water Conservation District for Wetland Administration.—[11-191](#)

Employee Development Training Contract between St. Louis County and J. Cameron and Associates for *Customer Service in the Public Sector*.—[11-192](#)

Agreement for Professional Services between the County of St. Louis and Jaclyn Corradi, Attorney at Law, to provide representation for parents in Children In Need of Protective Services (CHIPS), Termination of Parental Rights (TPR), or long term foster care placement matters (LTFC).—[11-193](#)

Agreement for Professional Services, Damion No. 2011-6140, between the County of St. Louis and Sonia M. Sturdevant, Attorney at Law, Sturdevant Law Office, PLLC, for representation for parents in Children in Need of Protective Services (CHIPS), Termination of Parental Rights (TPR), or long term foster care placement matters (LTFC).—[11-194](#)

2010-2011 School Recycling and Waste Reduction Grant Agreement between the County of St. Louis and the Virginia School District.—[11-195](#)

Upon motion of Commissioner Raukar, supported by Commissioner Dahlberg, resolutions numbered 91 through 104, as submitted on the Consent Agenda, were unanimously adopted as follows:

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

62

BY COMMISSIONER RAUKAR:

WHEREAS, St. Mary's Medical Center (SMMC) is a Minnesota not-for-profit hospital that provides a disproportionate share of healthcare services to the Medicare population, in addition to supporting many programs that benefit the indigent, uninsured, or underinsured population in the State of Minnesota; and

WHEREAS, SMMC desires to participate in the drug discount program established under Section 340B of the Public Health Services Act (the "340B Program"); and

WHEREAS, in order to participate in the 340B Program, SMMC must enter into an agreement with a unit of the Minnesota government pursuant to which SMMC commits to provide health care services to low income individuals who are not entitled to Medicare or Medicaid benefits at no reimbursement, or considerably less than full reimbursement, from these patients; and

WHEREAS, SMMC desires to make such a formal commitment to St. Louis County; and

WHEREAS, St. Louis County agrees to accept such commitments on behalf of the citizens of the county.

NOW, THEREFORE, BE IT RESOLVED, that the St Louis County Board authorizes the appropriate county officials to execute a Memorandum of Agreement (MOA) with St. Mary's Medical Center to allow it to qualify for participation in the 340B Discount Drug Program, with the term of the MOA commencing on the date of County Board approval, and continuing until terminated by either party upon not less than sixty (60) days prior written notice to the other.

Adopted March 1, 2011. No. 91

WHEREAS, DelRae Ann Howard of Hibbing, MN, 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 DelRae Ann Howard of Hibbing, MN, listed on file in County Board File No. 59222, 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 March 1, 2011. No. 92

WHEREAS, Minn. Stat. § 282.241 provides that state tax forfeited land may be repurchased by the owner at the time of forfeiture, or the owner's heirs, devisees, or representatives, subject to payment of taxes and/or assessments and penalties, interest, and costs; and

WHEREAS, Marc James Pocrnich, the heir of Nick Pocrnich, has applied to repurchase the following parcel located in:

City Of Hibbing

LOTS: 16 & 25, BLOCK 1

TOWNSITE OF LEETONIA CITY OF HIBBING

WHEREAS, Nick Pocrnich was the owner of record at the time of forfeiture, and Marc James Pocrnich is eligible to repurchase this property; and

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

63

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 Marc James Pocrnich, the heir of Nick Pocrnich, on file in County Board File No. 59199, subject to payments including total taxes and assessments of \$1331.78, other land costs of \$2259.59, service fee of \$114, deed tax of \$3.82, deed fee of \$25, and recording fee of \$46; for a total of \$3780.19, to be deposited into Fund 240 (Forfeited Tax Fund).

Adopted March 1, 2011. No. 93

WHEREAS, David G. Youngman, Kent D. Dickinson, and Clayton R. Hulleman 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 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 County Auditor is authorized to grant a non-exclusive roadway easement across state tax forfeited land to David G. Youngman, Kent D. Dickinson, and Clayton R. Hulleman as follows:

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.

RESOLVED FURTHER, that the granting of this easement is conditioned upon payment of \$500 land use fee, \$50 administrative fee, and \$46 recording fee; for a total of \$596, to be deposited into Fund 240 (Forfeited Tax Fund).

Adopted March 1, 2011. No. 95

RESOLVED, that the St. Louis County Board authorizes the creation of the Worker's Compensation Case Coordinator job class, Grade 21 of the Civil Service Basic Unit Pay Plan.

Adopted March 1, 2011. No. 96

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

64

WHEREAS, St. Louis County serves as the sponsor of various winter recreational trails that are part of the State of Minnesota Grant-in-Aid Trail System; and

WHEREAS, the construction and maintenance of these trails is funded through the Minnesota Trail Assistance Program Grants issued with the approval of the Minnesota Department of Natural Resources; and

WHEREAS, the Fredenberg Flyers Ski Club has requested sponsorship of the Biskey Ponds Ski Trail.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board agrees to sponsor this trail at no cost to the county, and authorizes the County Auditor to sign grant applications, agreements, and reimbursement claims to the Minnesota Department of Natural Resources for construction, maintenance and administration of the trail.

RESOLVED FURTHER, that the St. Louis County Board Chair and/or the County Auditor are authorized to sign all easements, licenses, or other instruments associated with the trail, subject to the approval of the County Attorney.

RESOLVED FURTHER, that this resolution is contingent upon the Fredenberg Flyers Ski Club of Fredenberg Township being individually named as an insured on the general liability policy covering St. Louis County sponsored State Grant-in-Aid Trails, and the club naming the landowners over whose lands the trails travel as additional insureds on the general liability policy.

Adopted March 1, 2011. No. 97

WHEREAS, the St. Louis County Sheriff has received a grant from the Minnesota Department of Emergency Communications Network for completion of the Allied Radio Matrix for Emergency Response (ARMER) participation plan; and

WHEREAS, the time to complete the contract went beyond the original grant expiration date.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the appropriate county officials to accept the grant extension of March 31, 2011, from the Minnesota Department of Emergency Communications Network which funds the St. Louis County Allied Radio Matrix for Emergency Response (ARMER) participation plan, and which is accounted for in Fund 100, Agency 129999, Grant 12946, Grant Year 2010.

Adopted March 1, 2011. No. 98

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 2011 Boat and Water Safety Grant in the amount of \$82,929 for the period January 1, 2011 through June 30, 2012, to be accounted for in Fund 100, Agency 130999, Grant 13001, Year 2011.

Adopted March 1, 2011. No. 99

WHEREAS, an analysis of the Travel Imprest Fund was completed to determine if the balance in the fund was still appropriate, with results showing that since 2001 the county has not experienced use of the fund as was originally estimated.

NOW, THEREFORE, BE IT RESOLVED, that the Travel Imprest Fund be reduced by \$10,000 to a total of \$20,000 which more accurately represents the use of the fund.

RESOLVED FURTHER, that future adjustments to the balance of this fund can be made by the County Auditor.

Adopted March 1, 2011. No. 100

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

65

RESOLVED, the St. Louis County Board appoints Commissioner Mike Forsman as its representative to the Arrowhead Economic Opportunity Agency (AEOA) replacing Commissioner Keith Nelson, who is hereby appointed as the Alternate representative to the AEOA Board.

RESOLVED FURTHER, according to the By-Laws of the AEOA, these appointments are for a term of office of five (5) years, expiring December 31, 2014.

Adopted March 1, 2011. No. 101

RESOLVED, the St. Louis County Board appoints Commissioner Mike Forsman as its representative to the Arrowhead Economic Opportunity Agency (AEOA) replacing Commissioner Keith Nelson, who is hereby appointed as the Alternate representative to the AEOA Board.

RESOLVED FURTHER, according to the By-Laws of the AEOA, these appointments are for a term of office of five (5) years, expiring December 31, 2014.

Adopted March 1, 2011. No. 102

RESOLVED, that the 2010/2011 Confidential Unit 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. 59224.

Adopted March 1, 2011. No. 103

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. 59223;

Thirsty Moose Bar and Grill, Inc., d/b/a Thirsty Moose Bar & Grill, Cherry Township, Permit No. S1219.

Adopted March 1, 2011. No. 104

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. 59185.

Unanimously adopted March 1, 2011. No. 105

BY COMMISSIONER NELSON:

WHEREAS, the Information Technology (IT) Department's 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 IT Department to purchase the additional hardware under the Minnesota state contract with Compar, Inc., at the quoted price of \$82,605.00 plus Minnesota state sales tax in the amount of \$5,444.40 for a total of \$88,049.49, payable from Fund 100, Agency 117101, Object 665300.

RESOLVED FURTHER, that the County Board authorizes appropriate county officials to finalize negotiations for ongoing annual maintenance and support prorated through the end of the current maintenance agreement period ending July 31, 2011.

Unanimously adopted March 1, 2011. No. 106

BY COMMISSIONER RAUKAR:

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

66

WHEREAS, the St. Louis County Board wishes to provide the opportunity for citizens who are employed during the day to attend a meeting of the County Board in their areas.

NOW, THEREFORE, BE IT RESOLVED, that the scheduled County Board meetings for April 19, 2011 and June 21, 2011 are hereby removed from the approved 2011 schedule of meetings and are replaced with two evening Board Workshops on the same dates.

RESOLVED FURTHER, these Board Workshops are scheduled to be held at the Evergreen Recreation Center in Duluth, MN on April 19, and at the Mesabi Station in Eveleth, MN on June 21, beginning at 7:00 p.m.

Unanimously adopted March 1, 2011. No. 107

At 10:45 a.m., March 1, 2011, Commissioner Nelson supported by Commissioner Forsman, moved to adjourn; seven yeas, zero nays.

Steve O'Neil, 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**

67

**OFFICIAL PROCEEDINGS OF THE MEETING
OF THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF ST. LOUIS, MINNESOTA,
HELD ON MARCH 8, 2011**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 8th day of March, 2011, at 9:32 a.m., in the County Board Room, Duluth, Minnesota, with the following members present: Commissioners Frank Jewell, Chris Dahlberg, Peg Sweeney, and Keith Nelson – 4. Absent: Commissioners Mike Forsman, Steve Raukar, and Chair Steve O’Neil – 3.

Vice Chair Nelson asked for a moment of silence to honor U.S. troops serving throughout the world and their families as well as all persons adversely affected by war.

Vice Chair Nelson said today is Minnesota Township Day. Vice Chair Nelson noted Commissioners O’Neil, Raukar and Forsman are not in attendance today as they are in Washington D.C. working to get dollars for transportation, health and human services and a number of other areas.

Commissioner Jewell recognized film maker Trent Waterman for excellence in the arts and sciences. Two of his films were shown to the audience. Commissioner Jewell said Trent Waterman is an up and coming young artist and is doing great things in the film industry. Mr. Waterman said he started filming in October 2010, and likes to shoot in unique locations. His films can be viewed at www.northshoresessions.com.

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

Bobbi Franki asked the county board to adopt a state building code. Mr. Franki had a garage built and it did not meet the state code, but can’t seem to get resolution because St. Louis County hasn’t adopted the building code.

A public hearing was held at 9:52 a.m., pursuant to Resolution 65, adopted February 8, 2011, to receive citizen comment on the established priorities and funding recommendations for the Fiscal Year (FY) 2011 Action Plan of the 2010-2014 Consolidation Plan for the Community Development Block Grant, Home Investment Partnership Program, and Emergency Shelter Grant programs. Planning Director Barb Hayden said Housing and Urban Development (HUD) requires the county to solicit public input on the FY 2011 Action Plan established priorities and funding recommendations. Director Hayden described the recommendations and priorities. Vice Chair Nelson asked if there were any supporters, opponents, or other governmental entities who would like to speak on the matter, and no one appeared. Commissioner Dahlberg, supported by Commissioner Sweeney moved to close the public hearing. After further deliberations Commissioner Sweeney, supported by Commissioner Dahlberg moved to approve the resolution; four yeas, zero nays. The public hearing ended at 10:15 a.m. Resolution No. 128.

Commissioner Jewell, supported by Commissioner Sweeney, moved to approve the consent agenda. At the request of Commissioners Sweeney and Dahlberg, items 9 and 12 respectively were pulled from the consent agenda for separate consideration. The remainder of the consent agenda passed; four yeas, zero nays.

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

68

Commissioner Nelson, supported by Commissioner Dahlberg, move to suspend the rules to consider approving a public hearing on March 22, 2011; four yeas, zero nays.

Commissioner Dahlberg, supported by Commissioner Sweeney, moved to establish a public hearing regarding a liquor license violation for the Elephant Lake Lodge, d/b/a Melgeorge's Elephant Lake Lodge, Camp 5 Township; four yeas, zero nays. Resolution No. 129.

Commissioner Dahlberg, supported by Commissioner Jewell, moved to approve item 12 from consent, apportionment of Land Department net proceeds. Commissioner Dahlberg noted the exceptional year and recognized the Land Department for their efforts. Commissioner Sweeney said it is important for citizens to know that when timber is cut, their municipality and school district receives funding. Vice Chair Nelson said this is related to item 13 on consent, and a meeting is scheduled on Thursday, March 10 with the Iron Range Resources and Rehabilitation Board (IRRRB) to discuss. After further discussion, the motion passed; four yeas, zero nays. Resolution No. 122.

Commissioner Sweeney, supported by Commissioner Dahlberg, moved to approve item 9 from consent, joint purchase of 25 desktop computers in the amount of \$38,982.66 from Citon Corp. to aid emergency dispatch in St. Louis, Carlton, Pine, Lake and Cook counties. St. Louis County's portion of the purchase is \$23,389.60 for 15 computers, tax included. Administrator Kevin Gray said the previous resolution did not reflect the accounting inflow/outflow. Administrator Gray said this resolution only clarifies the accounting treatment, and doesn't change the other aspects of the resolution. Commissioner Sweeney noted the high sales tax in the amount of \$2,507.66, adding this is a wonderful example of partnering with other counties to give us better buying power. The motion passed; four yeas, zero nays. Resolution No. 118.

In response to a question from Commissioner Jewell, Administrator Gray said he, along with Auditor Dicklich and Land Commissioner Krepps will be meeting with the IRRRB on Thursday, March 10, 2011, at 1:00 p.m. at the IRRRB in Eveleth.

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 Community Development Director, submitting Board Letter No. 11-78, Public Hearing of 2011 Action Plan CDBG, HOME and ESG Funds.—59234

Kevin Gray, County Administrator, Donald Dicklich, County Auditor, and Mark Rubin, County Attorney, submitting Board Letter No. 11-79, Establish a Public Hearing to Consider Allegations of Liquor Law Violation, Melgeorge's Elephant Lake Lodge, Camp 5 Township.—59235

Agreement for Purchase of Services, Contract No. 2011-6207, between St. Louis County and Mesabi Humane Society for animal shelter services.—11-196

Agreement for Professional Services between the County of St. Louis and South St. Louis Soil and Water Conservation District (SWCD) for Wetland Conservation Act services.—11-197

Agreement for Professional Services between the County of St. Louis and EPC Engineering

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

69

& Testing for Geotechnical Evaluation for Culvert Replacement on CSAH 3 (SAP 69-603-11, CP 8175).—11-198

Agreement for Professional Services, Damion No. 2011-6139, between the County of St. Louis and Terri Port Wright, Ph.D., J. D. Attorney at Law, for representation for parents in Children in Need of Protective Services (CHIPS), Termination of Parental Rights (TPR), or long term foster care placement matters (LTFC).—11-199

Upon motion of Commissioner Jewell, supported by Commissioner Sweeney, resolutions numbered 108 through 117, 119 through 121, and 123 through 127, as submitted to this Board on the Consent Agenda, were unanimously approved as follows:

BY COMMISSIONER JEWELL:

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 (PHHS) wishes to contract with the Human Development Center, Duluth Institute for Psychological Health, and Arrowhead Psychological Clinic to provide forensic psychological services on behalf of the county; and

WHEREAS, PHHS wishes to ensure children in need of protection and services will have their mental health needs addressed and recommendations presented for delinquency proceedings and permanency planning and termination of parental rights hearings; and

WHEREAS, the Human Development Center, Duluth Institute for Psychological Health, and Arrowhead Psychological Clinic are able and willing to provide these services.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes professional service agreements with the Human Development Center, Duluth Institute for Psychological Health, and Arrowhead Psychological Clinic for forensic psychological services for the period January 1, 2011 through December 31, 2011, at a cost of \$650 per evaluation for up to 100 forensic evaluations during calendar year 2011 (\$65,000 maximum). The agreement is payable from Fund 230 (Social Services), Agency 232008 (Children's Services), Expense Object 602000 (Other Children's Services).

Adopted March 8, 2011. No. 108

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, costs, and interest; and

WHEREAS, the applicants, Carol Glas of Proctor, MN, and Robert Rodenwald of Duluth, 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 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 Carol Glas of Proctor, MN on file in County Board File No. 59199, subject to payments including total taxes and assessments of \$10,013.90, service fee of \$114, deed tax of \$32.32, deed fee of \$25, and recording fee of \$46; for a total of \$10,231.22, to be deposited into Fund 240 (Forfeited Tax Fund).

RESOLVED FURTHER, that the St. Louis County Board approves the repurchase application by Robert Rodenwald of Duluth, MN on file in County Board File No. 59199, subject to payments including total taxes and assessments of \$5,793.83, service fee of \$114,

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

70

deed tax of \$18.41, deed fee of \$25 and recording fee of \$46; for a total of \$5,997.24, to be deposited into Fund 240 (Forfeited Tax Fund).

Adopted March 8, 2011. No. 109

WHEREAS, the county operates a construction and demolition materials management program to provide equitable disposal of waste stream for its residents; and

WHEREAS, the county owns an existing demolition landfill in Hibbing and there is adequate space for the potential expansion of this facility; and

WHEREAS, the county wishes to evaluate the expansion of the current Hibbing Demolition Landfill; and

WHEREAS, the lowest responsible quote for this project was received by Liesch Environmental Consultants and Engineers, Minneapolis, MN in the amount of \$32,168; and

WHEREAS, the Solid Waste Subcommittee discussed and approved this project at its January 31, 2011 meeting.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes an agreement with Liesch Environmental Consultants and Engineers, Minneapolis, MN, to assist with the permit submission process to the Minnesota Pollution Control Agency for the potential expansion of the Hibbing Demolition Landfill in the amount of \$32,168, payable from Fund 600, Agency 605001.

Adopted March 8, 2011. No. 110

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 the appropriate local share items listed in the Schedule of Prices in the Proposal/Plan Package and Plan described as MP 97037, Striping 2011. The funds received from Lake County will be receipted into Fund 200, Agency 207001, Revenue 551508.

Adopted March 8, 2011. No. 111

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 Babbitt whereby the city will pay the appropriate local share items listed in the Schedule of Prices in the Proposal/Plan Package and Plan described as MP 97037, Striping 2011. The funds received from the City of Babbitt will be receipted into Fund 200, Agency 207001, Revenue 551518.

Adopted March 8, 2011. No. 112

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 the appropriate local share items listed in the Schedule of Prices in the Proposal/Plan Package and Plan described as MP 97037, Striping 2011. The funds received from the City of Eveleth will be receipted into Fund 200, Agency 207001, Revenue 551519.

Adopted March 8, 2011. No. 113

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. 59185.

Adopted March 8, 2011. No. 114

WHEREAS, the City of Chisholm is requesting \$20,000 in Community Development Block Grant (CDBG) funding to undertake community planning efforts; and

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

71

WHEREAS, funding is available through CDBG planning and administration funds.
NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board approves CDBG planning and administration funds in the amount of \$20,000 for the City of Chisholm; and RESOLVED FURTHER, that the County Planning and Community Development Director and County Attorney are authorized to execute the funding agreements payable from CDBG Fund 260, Agency 260999, Grant 26002, Grant Year 2010.
Adopted March 8, 2011. No. 115

WHEREAS, the City of Winton is requesting \$50,000 in Community Development Block Grant (CDBG) funding to undertake community revitalization addressing blight; and WHEREAS, funding is available through the FY 2010 CDBG Neighborhood Revitalization Program set-aside approved by the County Board; 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 approves \$50,000 in FY 2010 CDBG funds for the City of Winton; and RESOLVED FURTHER, that the County Planning and Community Development Director and County Attorney are authorized to execute the funding agreement payable from CDBG Fund 260.
Adopted March 8, 2011. No. 116

WHEREAS, the City of Ely is requesting \$57,000 in Community Development Block Grant (CDBG) funding to undertake community revitalization; 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 2010 CDBG Neighborhood Revitalization Program set-aside approved by the County Board; 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 approves the \$57,000 in FY 2010 CDBG funds for the City of Ely; and RESOLVED FURTHER, that the County Planning and Community Development Director and County Attorney are authorized to execute the funding agreement payable from CDBG Fund 260.
Adopted March 8, 2011. No. 117

WHEREAS, data shared between the Courts, Law Enforcement, Prosecutors, and Jails must be accurate and timely; and WHEREAS, the implementation of an electronic confirmation of receipt of such data will ensure the data was successfully distributed; and WHEREAS, CourtView Justice Systems can develop a Notice Confirmation Delivery system between the Minnesota Court Information System (MNCIS) and North East Minnesota Enforcement and Safety Information System (NEMESIS); and WHEREAS, the State of Minnesota, Sixth Judicial District, desires to enter into a service agreement with St. Louis County for the development of such system and agrees to reimburse St. Louis County for the cost of the CourtView Justice Systems contract.
NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes a service agreement with the State of Minnesota, Sixth Judicial District, and a contract with CourtView Justice Systems, for the development and implementation of the Notice Confirmation Delivery system.
RESOLVED FURTHER, the project will be accounted for in Fund 150, Agency 150001,

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

72

Project Code 60201005, and that the NEMESIS expenditure and revenue budgets will be increased \$74,500.

Adopted March 8, 2011. No. 119

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

MP 127-120490(Low), CP 120490 and MP 452-120491, CP 120491 located on CSAH 127 (Merrit Ave) from CR 452 to CSAH 7 and on CR 452 (Iron Jct. Rd.) from 5,335' W. of CSAH 7 to CSAH 7 in Iron, MN.

WHEREAS, bids were opened in the County Board Room at 10:00 a.m., February 28, 2011, 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.	PO Box 728 Gilbert, MN 55741	\$314,140.06

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 with the Contractor for the above listed project payable from:

MP 127-120490(low): Fund 200, Agency 203099, Object 652800 \$ 58,674.31
MP 452-120491: Fund 200, Agency 203094, Object 652800 \$255,465.75

Adopted March 8, 2011. No. 120

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

MP 120492, located at the St. Louis Co. Regional Landfill Access Road, Virginia, MN, from TH 135 to 2.6 mi. N.

WHEREAS, said bids were opened in the County Board Room at 10:00 a.m., February 28, 2011, 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.	P.O. Box 340 Cloquet, MN 55720	\$425,358.84

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 with the Contractor for the above listed project payable from Fund 600, Agency 607001, Object 660600.

Adopted March 8, 2011. No. 121

WHEREAS, to date there has not been any discussion of House File No. 401 between the Iron Range Resources and Rehabilitation Board, the St. Louis County Board, and County Administration; and

WHEREAS, House File No. 401 presents a negative financial impact to the citizens/taxpayers of St. Louis County, specifically the schools; and

WHEREAS, there is an existing fair mechanism available for government entities to acquire tax forfeited property from St. Louis County.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board goes on record in strong, unified opposition to House File No. 401.

RESOLVED FURTHER, that a letter be drafted to address the various jurisdictions to be signed by the Chair of the Central Management & Intergovernmental Committee, the Chair of Environmental & Natural Resources Committee, and the Chair of the Board.

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

73

Adopted March 8, 2011. No. 123

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. 59223;

Hi Banks Resort, Inc., d/b/a Hi Banks Resort, Fredenberg Township, Permit No. S1216;
Ely Nordic Ski Club, d/b/a Hidden Valley Chalet, Morse Township, Permit No. S1223;
James Saugestad, d/b/a Melrude Pub, Ellsburg Township, Permit No. S1213;
Wilkins Pine Aire Resort, Inc., d/b/a Pine Aire Resort, Kabetogama Township, Permit No. S1215.

Adopted March 8, 2011. No. 124

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 applications on file in the office of the County Auditor, identified as County Board File No. 59184:

Ash-Ka-Nam Resort & Lodge, LLC d/b/a Ash-ka-Nam, Unorganized Township 68-19, March 19, 2011;
Ash-Ka-Nam Resort & Lodge, LLC d/b/a Ash-ka-Nam, Unorganized Township 68-19, May 7, 2011;
Ash-Ka-Nam Resort & Lodge, LLC d/b/a Ash-ka-Nam, Unorganized Township 68-19, July 16, 2011;
Ash-Ka-Nam Resort & Lodge, LLC d/b/a Ash-ka-Nam, Unorganized Township 68-19, July 23, 2011;
Ash-Ka-Nam Resort & Lodge, LLC d/b/a Ash-ka-Nam, Unorganized Township 68-19, September 24, 2011;
Ash-Ka-Nam Resort & Lodge, LLC d/b/a Ash-ka-Nam, Unorganized Township 68-19, October 1, 2011;
Ash-Ka-Nam Resort & Lodge, LLC d/b/a Ash-ka-Nam, Unorganized Township 68-19, December 31, 2011.

FURTHER RESOLVED, that said license is approved contingent upon recommendation from Environmental Services Director Ted Troolin.

Adopted March 8, 2011. No. 125

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, dated February 25, 2011, on file in the office of the County Auditor, identified as County Board File No. 59188, is hereby received and ratified as payable from Fund 730, Agency 730001.

Adopted March 8, 2011. No. 126

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of February 22, 2011, are hereby approved.

Adopted March 8, 2011. No. 127

BY COMMISSIONER SWEENEY:

WHEREAS, St. Louis County, along with Carlton, Pine, Lake, and Cook counties, operate emergency dispatch centers; and

WHEREAS, the computer equipment in these centers is aging and needs to be replaced; and

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

WHEREAS, a joint purchase of 25 new desktop computers for the dispatch centers will ensure system compatibility as well as being cost effective; and

WHEREAS, fifteen of the 25 computers will be housed in the St. Louis County Emergency Dispatch Center; and

WHEREAS, the counties of Carlton, Pine, Lake, and Cook have agreed to reimburse St. Louis County for the remaining units.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the purchase of 25 desktop computers from Citon Corporation, at the state contract price of \$36,475, plus Minnesota state sales tax in the amount of \$2,507.66, for a total of \$38,982.66.

St. Louis County's portion of the purchase is \$21,885, plus Minnesota state sales tax of \$1,504.60, for a total of \$23,389.60. All computers are to be paid from Enhanced 911, Fund 179, Agency 179001.

RESOLVED FURTHER, reimbursement revenue from Carlton, Pine, Lake, and Cook counties in the amount of \$15,593.06 will be deposited into the appropriate revenue source for each county in Fund 179, Agency 179001 for its portion of this purchase. The revenue and expense budgets for this fund can then be increased accordingly.

Unanimously adopted March 8, 2011. No. 118

BY COMMISSIONER DAHLBERG:

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 generated, after the allowable expenditures of the Land Department in carrying out its activities; and

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 2010 are \$3,281,383.90; and

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the following apportionment of the \$3,281,383.90 of net proceeds:

Net Proceeds of the Forfeited Tax Sale Fund	\$3,281,383.90	Accounting Detail
20% (Minnesota Law (2002), Chapter 390 Sec 39, Subd 2) to Fund 290 – Agency 290001 Memorial Forest Management	\$656,276.78	290-290001
10% (Minnesota Law (2002), Chapter 390 Sec 39, Subd 3) to Fund 100-109002 (Land Use Planning) to offset levy funding, with the offset going to General Fund Fund Balance Assigned for Future Unallotment;	\$131,255.36	100-109002
and to Fund 290-290002 (Forest Rec Agency within the Forest Resources Fund) to begin to pay back current deficit from previous funding commitments	\$131,255.36	290-290002
40% St. Louis County General Fund for the Fund Balance Assigned for Future Unallotment	\$945,038.56	100-100001
40% Schools Fund	\$945,038.56	910
20% Cities and Towns Fund	\$472,519.28	908
Total	\$3,281,383.90	

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

75

Unanimously adopted March 8, 2011. No. 122

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 Partnerships 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 continue 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 Community Development Director is authorized to prepare and submit the 2011 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 8, 2011. No. 128

BY COMMISSIONER DAHLBERG:

RESOLVED, that the St. Louis County Board establishes a public hearing on Tuesday, March 22, 2011, at 9:45 a.m., to determine whether to impose sanctions, suspend, or revoke the intoxicating liquor license issued to Elephant Lake Lodge, Inc. d/b/a Melgeorge's Elephant Lake Lodge, Camp 5 Township, St. Louis County, Minnesota, for violating Minn. Stat. § 340A.503, subd 2. - Purchasing, which states it is unlawful for any person: (1) to sell, barter, furnish, or give alcoholic beverages to a person under 21 years of age.

Unanimously adopted March 8, 2011. No. 129

At 10:35 a.m., March 8, 2011, Commissioner Sweeney supported by Commissioner Jewell, moved to adjourn; four yeas, zero nays.

Keith Nelson, Vice Chair of the Board
of County Commissioners

Attest:

Donald Dicklich, County Auditor

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

76

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**

77

**OFFICIAL PROCEEDINGS OF THE MEETING
OF THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF ST. LOUIS, MINNESOTA,
HELD ON MARCH 22, 2011**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 22nd day of March, 2011, at 9:43 a.m., in the Ely Recreation Center, Ely, Minnesota, with the following members present: Commissioners Frank Jewell, Steve O'Neil, Chris Dahlberg, Mike Forsman, Peg Sweeney, Keith Nelson, and Steve Raukar – 7. Absent: None.

Vice Chair Nelson asked for a moment of silence to honor U.S. troops serving throughout the world and their families as well as all persons adversely affected by war.

Roger Skraba, Mayor of Ely, welcomed the county board and thanked them for all their support.

Commissioner Forsman recognized Bill Defenbaugh, Ely, MN, for excellence in the arts and sciences. Commissioner Forsman said Mr. Defenbaugh is an artist and an attorney. He was instrumental in starting the "Donald G. Gardner Humanities Trust". The trust was funded through the sale of a Frederick Carl Frieseke painting titled "Breakfast in the Garden", which Donald G. Gardner donated to the Ely Public Library. Commissioner Forsman credited Defenbaugh with helping sell the painting, which netted the city of Ely \$506,000, and for helping make Ely the arts community it is today. A video of Commissioner Forsman interviewing Bill Defenbaugh told the story and showcased many of Defenbaugh's original paintings.

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

Bill Skratsky, Ely, presented a request for Ely School District property tax realignment and distributed a handout.

A public hearing was held at 10:14 a.m., pursuant to Resolution No. 553, adopted November 9, 2010, to consider suspension of the Combination On/Off-Sale and Sunday On-Sale Intoxicating Liquor Licenses issued to Kountry Krossroads, Pike Township, for failure to pay real or personal property taxes when due. County Attorney Mark Rubin said all required notices were given, noting the regular taxes were paid, but not the assessment for the septic loan. Bill Jones, representative for Kountry Krossroads, asked if it was legal for the bank to go after you if someone else takes out the loan. Mike Forsman spoke as an opponent to the suspension, stating Northspan gave the loan to Mr. Hoover, who purchased the Kountry Krossroads on a contract for deed, and was given \$20,000 off the purchase price in consideration of installing a new septic system. Mike Forsman said owner Beverly Allis was not aware of the loan when she got the business back after the contract for deed went into default. Forsman said the business will close if the county takes the liquor license. At 10:32 a.m. Commissioner Sweeney, supported by Commissioner Nelson, moved to close the public hearing. Commissioner Nelson, supported by Commissioner Forsman, moved an amended resolution extending the suspension date to May 6, 2011, giving 45 days to resolve the issue surrounding the septic loan. Commissioner Sweeney expressed concern as the party being penalized did not take out the loan. Commissioner Nelson said it is important to give the board the opportunity to go to closed session and this resolution gives the board an additional 45 days to resolve. County Attorney Rubin said there are two separate issues: 1) the

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

78

property tax assessment has been certified to the county auditor, and 2) the issue of the septic loan. County Attorney Rubin said the proposed resolution addresses the property tax matter and the septic loan will be addressed in closed session. After further discussion, the motion was approved, six yeas; one nay, Commissioner Sweeney. Resolution No. 138.

A public hearing was held at 10:46 a.m. pursuant to Resolution No. 129, adopted March 8, 2011, regarding a liquor law violation at the Elephant Lake Lodge, Inc. d/b/a Melgeorge's Elephant Lake Lodge, Camp 5 Township. County Attorney Rubin said Assistant County Attorney Jim Nephew put together an informal agreement, which was signed by the Kochs. County Attorney Rubin said the required notices were given and submitted the informal agreement and packet to the board. Carla and Steven Koch, owners of Melgeorge's Elephant Lake Lodge, said they take this very seriously and are very sorry. In response to a question from Commissioner Raukar, Carla Koch said they are open 7 days a week. Commissioner Nelson said this was part of the Sheriff's office sting operation. In response to a question from Commissioner Sweeney, Carla Koch said she was the person who served the alcohol to a minor, but has put measures in place so it doesn't happen again including hiring additional staff and having regular employee meetings. At 10: 57 a.m., Commissioner Nelson, supported by Commissioner Dahlberg, moved to close the meeting; seven yeas, zero nays. Commissioner Nelson, supported by Commissioner Dahlberg, moved to approve the resolution suspending the liquor license for 30 days and a \$1,000 civil penalty, 27 days and the \$1,000 fine stayed for one year, with no same or similar violations during that period; seven yeas, zero nays. Resolution No. 139.

Commissioner Sweeney, supported by Commissioner Dahlberg, moved to approve the consent agenda; seven yeas, zero nays.

Commissioner Dahlberg, supported by Commissioner Forsman, moved to go to closed session for litigation purposes. The resolution calling for closed session was read for the record; seven yeas, zero nays. Resolution No. 140. Chair O'Neil said the closed session will convene after Committee of the Whole meeting.

At 11:08 a.m. the Board recessed.

At 11:20 a.m. the Board reconvened.

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

Proclamation – “Sunshine Week 2011: Your Right to Know”.—59236

Information from Bill Defenbaugh, Ely, MN, recognized by Commissioner Forsman for the excellence in arts presentation.—59237

Bill Skratsky, Ely, MN, submitting a request for Ely School District Property Tax Area Realignment.—59238

Agreement between St. Louis County and Confidential Public Employees Association representing St. Louis County Confidential Unit Employees for 2010/2011.—11-200

Agreement for Professional Services between St. Louis County and Michael R. Dean for communication, coordination and services for the NEMESIS system.—11-201

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

79

Employee Development Training Contract between St. Louis County and Advance Training & Consulting, LLC, for *Word Mail Merge 203*, *Word Mail Merge 2007*, *Word Styles & Templates 2003*, *Word Styles & Templates 2007*, *Access Queries* and *Access Consultant*.—[11-202](#)

Purchase of Service Agreement, Contract No. 14857, between the St. Louis County Board of Commissioners and Northwood Children's Services for Children's Residential Services.—[11-203](#)

Contract for County-State Aid Highway (CSAH) Projects between the County of St. Louis and Hardrives, Inc., for SAP 69-604-065, CP 8294 and City of Duluth Project #SAP 118-160-022, Traffic Signals, Striping, Grading, Aggregate Base, Concrete Curb & Gutter, Plant Mixed Bituminous Base and Surface on CSAH 4.—[11-204](#)

Grant Agreement, Contract No. 20942, between the St. Louis County Board of Commissioners and Community Action Duluth (CAD) for Minnesota Family Investment Program (MFIP) Disparities Innovation Funds.—[11-205](#)

Grant Agreement, Contract No. 20937, between the St. Louis County Board of Commissioners and Northeast Minnesota Office of Job Training for Minnesota Innovation Fund 2011 Transportation.—[11-206](#)

Grant Agreement, Contract No. 20941, between the St. Louis County Board of Commissioners and Northeast Minnesota Office of Job Training for providing Statewide Minnesota Family Investment Program (MFIP) Employment Services and Diversionary Work Program Services (DWP).—[11-207](#)

Grant Agreement, Contract No. 20931, between the St. Louis County Board of Commissioners and Arrowhead Economic Opportunity Agency for Minnesota Innovation Fund 2011 Transportation.—[11-208](#)

Agreement between the St. Louis county Board of Commissioners and Human Development Center for Assertive Community Treatment Team South services.—[11-209](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14635B, between the Public Health and Human Services Department and Innovative Living, Inc.—[11-210](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14635C, between the Public Health and Human Services Department and Innovative Living, Inc.—[11-211](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14603A, between the Public Health and Human Services Department and Tender Loving Care of Duluth, Inc.—[11-212](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14747A, between the Public Health and Human Services Department and Cindy K. Turnquist, RN.—[11-213](#)

Addendum to Purchase Agreement, Contract No. 14781A, between the St. Louis County

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

80

Board of Commissioners and Charles Gargano and Brenda Gargano d/b/a Aspen Grove Adult Foster Care.—[11-214](#)

Group Residential Housing Rate Agreement, Contract No. 50951, between the St. Louis County Board of Commissioners and Sandra L. Dickman and Carolyn Pohjonen.—[11-215](#)

Group Residential Housing Rate Agreement, Contract No. 50925, between the St. Louis County Board of Commissioners and TLC Buffalo.—[11-216](#)

Group Residential Housing Rate Agreement, Contract No. 50932, between the St. Louis County Board of Commissioners and TLC Caribou.—[11-217](#)

Group Residential Housing Rate Agreement, Contract No. 50930, between the St. Louis County Board of Commissioners and TLC Chambersburg.—[11-218](#)

Group Residential Housing Rate Agreement, Contract No. 50928, between the St. Louis County Board of Commissioners and TLC Como.—[11-219](#)

Group Residential Housing Rate Agreement, Contract No. 50926, between the St. Louis County Board of Commissioners and TLC Gearhart.—[11-220](#)

Group Residential Housing Rate Agreement, Contract No. 50933, between the St. Louis County Board of Commissioners and TLC Haines.—[11-221](#)

Group Residential Housing Rate Agreement, Contract No. 50953, between the St. Louis County Board of Commissioners and TLC Hermantown.—[11-222](#)

Group Residential Housing Rate Agreement, Contract No. 50947, between the St. Louis County Board of Commissioners and TLC High.—[11-223](#)

Group Residential Housing Rate Agreement, Contract No. 50952, between the St. Louis County Board of Commissioners and TLC Maple Grove.—[11-224](#)

Group Residential Housing Rate Agreement, Contract No. 50946, between the St. Louis County Board of Commissioners and TLC Morris Thomas.—[11-225](#)

Group Residential Housing Rate Agreement, Contract No. 50929, between the St. Louis County Board of Commissioners and TLC Page.—[11-226](#)

Group Residential Housing Rate Agreement, Contract No. 50931, between the St. Louis County Board of Commissioners and TLC Pike Lake.—[11-227](#)

Group Residential Housing Rate Agreement, Contract No. 50927, between the St. Louis County Board of Commissioners and TLC Swan Lake.—[11-228](#)

Public Health Emergency Response Grant Agreement Amendment #2 (PHER Extension Amendment for Supplemental Funds) between St. Louis County and the Carlton-Cook-Lake-St. Louis Community Health Board (CHB) for the period January 7, 2011 – July 30, 2011.—[11-229](#)

Grant Contract between St. Louis County and Minnesota Department of Veterans Affairs for

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

81

the County Veterans Service Office Enhancement Grant Program.—11-230

Grant Contract between St. Louis County and Minnesota Department of Veterans Affairs for the County Veterans Service Office Enhancement Grant Program.—11-231

Letter of Understanding between the State of Minnesota Office of the State Auditor and St. Louis County for the 2010 Audit of St. Louis County.—11-232

Purchase of Service Agreement between St. Louis County and Northspan Group, Inc., for load administrative services for the St. Louis County Septic Loan Program.—11-233

Services Agreement between St. Louis County and the State of Minnesota, Sixth Judicial District for Implementation of Notice Confirmation Delivery to the State's MNCIS case management system.—11-234

Amendment No. 1 to Memoranda of Understanding between St. Louis County and State of Minnesota, Sixth Judicial District for Voice over IP (VOIP) telephone system.—11-235

Agreement between St. Louis County and Thomas O. Roach and Melissa L. Roach for a road easement located in Section 20, Township 62, Range 21.—11-236

Upon motion of Commissioner Sweeney, supported by Commissioner Dahlberg, resolutions numbered 130 through 137, as submitted 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 March 1, 2011, are hereby approved.
Adopted March 22, 2011. No. 130

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of March 8, 2011, are hereby approved.
Adopted March 22, 2011. No. 131

WHEREAS, St. Louis County has need for a Crisis Nursery Service; and

WHEREAS, the Department of Public Health and Human Services has contracted with Lutheran Social Service since March 1994 to provide child protection services on behalf of the county; and

WHEREAS, the Department wishes to renew this agreement for an early intervention service committed to the prevention of child abuse and maltreatment by providing short-term emergency care for children and support services for families during times of crisis.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board authorizes an agreement with Lutheran Social Service Bethany Crisis Nursery for the period January 1, 2011 to December 31, 2011 and authorizes payment of \$37,182, payable from Fund 230 (Social Services); Agency 232008 (Children's Services); Expense Object 601200 (Out-of-Home Placement).

Adopted March 22, 2011. No. 132

WHEREAS, the City of Virginia has requested to purchase the following described state tax forfeited land for the appraised value of \$4,500, plus fees, for alley and utility purposes:

Legal: Lots 6 and 7, Block 76, Virginia 2nd Addition

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

82

Parcel Code: 90-30-60
0.16 Acres
LDKEY: 57185

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 parcel 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 land situated within a municipality or town must be approved by the governing body of the municipality or town.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the sale of the state tax forfeited land, as described, to the City of Virginia for the appraised value of \$4,500 plus the following fees: 3% assurance fee of \$135, deed fee of \$25, deed tax of \$14.85, recording fee of \$46, and administration fee of \$150; for a total of \$4,870.85, 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 here if the City of Virginia does not purchase the land by June 1, 2011.

Adopted March 22, 2011. No. 133

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. 59223;

Ely Golf Club Corp., Inc., d/b/a Ely Golf Club, Morse Township, Permit No. BC121, change of officers.

Adopted March 22, 2011. No. 134

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. 59223;

Back Country Bar, Inc., d/b/a Hugo's, Ault Township, Permit No. S1222;

Kathryn Brown, d/b/a K. T.'s Floodwood Lake Resort & Campground, Cedar Valley Township, Permit No. S1217;

Vernon Skoglund, d/b/a Silver Fox Lodge, Gnesen Township, Permit No. S1211.

Adopted March 22, 2011. No. 135

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. 59197, are hereby approved and the County Auditor shall issue checks in the following amounts:

FEBRUARY 2011		
100	General Fund	\$5,315,798.82
150	Sheriff's Nemesis Fund Group	5,137.29
160	MN Trail Assistance	45,210.04
166	Sheriff Fine Contingency	4,631.42
167	Attorney's Forfeitures	183.45

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

83

168	Sheriff's State Forfeitures	2,477.88
173	Emergency Shelter Grant	19,900.41
179	Enhanced 9-1-1	8,232.32
180	Law Library	68,572.48
183	City/County Communications	441.06
184	Extension Service	30,377.37
200	Public Works	2,778,991.52
210	Road Maint – Unorg Townships	1,544.43
220	State Road Aid	319,898.82
230	Public Health & Human Services	4,981,067.19
240	Forfeited Tax	376,733.36
260	CDBG Grant	104,898.21
270	Home Grant	11,638.87
281	SLC Septic Loans	3,117.01
290	Forest Resources	17,784.54
400	County Facility	24,886.70
405	Public Works Building Const	11,560.00
407	Public Works – Equipment	22,646.81
421	Northland Office Bldg Improv.	2,580.00
438	2008B Capital Improvement Bond	98,610.32
439	2010A Capital Improvement Bond	9,600.00
600	Environmental Services	511,167.03
616	On-Site Waste Water Division	41,689.01
625	Chris Jensen Health & Rehab	12,503.88
700	Printing	5,654.86
705	Postage Office Supplies	3,893.00
715	County Garage	112,357.35
720	Property Casualty Liability	52,260.13
730	Workers Compensation	179,581.76
750	Management Info Systems	232.00
760	Telecommunications	5,290.76
826	Taconite Production Tax	5,410,373.00
900	State of Minnesota	893,678.57
902	Courts	275,209.37
908	Cities and Towns Taxes	270,643.58
909	Tax Refunds	81,895.57
911	Taxes and Penalties	826.94
925	Arrowhead Regional Corrections	1,745,235.70
955	Community Health Board	328,882.82
985	Collective Local Collaborative	62,336.57
989	Regional Railroad Authority	93,815.32
992	Permits to Carry-Firearms	2,430.00
998	MPL-DUL Train Alliance	23,094.93
		\$24,379,572.47

Adopted March 22, 2011. No. 136

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, dated March 11, 2011, on file in the office of the County Auditor, identified as County Board File No. 59188, is hereby received and ratified as payable from Fund 730, Agency 730001.

Adopted March 22, 2011. No. 137

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

84

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, 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 and was continued to March 22, 2011, 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 licenses for Kountry Krossroads, Pike Township, are hereby suspended effective May 6, 2011; 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.

Yeas – Commissioners Jewell, O’Neil, Dahlberg, Forsman, Nelson, and Raukar – 6

Nays – Commissioner Sweeney – 1

Adopted March 22, 2011. No. 138

BY COMMISSIONER NELSON:

WHEREAS, the St. Louis County Liquor Licensing Committee met on March 8, 2011 to consider recommending action to be taken by the County Board as a result of an alleged liquor law violation against Steven and Carla Koch, owners of Elephant Lake Lodge, Inc. d/b/a Melgeorge’s Elephant Lake Lodge, Camp 5 Township; and

WHEREAS, the Liquor Licensing Committee recommended a thirty (30) day suspension and \$1,000 civil penalty, with twenty seven (27) days of the suspension and the \$1,000 civil penalty stayed, for one year with no same or similar violations during that year, with the dates of suspension of the liquor license to be April 4, 5, and 6, 2011; and

WHEREAS, after hearing testimony on the matter at a public hearing conducted on March 22, 2011 at 9:45 a.m. in the Ely Recreation Center, Ely, MN, the St. Louis County Board determined the recommendation of the St. Louis County Liquor Licensing Committee to be an appropriate penalty for the liquor law violation.

NOW, THEREFORE, BE IT RESOLVED, that the Combination On/Off-Sale Intoxicating Liquor License No. CMB11101 and Sunday On-Sale Intoxicating Liquor License No. 11101, issued to Elephant Lake Lodge, Inc. d/b/a Melgeorge’s Elephant Lake Lodge, Camp 5 Township, are hereby suspended for thirty (30) days and a \$1,000 civil penalty is due, with twenty seven (27) days of the suspension and the \$1,000 civil penalty stayed for one (1) year, with no same or similar violations during that period.

RESOLVED FURTHER, that the dates of suspension of the liquor licenses are to be April 4, 5, and 6, 2011.

RESOLVED FURTHER, that a new violation within the next year (ending March 22, 2012), will result in the imposition of the remainder of the suspension and civil penalty, and may also be cause for additional action against the liquor license of the licensee pursuant to St. Louis County Ordinance Number 28, Section 13.

Unanimously adopted March 22, 2011. No. 139

BY COMMISSIONER DAHLBERG:

WHEREAS, pursuant to Minn. Stat. § 13D.05, Subd. 3, the St. Louis County Board may close a meeting as permitted to ensure attorney/client privilege; and

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

85

WHEREAS, St. Louis County is engaged in settlement efforts in lieu of litigation involving Ms. Beverly Allis, d/b/a B 2 Babs, Inc., and/or Kountry Krossroads in Pike Township and a septic system loan and a special property tax assessment; and

WHEREAS, the County Attorney requires a candid and open discussion to provide legal advice to the St. Louis County Board with respect to the evaluation of this case and potential litigation strategy in these matters; and

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board hereby closes the meeting of March 22, 2011, to discuss this matter with counsel.

RESOLVED FURTHER, that no other pending public business will be discussed at this closed session.

Unanimously adopted March 22, 2011. No. 140

At 11:20 a.m., March 22, 2011, Commissioner Nelson, supported by Commissioner Raukar, moved to adjourn; seven yeas, zero nays.

Steve O'Neil, 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)