

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

**JULY, 2011**

**OFFICIAL PROCEEDINGS OF THE MEETING  
OF THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF ST. LOUIS, MINNESOTA,  
HELD ON JULY 5, 2011**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 5th day of July, 2011, at 9:36 a.m., in the County Board Room, Duluth Courthouse, Duluth, 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.

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.

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:

Ann Busche, Public Health and Human Services (PHHS) Director, announced the appointment of Mark Nelson to the position of Senior Manager of Adult Services. Manager Nelson started with PHHS in 1977 and has worked in a variety of areas including child protection, financial assistance, waived services, and took some time off to earn a masters degree. Manager Nelson said he is honored to be here and is looking forward to leading the Adult Services Division for St. Louis County.

Commissioner Sweeney, supported by Commissioner Dahlberg, moved to approve the consent agenda; seven yeas, zero nays. Commissioner Sweeney questioned items on the tax abatement list and requested additional information. Administrator Gray he would discuss it at the Committee of the Whole meeting.

Commissioner Raukar, supported by Commissioner Sweeney, moved to approve a Joint Powers Agreement (JPA) with the National Joint Powers Alliance for the purpose of increasing purchasing efficiencies. Commissioner Sweeney said we should first try to purchase locally, and if there are no local options, then look at other sources. Our motto should be to buy local. Commissioner Nelson said he would like department heads to track the JPA usage and come back at a board workshop next year to evaluate. Commissioner Raukar said the board is committed to keep dollars working in our community, noting the purpose is increased efficiencies. Commissioner Forsman said the board is committed to local suppliers, adding this allows us to work with other governmental entities; seven yeas, zero nays. Resolution No. 380.

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 Donald Dicklich, County Auditor, submitting Board Letter No. 11-246, Establish a Public Hearing for Suspension/Revocation of Liquor Licenses for Property Tax Non-Payment.—59285

Kevin Gray, County Administrator, Donald Dicklich, County Auditor, and Mark Rubin, County Attorney, submitting Board Letter No. 11-247, Establish a Public Hearing to Consider Allegations of Liquor Law Violations – Dry Dock Bar & Restaurant (Midway Township).—59286

Kevin Gray, County Administrator, Donald Dicklich, County Auditor, and Mark Rubin, County Attorney, submitting Board Letter No. 11-248, Establish a Public Hearing to Consider Allegations of Liquor Law Violations – Cold Country Liquor, Inc. (Embarrass Township).—59287

Kevin Gray, County Administrator, Donald Dicklich, County Auditor, and Mark Rubin, County Attorney, submitting Board Letter No. 11-249, Establish a Public Hearing to Consider Allegations of Liquor Law Violations – Hi Banks Resort (Fredenberg Township).—59288

Kevin Gray, County Administrator, Donald Dicklich, County Auditor, and Mark Rubin, County Attorney, submitting Board Letter No. 11-250, Establish a Public Hearing to Consider Allegations of Liquor Law Violations – Island Lake Inn (Gnesen Township).—59289

Kevin Gray, County Administrator, Donald Dicklich, County Auditor, and Mark Rubin, County Attorney, submitting Board Letter No. 11-251, Establish a Public Hearing to Consider Allegations of Liquor Law Violations – K.T.'s Floodwood Lake Resort (Cedar Valley Township).—59290

Kevin Gray, County Administrator, and Barbara Hayden, Director of Planning and Community Development, submitting Board Letter No. 11-252, FY 2011 HUD Entitlement Grants and Contracts – CDBG, HOME and ESG.—59291

Kevin Gray, County Administrator, and James Foldesi, Public Works Director/County Engineer, submitting Board Letter No. 11-253, Joint Powers Agreement with the National Joint Powers Alliance.—59292

Local Bridge Replacement Program (LBRP) Grant Agreement No. 98791 between the Minnesota Department of Transportation and St. Louis County for SP 69-598-030, New Bridge No. 69695 on County Road 500 near Cook, MN.—11-563

Agreement for Professional Services between the County of St. Louis and LHB Corporation for bridge design, County Bridge No. 808 along County State Aid Highway 7 in Industrial Township, SAP 69-607-047, CP 98840.—11-564

Agreement for Professional Services between the County of St. Louis and MacNeil Environmental, Inc., for Duluth Court House First Floor Remodeling Project – Asbestos Abatement Monitoring and Reporting.—11-565

Upon motion by Commissioner Sweeney, supported by Commissioner Dahlberg, resolutions numbered 359 through 379, as submitted on the Consent Agenda, were

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unanimously adopted as follows:

**BY COMMISSIONER SWEENEY:**

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of June 14, 2011, are hereby approved.

Adopted July 5, 2011. No. 359

WHEREAS, the Property Management Department has been directed to provide office space for the Mesabi Assertive Community Treatment (ACT) within the Olcott Plaza, Virginia, MN, now owned by Vukonich Properties; and

WHEREAS, space is currently available in the Olcott Plaza to accommodate the Mesabi ACT.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes a one (1) year lease agreement with Vukonich Properties, retroactive to June 1, 2011, at the annual rate of \$35,458.06, payable in equal monthly installments of \$2,954.84 (\$11.66/sq. ft.) for approximately 3,041 square feet of space in the Olcott Plaza, Virginia, MN, to be accounted for in Fund 230, Agency 232003 (PHHS).

RESOLVED FURTHER, that a one-year extension of the lease with Vukonich Properties is authorized upon the same terms, covenants, and conditions of the original lease, except and subject to a mutually agreed upon renegotiated monthly rental rate (for calendar year 2012 the rate will be \$3,043.49, reflecting a 3% increase, \$12.01/sq. ft.) effective January 1, 2012, and subject to the approval of the St. Louis County Attorney.

Adopted July 5, 2011. No. 360

WHEREAS, St. Louis County is committed to providing waste disposal services to residents in the northern regions of the county; and

WHEREAS, since 1996 the county has been leasing property located in the SW  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of Section 22, Township 60, Range 15, from Embarrass Township under the terms of an existing agreement which expires on September 30, 2011; and

WHEREAS, it has been determined that it is in the best interest of the county to continue to provide a canister site to the residents in this area.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes a five-year agreement with Embarrass Township to lease property for the operations of the Embarrass Solid Waste Canister Site, for the period October 1, 2011 through September 30, 2016, at a cost of \$300 per year, payable from Fund 600, Agency 603001.

Adopted July 5, 2011. No. 361

WHEREAS, St. Louis County Board Resolution No. 11-329, adopted on June 14, 2011, established a public hearing to be held on July 27, 2011 in conjunction with the Minnesota Department of Natural Resources for the Prescriptive Easement Project in St. Louis County; and

WHEREAS, the joint public hearing has been postponed until the state budget situation is resolved.

NOW, THEREFORE, BE IT RESOLVED, that St. Louis County Board Resolution No. 11-329, adopted on June 14, 2011, is rescinded.

Adopted July 5, 2011. No. 362

WHEREAS, the contract with Christine Schweiger of Duluth, MN, for the purchase of state tax forfeited land is in default for failure to provide proof of insurance; and

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:

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Christine Schweiger

TOWN OF DULUTH  
NW1/4 OF SW1/4 EX 3 AC AT SE CORNER FOR SCHOOL AND EX N1/2  
SEC 29 TWP 52 RGE 12  
Parcel Code: 315-20-4830  
C22100051

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the cancellation of contract 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 July 5, 2011. No. 363

WHEREAS, the contract with Shannon Hartmark of Atlanta, GA, 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 publication and has failed to cure the default for lands legally described as:

Shannon Hartmark

CITY OF DULUTH  
PART OF OUTLOT 28 COMMENCING AT SW CORNER THENCE ELY  
263 FT TO POINT OF BEG THENCE NLY AT AN ANGLE OF 90 DEG 10  
MIN 15 SEC 16 50/100 FT THENCE NWLY AT AN ANGLE OF 94 DEG  
21 MIN 92 FT THENCE NELY AT AN ANGLE OF 109 DEG 8 MIN 66  
54/100 FT THENCE SELY AT AN ANGLE OF 114 DEG 23 MIN 110 FT  
THENCE CONTINUING SELY 3 DEG 8 MIN 96 66/100 FT THENCE IN A  
WLY DIRECTION AT AN ANGLE OF 39 DEG 210 78/100 FT TO POINT  
OF BEGINNING  
NORTONS DULUTH OUTLOTS  
Parcel Code: 10-3500-353  
C22090170

Shannon Hartmark

CITY OF DULUTH  
LOT: 0321 BLOCK: 157  
DULUTH PROPER SECOND DIVISION  
Parcel Code: 10-1220-3950  
C22090171

Shannon Hartmark

CITY OF DULUTH  
S 50 FT OF N 95 FT OF LOT 9 AND S 50 FT OF N 95 FT OF E 1/2 OF  
LOT 10, BLOCK 006  
NORTONS DIVISION OF DULUTH  
Parcel Code: 10-3490-650  
C22090172

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the cancellation of contract 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 July 5, 2011. No. 364

WHEREAS, the contract with Lamont Knazze III of Hinckley, 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

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publication and has failed to cure the default for lands legally described as:  
Lamont Knazze III

CITY OF HERMANTOWN  
LOT: 0004 BLOCK: 005  
PROCTOR LAKE VIEW ACRES HERMANTOWN  
Parcel Code: 395-120-300  
C22060100

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the cancellation of contract 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 July 5, 2011. No. 365

WHEREAS, the contract with Amer Mian of Scanlon, 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 publication and has failed to cure the default for lands legally described as:

Amer Mian

CITY OF DULUTH  
LOTS: 0019, 0020 and 0021 BLOCK: 029  
GARY FIRST DIVISION DULUTH  
Parcel Code: 10-1800-7010, 7030  
C22050027

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the cancellation of contract 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 July 5, 2011. No. 366

WHEREAS, the contract with Banyen Ready and John Ready 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 has failed to cure the default for lands legally described as:

Banyen Ready and John Ready

CITY OF DULUTH  
LOTS: 06, 07, 08, 09, 10 BLOCK: 006  
BRISTOL BEACH 2ND DIVISION DULUTH  
Parcel Code: 10-310-760, 770, 780, 790, 800  
C22060202

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the cancellation of contract 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 July 5, 2011. No. 367

WHEREAS, the contract with D & D Salvage 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 has failed to cure the default for lands legally described as:

D & D Salvage

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CITY OF EVELETH  
TRACT 8 W 200 FT OF E 505 FT OF THAT PART OF NW 1/4 OF SE 1/4  
LYING N OF THE MESABA RY RT OF WAY  
SEC 33 TWP 58 RGE 17  
Parcel Code: 40-206-640  
C22060250

D & D Salvage

CITY OF EVELETH  
TRACT 11 W 200 FT OF E 1105 FT OF THAT PART OF NW 1/4 OF SE 1/4  
LYING N OF THE MESABA RY RT OF WAY  
SEC 33 TWP 58 RGE 17  
Parcel Code: 40-206-670  
C22060249

D & D Salvage

CITY OF EVELETH  
TRACT 9 W 200 FT OF E 705 FT OF THAT PART OF NW 1/4 OF SE 1/4  
LYING N OF THE MESABA RY RT OF WAY  
SEC 33 TWP 58 RGE 17  
Parcel Code: 40-206-650  
C22060247

D & D Salvage

CITY OF EVELETH  
TRACT 10 W 200 FT OF E 905 FT OF THAT PART OF NW 1/4 OF SE 1/4  
LYING N OF THE MESABA RY RT OF WAY  
SEC 33 TWP 58 RGE 17  
Parcel Code: 40-206-660  
C22060248

D & D Salvage

CITY OF EVELETH  
SW 1/4 OF SE 1/4 LYING N OF N R.O.W. OF HWY #37  
SEC 33 TWP 58 RGE 17  
Parcel Code: 40-206-695  
C22060246

D & D Salvage

CITY OF EVELETH  
TRACT 7 E 305 FT OF THAT PART OF NW 1/4 OF SE 1/4 LYING N OF THE  
  
MESABA RY R OF W  
SEC 33 TWP 58 RGE 17  
Parcel Code: 40-206-630  
C22060245

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the cancellation of contract 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 July 5, 2011. No. 368

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 July 5, 2011. No. 369

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
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RESOLVED, that a public hearing will be held at 9:40 a.m. on Tuesday, July 26, 2011, in the Floodwood City Hall, Floodwood, 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 July 5, 2011. No. 370

RESOLVED, that a public hearing will be held at 9:45 a.m. on Tuesday, July 26, 2011, in the Floodwood City Hall, Floodwood, Minnesota, for the consideration of the allegations and, if proven, the suspension or revocation of the intoxicating liquor licenses issued to Van Gillen's Dry Dock, Inc., d/b/a Dry Dock Bar & Restaurant, Midway Township, and/or the imposition of civil penalties for the violation.

Adopted July 5, 2011. No. 371

RESOLVED, that a public hearing will be held at 9:50 a.m. on Tuesday, July 26, 2011, in the Floodwood City Hall, Floodwood, Minnesota, for the consideration of the allegations and, if proven, the suspension or revocation of the intoxicating liquor licenses issued to Cold Country Liquor, Inc., d/b/a Cold Country Liquor, Inc., Embarrass Township, and/or the imposition of civil penalties for the violations.

Adopted July 5, 2011. No. 372

RESOLVED, that a public hearing will be held at 9:55 a.m. on Tuesday, July 26, 2011, in the Floodwood City Hall, Floodwood, Minnesota, for the consideration of the allegations and, if proven, the suspension or revocation of the liquor licenses issued to Hi Banks Resort, Inc., d/b/a Hi Banks Resort, Fredenberg Township, and/or the imposition of civil penalties for the violation.

Adopted July 5, 2011. No. 373

RESOLVED, that a public hearing will be held at 10:00 a.m. on Tuesday, July 26, 2011, in the Floodwood City Hall, Floodwood, Minnesota, for the consideration of the allegations and, if proven, the suspension or revocation of the intoxicating liquor licenses issued to ILI, LLC d/b/a Island Lake Inn, Gnesen Township, and/or the imposition of civil penalties for the violation.

Adopted July 5, 2011. No. 374

RESOLVED, that a public hearing will be held at 10:05 a.m. on Tuesday, July 26, 2011, in the Floodwood City Hall, Floodwood, Minnesota, for the consideration of the allegations and, if proven, the suspension or revocation of the liquor licenses issued to Kathryn Brown d/b/a K.T.'s Floodwood Lake Resort & Campground, Cedar Valley Township, and/or the imposition of civil penalties for the violation.

Adopted July 5, 2011. No. 375

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WHEREAS, the FY 2011 Action Plan of the St. Louis County 2010-2014 Consolidated Plan was submitted on March 14, 2011 to the U.S. Department of Housing and Urban Development for the FY 2011 Emergency Shelter Grant (ESG), HOME Investment Partnerships (HOME), and Community Development Block Grant (CDBG) programs; and WHEREAS, the U.S. Department of Housing and Urban Development has approved the FY 2011 Action Plan of the St. Louis County 2010-2014 Consolidated Plan and provided program allocations to St. Louis County of \$107,028 for the ESG program; \$641,649 for the HOME program, and \$2,200,787 for the CDBG program; and

WHEREAS, the St. Louis County Board approved the CDBG Citizen Advisory Committee recommendation for FY 2011 Community Development Block Grant (CDBG) program awards by County Board Resolution No. 11-128 on March 8, 2011; and

WHEREAS, the advisory committee for the Emergency Shelter Grant program recommends FY 2011 funding of \$107,028 for administration and five nonprofit organizations to support essential services, homeless prevention activities, and emergency shelter and transitional housing operations; and

WHEREAS, the advisory committee for the Northeast Minnesota HOME Consortium recommends the award of \$716,649 in HOME funding for administration priority housing activities identified in the Consolidated Plan in the five-county region.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board accepts the FY 2011 HUD grants and authorizes the St. Louis County Planning and Community 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.

RESOLVED FURTHER, that grant funds will be allocated as follows:

\$ 107,028	ESG Grant to Fund 173
\$ 641,649	HOME Grant to Fund 270
\$ 2,200,787	CDBG Grant to Fund 260

RESOLVED FURTHER, that the St. Louis County Board allocates FY 2011 projects from grants, program income and reprogrammed funds and authorizes the Planning and Community 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:

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**Agency – CDBG Fund 260**

<b>2011 CDBG Program St. Louis County</b>		
	<b>Project</b>	<b>Amount</b>
	<b>Housing</b>	
201101	AEOA Single Family Rehabilitation Program	400,000
201102	Aurora HRA Rental Rehabilitation	100,000
201103	Hibbing HRA Supportive Housing	215,000
201104	Northern Communities Land Trust Acquisition Rehabilitation	110,000
201105	North St. Louis County Habitat for Humanity Acquisition Rehabilitation	75,000
201106	Range Mental Health Center Supportive Housing	100,000
	Subtotal	1,000,000
	<b>Economic Development</b>	
201107	Northeast Entrepreneur Fund – Small Business Development Program	40,000
	Subtotal	40,000
	<b>Physical Improvement</b>	
201108	American Bear Association Accessibility	8,475
201109	Aurora City Infrastructure	160,000
201110	Babbitt City Infrastructure	100,000
201111	Biwabik City Infrastructure	75,000
201112	Buhl City Infrastructure	75,000
201113	Chisholm City Infrastructure	100,000
201114	Colvin Township Accessibility	20,000
201115	Ely City Infrastructure	120,000
201116	Eveleth City Infrastructure	150,000
201117	United States Hockey Hall of Fame Accessibility	17,989
201118	Floodwood Services & Training Rehabilitation	41,250
201119	Hibbing City Infrastructure	350,000
201120	McKinley City Infrastructure	15,750
201121	Mesabi Family YMCA Accessibility	46,083
201122	Orr City Infrastructure	106,453
201123	Pike Township Accessibility	30,000
201124	Tower City Infrastructure	104,000
201136	St. Louis County Neighborhood Revitalization Program	0
	Subtotal	1,520,000

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<b>Public Service</b>		
201125	AEOA Homeless Shelter	45,000
201126	AEOA Homeless Youth Services	24,000
201127	AEOA Homeownership Assistance Program	17,000
201128	AEOA Relatives as Parents (RAP)	9,000
201129	Legal Aid Service of NE MN Housing Counseling	43,500
201130	Range Transitional Housing	43,700
201131	Range Women's Advocates Children's Program	26,000
201132	Salvation Army Hibbing-Melting Pot Meals Program	16,500
201133	Salvation Army Virginia-Virginia Supper Club	16,500
201134	Sexual Assault Youth Outreach Services	28,800
201135	SOAR Career Solutions	30,000
	Subtotal	300,000
201137	St. Louis County Administration/Planning	434,787
	Subtotal	434,787
<b>Total FY 2011 CDBG Program</b>		
	Housing	1,000,000
	Economic Development	40,000
	Physical Improvements	1,520,000
	Public Service	300,000
	Administration	434,787
	<b>Subtotal – CDBG</b>	<b>3,294,787</b>

**Agency – HOME Fund 270**

<b>2011 HOME Program - Northeast Minnesota HOME Consortium</b>	
<b>Project</b>	<b>Amount</b>
AEOA Home Ownership Assistance Program	204,609
AEOA CHDO Set-Aside	18,066
AEOA CHDO Operating	10,694
Kootasca Home Ownership Assistance	217,265
Kootasca CHDO Operating	10,694
Northern Communities Land Trust CHDO Set-Aside	180,463
Northern Communities Land Trust CHDO Operating	10,694
St. Louis County Administration	64,164
<b>Total – HOME</b>	<b>716,649</b>

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Agency-ESG Fund 173

2011 ESG Program - St. Louis County	
Project	Amount
Arrowhead Economic Opportunity Agency – Shelter Operations	44,478
Legal Aid Service of NE Minnesota – Homeless Prevention	12,200
Range Transitional Housing – Essential Services	25,400
Salvation Army Hibbing – Homeless Prevention	9,800
Salvation Army Virginia – Homeless Prevention	9,800
St. Louis County – Planning/Administration	5,350
<b>Total - ESG</b>	<b>\$107,028</b>

Adopted July 5, 2011. No. 376

WHEREAS, the State of Minnesota Department of Public Safety through the Division of Emergency Communication Networks has made available \$387,750 in funding from the State Homeland Security grant program for Interoperable Communications equipment to be distributed by the Northeast Regional Radio Board; and

WHEREAS, the St. Louis County Sheriff's Office will be able to purchase needed interoperable communications equipment as a result of this funding.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes acceptance of the 2010 State Homeland Security grant for Interoperable Communications equipment in the amount of \$387,750, to be accounted for in Fund 100, Agency 136999, Grant 13604, Year 2010, and authorizes St. Louis County to serve as fiscal agent on behalf of Northeast Regional Radio Board.

RESOLVED FURTHER, that the St. Louis County Board authorizes the appropriate county officials to sign any associated contract documents.

Adopted July 5, 2011. No. 377

WHEREAS, the State of Minnesota Department of Public Safety through the Division of Emergency Communication Networks has made available \$65,412 in funding from the Interoperable Communications grant program for Interoperable Communications training for public safety agencies represented by the Northeast Regional Radio Board; and

WHEREAS, the St. Louis County Sheriff's Office and the Northeast Regional Radio Board will be able to provide needed interoperable communications training as a result of this funding.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes acceptance of the 2010 Interoperable Communications grant in the amount of \$65,412 for Interoperable Communications Training grant, including \$1,962 for management and administration, and authorizes the county to serve as fiscal agent for the grant on behalf of the Northeast Regional Radio Board, to be accounted for in Fund 100, Agency 136999, Grant 13605, Year 2010.

RESOLVED FURTHER, that the St. Louis County Board authorizes the appropriate county officials to sign any associated contract documents.

Adopted July 5, 2011. No. 378

WHEREAS, the State of Minnesota Department of Public Safety through the Division of Emergency Communication Networks has made available an additional \$1,573,499 in funding from the Allied Radio Matrix for Emergency Response (ARMER) Integration grant

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ST. LOUIS COUNTY, MINNESOTA**

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program for Interoperable Communications equipment for entities represented by the Northeast Regional Radio Board; and

WHEREAS, St. Louis County will receive \$632,240 of this additional funding, which requires a 50% match; and

WHEREAS, St. Louis County has funding available in the 2008 Capital Equipment Note for the ARMER project which can be used to meet the match requirement for this grant money. NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes acceptance of the amended 2010 ARMER Integration grant in the amount of \$2,306,259 for Interoperable Communications equipment, and indentifies \$632,240 of the funds in 2008 Capital Equipment Note, Fund 437, Agency 437002, as the required match for the county's portion of the grant.

Adopted July 5, 2011. No. 379

**BY COMMISSIONER RAUKAR:**

WHEREAS, Minn. Stat. § 471.59, Subd.15, authorizes Joint Powers Agreements allowing subdivisions to purchase from contracts initialized by other political divisions; and

WHEREAS, it would benefit St. Louis County to have access to purchase contract items from the National Joint Powers Alliance (NJPA); and

WHEREAS, using contracts established by the NJPA will allow the county additional flexibility in purchasing similar items.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the appropriate county officials to enter into a Joint Powers Agreement with the National Joint Powers Alliance for the purpose of increased purchasing efficiencies.

Unanimously adopted July 5, 2011. No. 380

At 9:54 a.m., July 5, 2011, Commissioner Sweeney, supported by Commissioner Dahlberg, moved to adjourn; seven yeas, zero nays.

Steve O'Neil, Chair of the County Board  
of 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**

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**OFFICIAL PROCEEDINGS OF THE MEETING  
OF THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF ST. LOUIS, MINNESOTA,  
HELD ON JULY 12, 2011**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 12th day of July, 2011, at 9:34 a.m., in the County Board Room, Duluth Courthouse, Duluth, 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.

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.

Chair O'Neil 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 9:40 a.m. a public hearing was held pursuant to Resolution No. 343, adopted June 28, 2011, to consider granting an off-sale intoxicating liquor license to the Breeze Inn Duluth, LLC d/b/a/ The Breeze Inn, Lakewood Township. Assistant County Attorney Jim Nephew presented the packet which included the town board approval, required notices, proof of liquor liability insurance and paid real estate taxes. Shaun and Kate Waggoner, owners of The Breeze Inn, were present. Mr. Waggoner said they are making cosmetic changes to the establishment. Commissioner Forsman asked the Waggoners if they had read the liquor ordinance and will abide by the rules, to which Mrs. Waggoner replied yes. Commissioner Jewell noted the problems associated with underage drinking and asked Mr. Waggoner what he will do to prevent sale to a minor. Mr. Waggoner said they card everyone, train staff, and develop a rapport with customers and card anyone they don't know. At 9:47 a.m., Commissioner Sweeney, supported by Commissioner Dahlberg, moved to close the public hearing. Commissioner Sweeney, supported by Commissioner Nelson, moved to grant the off-sale intoxicating liquor license to Shaun and Kate Waggoner, Breeze Inn Duluth, d/b/a The Breeze Inn, Lakewood Township; seven yeas, zero nays. Resolution No. 389.

At 9:50 a.m. a public hearing was held pursuant to Resolution No. 344, adopted June 28, 2011, to consider liquor law violations at Burns Bar and Grill, Inc., d/b/a Burns Bar and Grill, Inc., Rice Lake Township. Assistant County Attorney Nephew presented a packet which included the police report, required notices, and a signed agreement by the owner accepting a ten day suspension and \$1,000 fine, seven days and \$750 of the fine stayed for one year with no same or similar violation during that period. The owner of Burns Bar and Grill did not appear at the public hearing. Chair O'Neil asked if any citizen would like to address the board. Laura Bennet, Duluth, and Cheryl Bisping, Hibbing, both spoke on the problems associated with underage drinking. At 9:58 a.m., Commissioner Nelson, supported by Commissioner Jewell, moved to close the public hearing. Commissioner Nelson, supported by Commissioner moved to approve the resolution. During discussion Commissioner Jewell asked for explanation on the \$250 penalty and three day suspension for Burns Bar and Grill. Assistant County Attorney Nephew explained the process. The board discussed penalty options for license holders with more than one offense.

Chair O'Neil called a recess at 10:17 a.m.

At 10:23 a.m., the board meeting reconvened.

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Commissioner Forsman said there are five elected officials who serve on the liquor licensing committee and they take into consideration past practices. Commissioner Nelson defended the work of the Liquor Licensing Committee, and after discussion, moved to remove himself from the Liquor Committee. There was no second and the motion died. After lengthy discussion, Commissioner O'Neil, support by Commissioner Jewell, moved an amendment that the license holder must complete TIPS (Training for Intervention ProcedureS) Alcohol Training Certificate at a cost of \$500. Commissioner Dahlberg asked Chair O'Neil to withdraw the amendment so he could take it to the Liquor Licensing Committee for review, and the makers agreed.

At 11:07 a.m. Commissioner Jewell temporarily left the meeting.

At 11:11 a.m. Commissioner Jewell rejoined the meeting.

After further discussion, Commissioner Sweeney, supported by Commissioner Forsman, moved to close discussion; seven yeas, zero nays. The motion passed to approve the resolution imposing penalties to Burns Bars and Grill in the amount of \$1,000 and a 10 day suspension, with \$750 of the penalty and 7 days suspension stayed for one year, with no same or similar violations during that period; seven yeas, zero nays. Resolution No. 390.

At 11:29 a.m. a public hearing was held pursuant to Resolution No. 345, adopted June 28, 2011, to consider liquor law violations at Misty, Inc., d/b/a Fredenberg Minnoette, Fredenberg Township. Assistant County Attorney Nephew said there were two violations and presented two packets which included the police reports, required notices, and signed agreements by the owner accepting a ten day suspension and \$1,000 fine, with nine days and \$900 of the fine stayed for one year with no same or similar violation during that period, for each violation. Representatives of the Minnoette, Scott and Julie Youngstrom, appeared and gave testimony. At 11:45 a.m. Commissioner Sweeney, supported by Commissioner Raukar, moved to close the public hearing; seven yeas, zero nays. Commissioner Nelson, supported by Commissioner Sweeney, moved to approve the resolution; seven yeas, zero nays. Resolution No. 391.

At 11:57 a.m. a public hearing was held pursuant to Resolution No. 346, adopted June 28, 2011, to consider liquor law violation at Grumpy's Gas & Bait, LLC, Unorganized Township 63-19. Assistant County Attorney Nephew presented a packet which included the police report, required notices, and a signed agreement by the owner accepting a ten day suspension and \$1,000 fine, nine days and \$1,000 of the fine stayed for one year with no same or similar violation during that period. At 11:57 a.m. Commissioner Forsman, supported by Commissioner Raukar, moved to close the public hearing; seven yeas, zero nays. Commissioner Forsman, supported by Raukar, moved to approve the resolution; seven yeas, zero nays. Resolution No. 392.

At 11:59 a.m., a public hearing was held pursuant to Resolution No. 347, adopted June 28, 2011, to consider a liquor law violation at Smith Dam Company, LLC d/b/a Pequaywan Inn, Unorganized Township 54-13. Assistant County Attorney Nephew presented a packet which included the police report, required notices, and a signed agreement by the owner accepting a ten day suspension and \$1,000 fine, nine days and \$1,000 of the fine stayed for one year with no same or similar violation during that period. At 11:59 a.m., Commissioner Forsman, supported by Commissioner Raukar, moved to close the public hearing; seven yeas, zero nays. Commissioner Forsman, supported by Commissioner Raukar, moved to approve the resolution; seven yeas, zero nays. Resolution No. 393.

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At 11:59 a.m., a public hearing was held pursuant to Resolution No. 348, adopted June 28, 2011, to consider a liquor law violation at Erceg Enterprises, Inc., d/b/a Saginaw Grand Lake Station, Solway Township. County Attorney Nephew said Lance Erceg no longer has an interest in the establishment and is in default of the public hearing. County Attorney Nephew said since the business is being transferred to a new owner, that the penalty not be assessed on the new owner, but rather stay on record under Mr. Erceg's record. At 12:16 p.m., Commissioner Nelson, supported by Commissioner Dahlberg, moved to close the public hearing. Commissioner Nelson, supported by Commissioner Sweeney, moved a new resolution stating that should Lance Erceg, Erceg Enterprises, Inc., or any corporation that Mr. Erceg has partial ownership in, apply for a liquor license under St. Louis County jurisdiction in the future, an immediate sixty (60) day suspension of the liquor license will be enforced; seven yeas, zero nays. Resolution No. 394.

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

Commissioner Nelson, supported by Commissioner Forsman, moved to suspend the rules to consider a resolution that has not been to committee; seven yeas, zero nays. Commissioner Nelson, supported by Commissioner Sweeney, moved to approve the resolution establishing a public hearing for July 26, 2011, at 9:35 a.m. in the Floodwood City Hall, Floodwood, MN, to consider the issuance of an off-sale intoxicating liquor license for Kristina Carl d/b/a Saginaw Grand Lake Station, Solway Township; seven yeas, zero nays. Resolution No. 395.

Commissioner Nelson, supported by Commissioner Forsman, moved a resolution authorizing the county board to issue retail buyer's cards to liquor licensed establishments, to the degree that St. Louis County has authority under Minnesota Statutes. Commissioner Nelson said due to the state shutdown several legally licensed liquor establishments in St. Louis County have not received their buyers card and cannot purchase liquor.

At 12:30 p.m., Chair O'Neil called a recess until 1:45 p.m. The board meeting reconvened at 1:52 p.m., with Commissioner Dahlberg absent.

Commissioner Nelson withdrew his motion regarding the issuance of retail buyer's card and instead made it a directive motion to administration to research the matter; 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 Donald Dicklich, County Auditor, submitting Board Letter 11-265, Establish Public Hearing to Consider Off-Sale Intoxicating Liquor License for Saginaw Grand Lake Station (Solway Township).—59293

Commissioner O'Neil submitting TIPS (Training for Intervention ProcedureS) Alcohol Training & Certification information.—59294

Agreement between the County of St. Louis and Kangas Excavating, Inc., for Partial Phase 6 Excavation at the Regional Landfill – 2011.—11-566

Addendum to Home and Community-Based Waiver Services Contract No. 14666C between

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the St. Louis County Board of Commissioners and Expanding Horizons, Inc.—[11-567](#)

Addendum to Home and Community-Based Waiver Services Contract No. 14581A between the St. Louis County Board of Commissioners and Possibilities Plus.—[11-568](#)

Addendum to Home and Community-Based Waiver Services Contract No. 14573A between the St. Louis County Board of Commissioners and Covenant Enabling Residences of Minnesota, Inc.—[11-569](#)

Addendum to Home and Community-Based Waiver Services Contract No. 14643D between the St. Louis County Board of Commissioners and Rural Living Environments, Inc.—[11-570](#)

Addendum to Home and Community-Based Waiver Services Contract No. 14595B between the St. Louis County Board of Commissioners and Nora Renne Adult Foster Home. — [11-571](#)

Addendum to Home and Community-Based Waiver Services Contract No. 14791A between the St. Louis County Board of Commissioners and Sharon Shofner.—[11-572](#)

Addendum to Agreement, Contract No. 14848A, between the St. Louis County Board of Commissioners and Occupational Development Center.—[11-573](#)

Purchase of Service Agreement, Contract No. 14865, between the St. Louis County Board of Commissioners and Fond du Lac Reservation for Families First Family-Based Crisis Services.—[11-574](#)

Agreement between the St. Louis County Board and Kidspace Mesabi Academy, Inc., Contract No. 14858A, for Specialized Residential Program Correctional Facilities.—[11-575](#)

Group Residential Housing Rate Agreement, Contract No. 50961, between the St. Louis County Board of Commissioners and Sharon C. Shofner.—[11-576](#)

Group Residential Housing Rate Agreement, Contract No. 50974, between the St. Louis County Board of Commissioners and NHS-Northstar Specialized Services, Inc.—[11-577](#)

Group Residential Housing Rate Agreement, Contract No. 50962, between the St. Louis County Board of Commissioners and RSI – Basswood.—[11-578](#)

Amendment to Professional Services Agreement, County Attorney Contract No. 2009-005085, between the County of St. Louis and Scalzo Architects, Ltd., for the Duluth Courthouse Window Replacement project.—[11-579](#)

Service Contract No. 4955-A between the County of St. Louis and Waste Management for Compacted Solid Waste Roll-Off Container Haulage Services for Cotton, French and Lavell Canister Sites.—[11-580](#)

Service Contract No. 4955-B between the County of St. Louis and Northern Minnesota Recycling for Compacted Solid Waste Roll-Off Container Haulage Services For County 77, Soudan, Orr, and Portage Canister Sites.—[11-581](#)

Upon motion by Commissioner Sweeney, supported by Commissioner Forsman, resolutions

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numbered 381 through 388, 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 June 28, 2011, are hereby approved.

Adopted July 12, 2011. No. 381

RESOLVED, that the appraisal report for sale of timber, numbered Tracts 1 & 2, as submitted by the Land Commissioner, on file in the Office of the County Auditor, identified as County Board File No. 59196, is approved and the County Auditor is authorized to carry out the recommendation as listed in said appraisal report.

Adopted July 12, 2011. No. 382

WHEREAS, the Property Management Team has approved the public sale of the property legally described in the attached Exhibit "A"; and

WHEREAS, a review of assessed value and comparable sales has determined a minimum bid amount for this property at \$24,500.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the Property Management Director to advertise for written bids for the above described property, a parcel of land approximately 8.2 acres in size, pursuant to the requirements and procedures of Minn. Stat. § 373.01.

RESOLVED FURTHER, the County Board establishes the time for bid consideration at 9:40 A.M. on Tuesday, October 4, 2011, St. Louis County Courthouse, Duluth, MN.

Exhibit "A"

E½ of SE¼, SECTION 22, TOWNSHIP 50 NORTH, RANGE 15 WEST of the Fourth Principal Meridian EXCEPT the following described parcels:

- (1) That part of the NE¼ of SE¼, Section 22, Township 50, Range 15, lying West of the LaVaque Road and between the following described two parallel lines:
  - (a) 675 feet South and parallel to the Northern boundary of said forty; and
  - (b) 900 feet South and parallel to the Northern boundary of said forty.
- (2) That part of the NE¼ of SE¼, Section 22, Township 50, Range 15, lying East of the LaVaque Road and between the following described two parallel lines:
  - (a) 500 feet South and parallel to the North boundary of said forty; and
  - (b) 1150 feet South and parallel to the North boundary of said forty.
- (3) That part of the NE¼ of SE¼, Section 22, Township 50, Range 15, lying West of the LaVaque Road and between the following described two parallel lines:
  - (a) 1175 feet South and parallel to the Northern boundary of said forty; and
  - (b) 1300 feet South and parallel to the Northern boundary of said forty.
- (4) That part of the E½ of SE¼, Section 22, Township 50 North, Range 15, lying West of the LaVaque Road between the two sets of parallel lines, line A & B for one parcel and lines C & D for the second parcel:

Line A – 1100 feet South and parallel to the Northerly boundary of said forty.  
Line B – 1175 feet South and parallel to the Northerly boundary of said forty.  
Line C – 1300 feet South and parallel to the Northerly line of said E½ of SE¼.
- (5) N'ly 300 feet of the S'ly 820 feet of the E½ of SE¼, Section 22, Township 50,

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Range 15 West of the Fourth Principal Meridian, St. Louis County, Minnesota.

- (6) That part of the NE $\frac{1}{4}$  of SE $\frac{1}{4}$ , Section 22, Township 50, Range 15 lying West of the LaVaque Road and between the following described two parallel lines:
  - (a) 640 feet South and parallel to the Northern boundary of said forty; and
  - (b) 675 feet South and parallel to the Northern boundary of said forty.
- (7) All that part of the NE $\frac{1}{4}$  of SE $\frac{1}{4}$  of Section 22, Township 50 North, Range 15 West of the Fourth Principal Meridian, lying East of the LaVaque Road and North of a line 500 feet South and parallel to the Northern boundary of said forty.
- (8) That part of the NE $\frac{1}{4}$  of SE $\frac{1}{4}$ , Section 22, Township 50, Range 15 lying West of the LaVaque Road and between the following described two parallel lines:
  - (a) 865 feet South and parallel to the Northern boundary of said forty; and
  - (b) 1100 feet South and parallel to the Northern boundary of said forty.
- (9) All that part of the N $\frac{1}{2}$  of the S $\frac{1}{2}$  of the E $\frac{1}{2}$  of the SE $\frac{1}{4}$ , Section 22, Township 50, Range 15 which lies East of LaVaque Road.
- (10) All that part of the E $\frac{1}{2}$  of SE $\frac{1}{4}$ , Section 22, Township 50, Range 15 lying East of the LaVaque Road and lying between the following described lines:
  - (a) The N $\frac{1}{2}$  line of the S $\frac{1}{2}$  of said eighty; and
  - (b) The N $\frac{1}{2}$  line of the SE $\frac{1}{4}$  of SE $\frac{1}{4}$ .
- (11) S $\frac{1}{2}$  of the SE $\frac{1}{4}$  of SE $\frac{1}{4}$ , Section 22, Township 50, Range 15.
- (12) That part of the North 640 feet of the NE $\frac{1}{4}$  of SE $\frac{1}{4}$  lying W $\frac{1}{2}$  of the centerline of LaVaque Road (CSAH 48), Section 22, Township 50 North, Range 15 West, subject to easement for LaVaque Road over the East 50 feet herein.
- (13) That part of the NE $\frac{1}{4}$  of the SE $\frac{1}{4}$  lying East of the E $\frac{1}{2}$  line of the LaVaque Road EXCEPT the North 1150 feet thereof.

AND ALL MINERALS AND MINERAL RIGHTS TO:

That part of the North 640 feet of the NE $\frac{1}{4}$  of SE $\frac{1}{4}$  lying W $\frac{1}{2}$  of the centerline of LaVaque Road (CSAH 48) and that part of the NE $\frac{1}{4}$  of the SE $\frac{1}{4}$  lying East of the E $\frac{1}{2}$  line of the LaVaque Road EXCEPT the North 1150 feet thereof, Section 22, Township 50 North, Range 15 West.

SUBJECT to an easement for highway purposes, over and across the land with the right and permission to go upon adjacent lands for proper construction of highways, slopes, fill side ditches and offtake ditches recorded in the office of the Register of Deeds, in Book 679 of Deeds, page 689.

Adopted July 12, 2011. No. 383

WHEREAS, the Property Management Team has approved the public sale of the following property, legally described as follows:

The West 440 feet of Government Lot Seven (7), Section Two (2), Township Fifty-six (56) North, Range Eighteen (18) West according to the U.S. Government Survey.

WHEREAS, a review of assessed value and comparable sales has determined a minimum bid amount for this property at \$7,650.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the Property Management Director to advertise for written bids for the above described property, a parcel of land approximately 6 acres in size, pursuant to the requirements and procedures of Minn. Stat. § 373.01.

RESOLVED FURTHER, the County Board establishes the time for bid consideration to be at 9:40 A.M. on Tuesday, October 11, 2011, St. Louis County Courthouse, Duluth, MN.

Adopted July 12, 2011. No. 384

WHEREAS, the Property Management Team has approved the public sale of the following

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property, legally described as follows:

The South one-half of the Southeast one-quarter of the Northwest one-quarter of the Southeast one-quarter (S ½ of SE ¼ of NW ¼ of SE ¼) of Section Sixteen (16), Township Fifty-two (52) North, Range Fifteen (15) West containing 5.00 acres, more or less.

And

The southerly thirty-three (33) feet of the North one-half of the Southeast one-quarter of Northwest one-quarter of the Southeast one-quarter (N ½ of SE ¼ of NW ¼ of SE ¼) of Section Sixteen (16), Township Fifty-two (52) North, Range Fifteen (15) West, containing 0.50 acres, more or less.

WHEREAS, a review of assessed value and comparable sales has determined a minimum bid amount for this property to be \$26,100.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the Property Management Director to advertise for written bids for the above described property, a parcel of land approximately 5.5 acres in size, pursuant to the requirements and procedures of Minn. Stat. § 373.01.

RESOLVED FURTHER, the County Board establishes the time for bid consideration at 9:45 a.m. on Tuesday, October 11, 2011, St. Louis County Courthouse, Duluth, MN.

Adopted July 12, 2011. No. 385

WHEREAS, St. Louis County has in excess of \$263,564,000 in property to insure; and  
WHEREAS, St. Louis County has been purchasing property insurance on a loss limit basis which is less expensive with lower deductibles than a scheduled buildings type of insurance; and

WHEREAS, the current policy expires on July 24, 2011, and St. Louis County has received a proposal from the current insurer, Chubb Group of Insurance Companies, through Otis-Magie Insurance Agency of Duluth, MN, to provide coverage at the existing rate for another year.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board authorizes the purchase of Property and Related Insurance coverage on major structures and equipment, amended contents, and boiler and machinery from Chubb Group of Insurance Companies through Otis-Magie Insurance Agency of Duluth, MN, for the period July 24, 2011 to July 24, 2012 at the annual premium of \$180,806 payable from: Fund 720 (Property, Casualty, Liability), Agency 720001 (Property, Casualty, Liability), Object 635100 (Insurance).

RESOLVED FURTHER, the Purchasing Division is authorized to add or delete county properties to the policy, or increase the base amount on future determination of valuation of county structures during the policy period.

Adopted July 12, 2011. No. 386

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. 59184.

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

RESOLVED FURTHER, that said license is approved contingent upon Solway Township approval.

RESOLVED FURTHER, that said license is contingent upon proof of liquor liability insurance.

RESOLVED FURTHER, that expansion of the service area to include the deck is contingent upon installation of a railing.

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RESOLVED FURTHER, 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.

RESOLVED FURTHER, that said license shall be effective through June 30, 2012: Kristina Carl d/b/a Saginaw Grand Lake Station, Solway Township, On-Sale Intoxicating Liquor License No. CMB12143 and Sunday On-Sale Intoxicating Liquor License No. SUN12143, transfer.

Adopted July 12, 2011. No. 387

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, dated July 1, 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 July 12, 2011. No. 388

**BY COMMISSIONER SWEENEY:**

WHEREAS, Breeze Inn Duluth, LLC d/b/a The Breeze Inn, Lakewood 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 July 12, 2011, 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 Breeze Inn has complied in all respects with the requirements of Minnesota Law and St. Louis County Ordinance No. 28; and

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

NOW, THEREFORE, BE IT RESOLVED, that the Off-Sale Intoxicating Liquor License (License Number CMB12142) shall be issued to Breeze Inn Duluth, LLC d/b/a The Breeze Inn, Lakewood Township, located in Area 1, for an annual fee of \$500.00.

RESOLVED FURTHER, that said liquor license shall be effective through June 30, 2012.

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

RESOLVED FURTHER, that said license is approved contingent upon Auditor's Office receipt of certificate of liquor liability insurance, workers' compensation insurance company name, policy number and effective dates and Minnesota Department of Health Food/Beverage Service License application.

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 July 12, 2011. No. 389

**BY COMMISSIONER NELSON:**

WHEREAS, the St. Louis County Liquor Licensing Committee met on June 7, 2011 to consider recommending action to be taken by the County Board as a result of an alleged liquor law violation on November 13, 2010 against Burns Bar & Grill, Inc., d/b/a Burns Bar & Grill, Inc., Rice Lake Township; and

WHEREAS, the Liquor Licensing Committee recommended a ten (10) day suspension and \$1,000 civil penalty, with seven (7) days of the suspension and \$750 of the civil penalty

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stayed, for one year with no same or similar violations during that year; and  
WHEREAS, after hearing testimony on the matter at a public hearing conducted on July 12, 2011 at 9:45 a.m. in the Duluth Courthouse, Duluth, 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. CMB1212 and Sunday On-Sale Intoxicating Liquor License No. SUN1212, issued to Burns Bar & Grill, Inc., d/b/a Burns Bar & Grill, Inc., Rice Lake Township, are hereby suspended for ten (10) days and a \$1,000 civil penalty is due, with seven (7) days of the suspension and \$750 of the civil penalty stayed for one (1) year, with no same or similar violations during that period.

RESOLVED FURTHER, that the date of suspension of the liquor licenses will be July 18, 19 and 20, 2011.

RESOLVED FURTHER, that a new violation within the next year (ending July 12, 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 July 12, 2011. No. 390

**BY COMMISSIONER NELSON:**

WHEREAS, the St. Louis County Liquor Licensing Committee met on June 7, 2011 to consider recommending action to be taken by the County Board as a result of an alleged liquor law violation on December 30, 2009, against Misty, Inc. d/b/a Fredenberg Minnoette, Fredenberg Township; and

WHEREAS, the Liquor Licensing Committee recommended a ten (10) day suspension and \$1,000 civil penalty, with nine (9) days of the suspension and \$900 of the civil penalty stayed, for one year with no same or similar violations during that year; and

WHEREAS, after hearing testimony on the matter at a public hearing conducted on July 12, 2011 at 9:50 a.m. in the Duluth Courthouse, Duluth, 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 Off-Sale 3.2 Percent Malt Liquor License No. B1219, issued to Misty, Inc. d/b/a Fredenberg Minnoette, Fredenberg Township, is hereby suspended for ten (10) days and a \$1,000 civil penalty is due, with nine (9) days of the suspension and \$900 of the civil penalty stayed for one (1) year, with no same or similar violations during that period, for each violation.

RESOLVED FURTHER, that the dates of suspension of the liquor license will be July 18 and 19, 2011.

RESOLVED FURTHER, that a new violation within the next year (ending July 12, 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 July 12, 2011. No. 391

**BY COMMISSIONER FORSMAN:**

WHEREAS, the St. Louis County Liquor Licensing Committee met on June 7, 2011 to consider recommending action to be taken by the County Board as a result of an alleged liquor law violation on November 20, 2010 against Grumpy's Gas & Bait, LLC d/b/a Grumpy's Gas & Bait, LLC, Unorganized Township 63-19; and

WHEREAS, the Liquor Licensing Committee recommended a ten (10) day suspension and \$1,000 civil penalty, with nine (9) days of the suspension and \$1,000 of the civil penalty

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stayed, for one year with no same or similar violations during that year; and  
WHEREAS, after hearing testimony on the matter at a public hearing conducted on July 12, 2011 at 9:55 a.m. in the County Courthouse, Duluth, 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 Off-Sale 3.2 Percent Malt Liquor License No. B1294, issued to Grumpy's Gas & Bait, LLC d/b/a Grumpy's Gas & Bait, LLC, Unorganized Township 63-19, is hereby suspended for ten (10) days and a \$1,000 civil penalty is due, with nine (9) days of the suspension and \$1,000 of the civil penalty stayed for one (1) year, with no same or similar violations during that period.

RESOLVED FURTHER, that the date of suspension of the liquor license will be July 18, 2011.

RESOLVED FURTHER, that a new violation within the next year (ending July 12, 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 July 12, 2011. No. 392

**BY COMMISSIONER FORSMAN:**

WHEREAS, the St. Louis County Liquor Licensing Committee met on June 7, 2011 to consider recommending action to be taken by the County Board as a result of an alleged liquor law violation on December 13, 2010 against Smith Dam Company, LLC d/b/a Pequaywan Inn, Unorganized Township 54-13; and

WHEREAS, the Liquor Licensing Committee recommended a ten (10) day suspension and \$1,000 civil penalty, with nine (9) days of the suspension and \$1,000 of the civil penalty stayed, for one year with no same or similar violations during that year; and

WHEREAS, after hearing testimony on the matter at a public hearing conducted on July 12, 2011 at 10:00 a.m. in the Duluth Courthouse, Duluth, 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 Liquor License No. CMB12133 and Sunday On-Sale Intoxicating Liquor License No. SUN12133, issued to Smith Dam Company, LLC d/b/a Pequaywan Inn, Unorganized Township 54-13, are hereby suspended for ten (10) days and a \$1,000 civil penalty is due, with nine (9) days of the suspension and \$1,000 of the civil penalty stayed for one (1) year, with no same or similar violations during that period.

RESOLVED FURTHER, that the date of suspension of the liquor licenses will be July 18, 2011.

RESOLVED FURTHER, that a new violation within the next year (ending July 12, 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 July 12, 2011. No. 393

**BY COMMISSIONER NELSON:**

WHEREAS, the St. Louis County Liquor Licensing Committee met on June 7, 2011, to consider recommending action to be taken by the County Board as a result of an alleged liquor law violation on December 13, 2010, against Erceg Enterprises, Inc., d/b/a Saginaw Grand Lake Station, Solway Township; and

WHEREAS, a public hearing was established for July 12, 2011, at 10:05 a.m. in the Duluth Courthouse, Duluth, MN, to hear testimony on the matter; and

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WHEREAS, at the public hearing, the St. Louis County Attorney reported that Lance Erceg, the owner of the Saginaw Grand Lake Station, was unresponsive to attempts to communicate regarding the civil penalties associated with the liquor law violation, and declared Mr. Erceg to be in default of the public hearing; and

WHEREAS, the Saginaw Grand Lake Station is no longer owned or operated by Mr. Erceg or Erceg Enterprises, Inc.

NOW, THEREFORE, BE IT RESOLVED, that should Lance Erceg, Erceg Enterprises, Inc., or any corporation that Mr. Erceg has partial ownership in, apply for a liquor license under St. Louis County jurisdiction in the future, an immediate sixty (60) day suspension of the liquor license will be enforced.

Unanimously adopted July 12, 2011. No. 394

**BY COMMISSIONER NELSON:**

RESOLVED, that a public hearing will be held at 9:35 A.M. on July 26, 2011, in the Floodwood City Hall, Floodwood, Minnesota, for the purpose of considering the granting of an Off-Sale Intoxicating Liquor License to Kristina Carl d/b/a Saginaw Grand Lake Station, Solway Township.

Unanimously adopted July 12, 2011. No. 395

At 1:54 p.m., July 12, 2011, Commissioner Nelson, supported by Commissioner Raukar, moved to adjourn; six yeas, zero nays.

Steve O'Neil, Chair of the County Board  
of 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 JULY 26, 2011**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 26th day of July, 2011, at 9:35 a.m., in the Floodwood City Hall, Floodwood, 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.

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.

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:

Floodwood Mayor Jeffrey Kletscher welcomed the board and showcased the new Floodwood City Hall.

Alice Rosenholm, Clerk of Halden Township, told the board about her background, and discussed concerns about snowplowing and road maintenance for the township.

At 9:48 a.m. a public hearing was held pursuant to Resolution No. 396, adopted July 12, 2011, to consider granting an off-sale intoxicating liquor license to Kristina Carl d/b/a Saginaw Grand Lake Station, Solway Township. Assistant County Attorney Jim Nephew presented the packet which included required notices and proof that real estate taxes are up to date. Assistant County Attorney Nephew said Ms. Carl would have liquor liability insurance by the end of today. Commissioner Forsman asked if Ms. Carl read the liquor ordinance and if she will abide by the rules, to which Ms. Carl replied yes. At 9:53 a.m., Commissioner Sweeney, supported by Commissioner Raukar, moved to close the public hearing. Commissioner Sweeney, supported by Commissioner Jewell, moved to grant the off-sale intoxicating liquor license to Kristina Carl d/b/a Saginaw Grand Lake Station, Solway Township; seven yeas, zero nays. Resolution No. 410.

At 9:54 a.m. a public hearing was held pursuant to Resolution No. 370, adopted July 5, 2011, to considered suspension/revocation of liquor license for non-payment of property taxes. Assistant County Attorney Nephew said Elbow Lake Lodge paid their taxes on-line on Saturday, July 23, 2011, and notice of payment was received this morning. Assistant County Attorney Tim Lee recommended proceeding with the public hearing and removing the resolution. At 9:54 a.m. Commissioner Nelson, supported by Commissioner Raukar moved to close the public hearing. Commissioner Nelson, supported by Commissioner Jewell moved to remove the resolution from consideration as the property taxes are current; seven yeas, zero nays.

At 9:56 a.m., a public hearing was held pursuant to Resolution No. 371, adopted July 5, 2011, to consider liquor law violations at the Dry Dock Bar & Restaurant, Midway Township. Assistant County Attorney Nephew presented a packet which included the police report, required notices, and a signed agreement by the owner accepting a ten day suspension and \$1,000 fine, nine days and \$1,000 of the fine stayed for one year with no same or similar violation during that period. At 9:58 a.m., Commissioner Sweeney, supported by Commissioner Jewell moved to close the public hearing; seven yeas, zero nays.

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Commissioner Forsman, supported by Commissioner Jewell, moved to approve the resolution; seven yeas, zero nays. Resolution No. 411.

At 9:59 a.m. a public hearing was held pursuant to Resolution No. 372, adopted July 5, 2011, to consider liquor law violations at Cold Country Liquor, Inc., Embarrass Township. Assistant County Attorney Nephew presented a packet which included the police report, required notices, and a signed agreement by the owner accepting a ten day suspension and \$1,000 fine, nine days and \$1,000 of the fine stayed for one year with no same or similar violation during that period. At 10:01 a.m., Commissioner Forsman, supported by Commissioner Sweeney, moved to close the public hearing; seven yeas, zero nays. Commissioner Sweeney, supported by Commissioner Forsman, moved to approve the resolution. Commissioner Sweeney asked administration to give a brief description on the process for the violations. Administrator Gray said the liquor committee, consisting of two commissioners, the sheriff, the county attorney and county auditor, reviews the violations and makes a recommendation. Commissioner Nelson, Chair for the liquor committee, said the board approved the sheriff's request for a liquor compliance grant last year. Through this grant several establishments were cited. The liquor committee discussed the process and decided on a standard for first time violations. After further discussion, the motion passed; seven yeas, zero nays. Resolution No. 412.

At 10:16 a.m. a public hearing was held pursuant to Resolution No. 373, adopted July 5, 2011, to consider liquor a law violation at Hi Banks Resort, Fredenberg Township. Assistant County Attorney Nephew presented a packet which included the police report, required notices, and a signed agreement by the owner accepting a ten day suspension and \$1,000 fine, nine days and \$1,000 of the fine stayed for one year with no same or similar violation during that period. At 10:18 a.m., Commissioner Sweeney, supported by Commissioner Raukar, moved to close the public hearing; seven yeas, zero nays. Commissioner Sweeney, supported by Commissioner Raukar, moved to approve the resolution; seven yeas, zero nays. Resolution No. 413.

At 10:18 a.m., a public hearing was held pursuant to Resolution No. 374, adopted July 5, 2011, to consider a liquor law violation at Island Lake Inn, Gnesen Township. Assistant County Attorney Nephew presented a packet which included the police report, required notices and said there was not a signed agreement as the owner, Mike Kratt, was unable to return it in time for the public hearing. Assistant County Attorney said Mr. Kratt said he did not receive the notice for the liquor committee meeting in time to attend, and could not attend today's public hearing as he is pouring cement. County Attorney Nephew recommended that the board approve a resolution for a ten day suspension and \$1,000 fine, nine days and \$1,000 of the fine stayed for one year with no same or similar violation during that period. At 10:23 a.m., Commissioner Sweeney, supported by Commissioner Raukar, moved to close the public hearing; seven yeas, zero nays. Commissioner Nelson, supported by Commissioner Dahlberg, moved to approve the resolution. After further discussion, Commissioner Nelson, supported by Commissioner Forsman, moved an amendment to the resolution to include a resolved further that an additional \$100 civil penalty is hereby ordered, with the entire \$100 penalty waived if the licensee attends the August 2, 2011, Liquor Licensing Committee meeting, held at 8:30 a.m. in the County Auditor's Office, Duluth Courthouse. The motion with the amendment was approved; six yeas, one nay, Commissioner Sweeney. Resolution No. 414.

At 10:31 a.m., a public hearing was held pursuant to Resolution No. 375, adopted July 5, 2011, to consider a liquor law violation at K.T.'s Floodwood Lake Resort & Campground,

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Cedar Valley Township. Attorney Nephew presented a packet which included the police report, required notices, and a signed agreement by the owner accepting a ten day suspension and \$1,000 fine, nine days and \$1,000 of the fine stayed for one year with no same or similar violation during that period. At 10:33 a.m., Commissioner Raukar, supported by Commissioner Jewell, moved to close the public hearing; seven yeas, zero nays. Commissioner Sweeney, supported by Commissioner Forsman, moved to approve the resolution; seven yeas, zero nays. Resolution No. 415.

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

Commissioner Nelson, supported by Commissioner Sweeney, moved to approve funding for the Volunteer Attorney Program in Virginia, MN. Commissioner Gray said \$10,000 will be funded from County Attorney's Office and \$15,000 from Administration, attributing both to savings in the salaries budget. Commissioner Raukar said this shortfall in funding is related to the state shutdown. Commissioner Dahlberg said he appreciates the services this program provides, noting we receive \$2.7 million in services each year. The motion passed; seven yeas, zero nays. Resolution No. 416.

Commissioner Forsman, supported by Commissioner Nelson, moved to suspend the rules to consider a resolution awarding a bid for reconstruction of County State Aid Highway (CSAH) 4, which has not been to committee; seven yeas, zero nays.

Commissioner Forsman, supported by Commissioner Nelson, moved to award a bid for reconstruction of CSAH 4, County Project 928R, near Markham, MN, to Hoover Construction Company, Virginia, MN, on their low bid of \$5,849,257.64. Administrator Gray said this project had to be re-bid due to the lack of Disadvantaged Business Enterprise (DBE) clearance from Minnesota Department of Transportation (MnDOT). Administrator Gray said DBE clearance was received for this bid, noting the delay will end up costing the county approximately \$250,000 more for the project. Commissioner Raukar asked Administration if the county has any recourse for the additional cost. Administrator Gray said he doesn't believe the county has any recourse, but noted education on the process may be worth discussing. Administrator Gray said this is likely an anomaly due to a change in the rules mid-stream. After further discussion, the motion passed; seven yeas, zero nays. Resolution No. 417.

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

Kevin Gray, County Administrator, and Ann M. Busche, Director of Public Health & Human Services, submitting Board Letter 11-272, Electronic Document Management System Compass Appointments.—[59295](#)

Kevin Gray, County Administrator, and Robert Krepps, Land Commissioner, submitting Board Letter 11-266, Sale of Land Department Vehicle to Regional Railroad Authority.—[59296](#)

Kevin Gray, County Administrator, and Robert Krepps, Land Commissioner, submitting Board Letter 11-267, Establish Public Meeting for the Classification and Reclassification of State Tax Forfeited Land.—[59297](#)

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Kevin Gray, County Administrator, submitting Board Letter 11-274, Request to Fund the Volunteer Attorney Program.—59298

Amendment for Agreement between St. Louis County and Balkan Township for Canister Site Operation extending the term of the agreement to December 31, 2012.—11-582

Home and Community-Based Waiver Services Contract No. 14877 between the St. Louis County Board of Commissioners and Sandra J. Eberl.—11-583

Addendum to Home and Community-Based Waiver Services Contract No. 14751A between the St. Louis County Board of Commissioners and Donald Olesiak, Jr. and Maeve Olesiak.—11-584

Addendum to Home and Community-Based Waiver Services Contract No. 14640B between the St. Louis County Board of Commissioners and REM Arrowhead, Inc.—11-585

Group Residential Housing Rate Agreement, Contract No. 50965, between the St. Louis County Board of Commissioners and Stepping Stones for Living – Helm.—11-586

Group Residential Housing Rate Agreement, Contract No. 50966, between the St. Louis County Board of Commissioners and Bluewater – Woodland Avenue.—11-587

Group Residential Housing Rate Agreement, Contract No. 50963, between the St. Louis County Board of Commissioners and L & M Opportunities – Hungers Park.—11-588

Agreement between the County of St. Louis and Alden Township for County Bridge 745 (SAP 69-599-029, CP 117649) on Township Road 2405 (Nappa Rd.).—11-589

Professional Services Agreement between St. Louis County and Golder Associates, Inc., for Geotechnical Review and Report on Becks Road (County State Aid Highway No. 3) in Midway Township (SAP 69-603-11, CP 8175).—11-590

State of Minnesota Grant Contract No. 9600000346 between the Commissioner of Public Safety, Emergency Communication Networks Division and St. Louis County for Allied Radio Matrix for Emergency Response (ARMER) Interoperable Communications equipment.—11-591

Contract for County-State Aid Highway Project between the County of St. Louis and Northland Constructors of Duluth, LLC for SP 69-613-032, CP 61938, MN Proj. No. STPX 6911(221), Mill Bituminous Surface, Plant Mixed Bituminous Surface & Shoulders, and Aggregate Shouldering on CSAH 13 (Midway Rd.) in Hermantown, MN.—11-592

Contract for County-State Aid Highway Project between the County of St. Louis and Redstone Construction Co., Inc., Mora, MN, for MP 95-61843, Approach Grading, Aggregate Surfacing and Bridge No. 69696 on CSAH 95 (Bodas Rd.) in Fayal, MN.—11-593

Contract for County-State Aid Highway Project between the County of St. Louis and Redstone Construction Co., Inc., Mora, MN, for SP 69-598-030, CP 8573, MN Proj. No. BROS 6911(208) for Bridge No. 69694 and Approach Grading over Little Fork River west of Cook, MN.—11-594

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Upon motion of Commissioner Raukar, supported by Commissioner Dahlberg, resolutions numbered 396 through 409, as submitted on the Consent Agenda, were unanimously adopted as follows:

**BY COMMISSIONER RAUKAR:**

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of July 5, 2011, are hereby approved.  
Adopted July 26, 2011. No. 396

WHEREAS, an enhanced Electronic Document Management System (EDMS) is needed as the Public Health and Human Services Department (PHHS) realizes increasing client service demands; and

WHEREAS, PHHS has successfully completed its EDMS implementation in Ely, Hibbing, Virginia and Duluth offices for the Income Maintenance program; and

WHEREAS, PHHS now has the capacity and desire to begin the next phase of the project which is Compass Appointments; and

WHEREAS, the purchase of the Compass Appointments software was authorized by County Board Resolution No. 09-594, dated December 22, 2009; and

WHEREAS, the American Recovery and Reinvestment Act increased the amount of the Federal Medical Assistance Percentages, which has been reserved within the PHHS budget for investments in technology that create efficiencies in service delivery.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes professional service and software maintenance contracts with EDocument Resources, and a professional service contract with Ron Michaels Consulting to implement the next phase of the Electronic Document Management System (EDMS) which is Compass Appointments in the Income Maintenance Program Area in the Virginia, Hibbing, Ely, and Duluth office locations. Cost of the implementation will be \$228,512, to be funded through increased Federal Medical Assistance Percentages reimbursement through the American Recovery and Reinvestment Act.

RESOLVED FURTHER, that the County Board authorizes the transfer of \$228,512 from the Public Health and Human Services reserve account into the PHHS 2011 budget and increases revenues and expenditures as follows: Debit Technology reserve account Fund 230, Agency 311401, Object 629900, and Credit Other Professional Fund 230, Agency 231014, Object 629900.

Adopted July 26, 2011. No. 397

WHEREAS, the St. Louis and Lake County Regional Railroad Authority would like to purchase a surplus 2003 Ford F150, Vehicle Number 557, from the St. Louis County Land Department.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the sale of a 2003 Ford F150, Vehicle Number 557, VIN# 1FTRX18W23NB77013, to the St. Louis and Lake County Regional Railroad Authority for the amount of \$7,200, with funds to be deposited into Fund 240, Agency 241001, Revenue 583208.

Adopted July 26, 2011. No. 398

WHEREAS, St. Louis County Board Resolution No. 11-175, adopted on April 12, 2011, classified the following state tax forfeited parcel as 'non-conservation':

THAT PART OF NW 1/4 OF SW 1/4 LYING SWLY OF HWY NO 53 EX SW 1/4 OF SW 1/4 & EX HWY R/W AND EX PART NLY OF CENTERLINE OF TARGET SERVICE RD

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AND EX THAT PART COMM AT NW CORNER OF SAID FORTY THENCE S ALONG W LINE 991.06 FT TO NW CORNER OF SW1/4 OF SW1/4 OF NW1/4 OF SW1/4 THENCE S 89 DEG 43 MIN 46 SEC E 33 FT TO PT OF BEG THENCE CONTINUE SAME BEARING 378 FT THENCE N 275 FT THENCE N 89 DEG 43 MIN 46 SEC W 378 FT THENCE S TO PT OF BEG, SECTION 18, TOWNSHIP 50 NORTH, RANGE 14 WEST; and

WHEREAS, Duluth City Council Resolution No. 11-0260, adopted on May 23, 2011, requested the St. Louis County Board to withhold from sale and classify this parcel as 'conservation'; and

WHEREAS, St. Louis County Board Resolution No. 10-616, adopted on December 21, 2010, reclassified the following state tax forfeited parcel as 'non-conservation':

LOTS 9 THRU 13, BLOCK 1, MINERAL ADDITION TO WEST DULUTH  
SECTION 1, TOWNSHIP 49 NORTH, RANGE 15 WEST; and

WHEREAS, Duluth City Council Resolution No. 11-0260, adopted on May 23, 2011, objected to the reclassification to 'non-conservation' and the sale of the parcel; and

WHEREAS, pursuant to Minn. Stat. § 282.01, Subd. 1, the St. Louis County Board must hold a meeting if a town board or governing body disapproves of the classification or reclassification of state tax forfeited land, and must cause to be published a notice of the date, time, location and purpose of the required meeting; and

WHEREAS, the St. Louis County Board may classify, reclassify, or delay taking action on any parcel or parcels after allowing testimony from any person or agency possessing pertinent information.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Minn. Stat. § 282.01, Subd. 1, a public meeting shall be scheduled on Tuesday, October 4, 2011, 9:35 a.m., at the St. Louis County Courthouse, Duluth, Minnesota, to allow testimony in regard to the classification and reclassification of the state tax forfeited parcels described above.

RESOLVED FURTHER, that the County Auditor shall give notice of the County Board's intent to meet, and shall cause a copy of the notice to be published in the official newspaper in accordance with Minn. Stat. § 282.01, Subd. 1.

Adopted July 26, 2011. No. 399

RESOLVED, that the appraisal reports for the sale of timber to be offered at SEALED BID TIMBER AUCTION, Tracts 1 through 36 (totaling \$836,995.81), as submitted by the Land Commissioner, on file in the Office of the County Auditor, identified as County Board File No. 59196, are approved and the County Auditor is authorized to carry out the recommendation as listed in said appraisal reports.

Adopted July 26, 2011. No. 400

WHEREAS, the Public Works Department received quotes from three area vendors for the replacement of the roof over the welding and repair shops at the Central Range Public Works Facility at 1425 E. 23<sup>rd</sup> St., Hibbing, Minnesota; and

WHEREAS, the Public Works Department has determined the lowest quote received for the project was from Nelson Roofing, Hibbing, Minnesota.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board authorizes the appropriate county officials to execute a contract with Nelson Roofing, Hibbing, Minnesota, in the amount of \$57,365 for work on the above project, payable from Fund 405, Agency 405034, Object 660900.

Adopted July 26, 2011. No. 401

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

SAP 69-604-068, CP 72709 located on CSAH 4 (Rice Lake Rd.) from CSAH 9 (Martin

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Rd.) to CR 274 (Thompson Lake Rd.) north of Duluth, MN.

WHEREAS, bids were opened in the County Board Room at 10:00 a.m., July 11, 2011, and the low 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	\$3,006,600.22

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 220268, Object 652700.

Adopted July 26, 2011. No. 402

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

SAP 69-637-019, CP 8301, located on CSAH 37 (Jean Duluth Rd.) between CSAH 43 (Zimmerman Rd.) and CSAH 44 (Normanna Rd.) north of Duluth, MN.

WHEREAS, bids were opened in the County Board Room at 10:00 a.m., July 11, 2011, and the low 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	\$1,521,617.84

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 Fund 220, Agency 220264, Object 652700.

Adopted July 26, 2011. No. 403

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 July 26, 2011. No. 404

WHEREAS, the Property Management Team has approved the public sale of the following property, legally described as follows:

All that part of the Southeast Quarter of the Northwest Quarter (SE ¼ of NW ¼), Section 26, Township 58 North of Range 16 West of the Fourth Principal Meridian lying westerly of the center line of County Highway No. 4 and southerly of the following described line: Commencing at the Southeast corner of said SE ¼ of NW ¼; thence northerly along the East line thereof 165 feet to the point of beginning of the line to be described; thence westerly parallel with the South line of said SE ¼ of NW ¼ to intersect with the West line of said SE ¼ of NW ¼ and there ending.

And

Lots 17 and 18, TRANAAS ACRES

WHEREAS, a review of assessed values and sales has determined a minimum bid amount for this property at \$6,400.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the Property Management Director to advertise for written bids for the above described property,

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a parcel of land approximately 1.15 acre in size, pursuant to the requirements and procedures of Minn. Stat. § 373.01.

RESOLVED FURTHER, the County Board establishes the time for bid proposal consideration to be at 9:40 a.m. on Tuesday, November 1, 2011, St. Louis County Courthouse, Duluth, MN.

Adopted July 26, 2011. No. 405

WHEREAS, the Property Management Team has approved the public sale of the following property in Section 14, Township 60 North, Range 19 West, described as follows:

Lot Fifteen (15), Crescent Beach Plat

WHEREAS, a review of assessed values and sales has determined a minimum bid amount for this property at \$78,750.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the Property Management Director to advertise for written bids for the above described property, a parcel of land approximately 0.73 acre in size, pursuant to the requirements and procedures of Minn. Stat. § 373.01.

RESOLVED FURTHER, the County Board establishes the time for bid proposal consideration to be at 9:45 A.M. on Tuesday, November 1, 2011, at the St. Louis County Courthouse, Duluth, MN.

Adopted July 26, 2011. No. 406

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:

**JUNE 2011**

100	General Fund	\$5,906,739.01
147	Namakan Basin Sewer System	29,000.00
148	Volunteer Fire Departments	190,933.38
149	Personnel Service Fund	367.19
150	Sheriff's Nemesis Fund Group	95,216.75
160	MN Trail Assistance	13,085.36
167	Attorney's Forfeitures	79.71
168	Sheriff's State Forfeitures	1,078.98
169	Attorney Trust Accounts-VW	130.00
172	Sheriff Federal Forfeitures	5,662.24
173	Emergency Shelter Grant	21,737.27
179	Enhanced 9-1-1	30,782.02
180	Law Library	16,559.90
183	City/County Communications	324.45
184	Extension Service	26,175.32
200	Public Works	2,470,647.03
210	Road Maint – Unorg Townships	113.86
220	State Road Aid	1,869,179.23
230	Public Health & Human Services	6,761,422.28
240	Forfeited Tax	390,776.91
260	CDBG Grant	86,266.78
261	CDBG Program Income	60,158.17
270	Home Grant	14,070.58
290	Forest Resources	225,588.34
302	Hibbing PW Facility 1997	660.00
309	Capital Improve Bonds 2004A	172,256.25

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311	Capital Improve Bonds 2005A	83,810.00
312	Law Enforce Refund Bonds 2005B	23,000.00
313	Cap Imp Cross Ref Bonds 2006A	128,250.00
314	Capital Equipment Notes 2007	26,900.00
315	Capital Equipment Notes 2008A	39,025.00
316	Capital Improve Bonds 2008B	220,717.50
400	County Facility	417,729.91
405	Public Works Building Const	6,045.00
437	2008A Capital Equipment Note	4,930.58
438	2008B Capital Improvement Bond	14,270.15
439	2010A Capital Improvement Bond	3,682.40
600	Environmental Services	447,875.31
616	On-Site Waste Water Division	33,449.15
626	Cap Exp/Operations Account	9,020.81
705	Postage Office Supplies	2,890.99
715	County Garage	94,460.16
720	Property Casualty Liability	10,027.51
730	Workers Compensation	266,208.78
770	Retired Employees Health Ins	2,901.78
900	State of Minnesota	1,596,622.13
902	Courts	256,281.92
908	Cities and Towns Taxes	16,940,670.72
909	Tax Refunds	78,024.37
910	School Districts Taxes	13,516,298.36
911	Taxes and Penalties	6,033,857.96
925	Arrowhead Regional Corrections	1,563,619.58
955	Community Health Board	402,923.80
985	Collective Local Collaborative	192,761.50
989	Regional Railroad Authority	124,971.47
990	Northern Cities Land Use	1,255.99
994	Sheriff Forfeits/Evidence	117.89
998	MPL-DUL Train Alliance	<u>115,424.62</u>
		<b>\$61,047,036.35</b>

Adopted July 26, 2011. No. 407

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. 59239, is hereby approved and the County Auditor is authorized to issue the license as follows:

Kristina Carl d/b/a Saginaw Grand Lake Station, Solway Township, Tobacco Products License No. T11263, transfer.

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.

Adopted July 26, 2011. No. 408

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, dated July 15, 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 July 26, 2011. No. 409

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

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**BY COMMISSIONER SWEENEY:**

WHEREAS, Kristina Carl d/b/a Saginaw Grand Lake Station, Solway Township, St. Louis County, Minnesota, has applied for an off-sale intoxicating liquor license; and

WHEREAS, Minn. Stat. § 340A.405, Subd. 2(d), requires that a public hearing be held prior to the issuance of an off-sale intoxicating liquor license; and

WHEREAS, a public hearing was held on July 26, 2011, at 9:35 A.M. in the Floodwood City Hall, Floodwood, 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, Saginaw Grand Lake Station 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 CMB12143) shall be issued to Kristina Carl d/b/a Saginaw Grand Lake Station, located in Area 1, for an annual fee of \$500, effective through June 30, 2012, contingent upon payment of real estate taxes when due.

RESOLVED FURTHER, that said license is approved contingent upon Solway Township approval and upon proof of liquor liability insurance.

RESOLVED FURTHER, that expansion of the service area to include the deck is contingent upon installation of a railing.

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 July 26, 2011. No. 410

**BY COMMISSIONER FORSMAN:**

WHEREAS, the St. Louis County Liquor Licensing Committee met on June 21, 2011, to consider recommending action to be taken by the County Board as a result of an alleged liquor law violation on May 2, 2011, against Van Gillen's Dry Dock, Inc., d/b/a Dry Dock Bar & Restaurant, Midway Township; and

WHEREAS, the Liquor Licensing Committee recommended a ten (10) day suspension and \$1,000 civil penalty, with nine (9) days of the suspension and \$1,000 of the civil penalty stayed, for one year with no same or similar violations during that year; and

WHEREAS, after hearing testimony on the matter at a public hearing conducted on July 26, 2011, at 9:45 a.m. in the Floodwood City Hall, Floodwood, 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. CMB1217 and Sunday On-Sale Intoxicating Liquor License No. SUN1217, issued to Van Gillen's Dry Dock, Inc., d/b/a Dry Dock Bar & Restaurant, Midway Township, are hereby suspended for ten (10) days and a \$1,000 civil penalty is due, with nine (9) days of the suspension and \$1,000 of the civil penalty stayed for one (1) year, with no same or similar violations during that period.

RESOLVED FURTHER, that the date of suspension of the liquor licenses will be August 1, 2011.

RESOLVED FURTHER, that a new violation within the next year (ending July 26, 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 licenses of the licensee pursuant to St.

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

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Louis County Ordinance Number 28, Section 13.  
Unanimously adopted July 26, 2011. No. 411

**BY COMMISSIONER SWEENEY:**

WHEREAS, the St. Louis County Liquor Licensing Committee met on June 21, 2011, to consider recommending action to be taken by the County Board as a result of an alleged liquor law violation on February 10, 2011, against Cold Country Liquor, Inc., d/b/a Cold Country Liquor, Inc., Embarrass Township; and

WHEREAS, the Liquor Licensing Committee recommended a ten (10) day suspension and \$1,000 civil penalty, with nine (9) days of the suspension and \$1,000 of the civil penalty stayed, for one year with no same or similar violations during that year; and

WHEREAS, after hearing testimony on the matter at a public hearing conducted on July 26, 2011, at 9:50 a.m. in the Floodwood City Hall, Floodwood, 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 Off-Sale Intoxicating Liquor License No. OFSL1218, issued to Cold Country Liquor, Inc. d/b/a Cold Country Liquor, Inc., Embarrass Township, is hereby suspended for ten (10) days and a \$1,000 civil penalty is due, with nine (9) days of the suspension and \$1,000 of the civil penalty stayed for one (1) year, with no same or similar violations during that period.

RESOLVED FURTHER, that the date of suspension of the liquor license will be August 1, 2011.

RESOLVED FURTHER, that a new violation within the next year (ending July 26, 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 July 26, 2011. No. 412

**BY COMMISSIONER SWEENEY:**

WHEREAS, the St. Louis County Liquor Licensing Committee met on June 21, 2011, to consider recommending action to be taken by the County Board as a result of an alleged liquor law violation on May 3, 2011, against Hi Banks Resort, Inc., d/b/a Hi Banks Resort, Fredenberg Township; and

WHEREAS, the Liquor Licensing Committee recommended a ten (10) day suspension and \$1,000 civil penalty, with nine (9) days of the suspension and \$1,000 of the civil penalty stayed, for one year with no same or similar violations during that year; and

WHEREAS, after hearing testimony on the matter at a public hearing conducted on July 26, 2011, at 9:55 a.m. in the Floodwood City Hall, Floodwood, 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 On/Off-Sale 3.2 Percent Malt Liquor License No. B1262 and Consumption and Display Permit No. S1216, issued to Hi Banks Resort, Inc., d/b/a Hi Banks Resort, Fredenberg Township, are hereby suspended for ten (10) days and a \$1,000 civil penalty is due, with nine (9) days of the suspension and \$1,000 of the civil penalty stayed for one (1) year, with no same or similar violations during that period.

RESOLVED FURTHER, that the date of suspension of the liquor licenses will be August 1, 2011.

RESOLVED FURTHER, that a new violation within the next year (ending July 26, 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 licenses of the licensee pursuant to St. Louis County Ordinance Number 28, Section 13.

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

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Unanimously adopted July 26, 2011. No. 413

**BY COMMISSIONER NELSON:**

WHEREAS, the St. Louis County Liquor Licensing Committee met on June 21, 2011, to consider recommending action to be taken by the County Board as a result of an alleged liquor law violation on May 2, 2011, against ILI, LLC d/b/a Island Lake Inn, Gnesen Township; and

WHEREAS, the Liquor Licensing Committee recommended a ten (10) day suspension and \$1,000 civil penalty, with nine (9) days of the suspension and \$1,000 of the civil penalty stayed, for one year with no same or similar violations during that year; and

WHEREAS, after hearing testimony on the matter at a public hearing conducted on July 26, 2011, at 10:00 a.m. in the Floodwood City Hall, Floodwood, 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 Liquor License No. CMB12130 and Sunday On-Sale Intoxicating Liquor License No. SUN12130, issued to ILI, LLC d/b/a Island Lake Inn, Gnesen Township, are hereby suspended for ten (10) days and a \$1,000 civil penalty is due, with nine (9) days of the suspension and \$1,000 of the civil penalty stayed for one (1) year, with no same or similar violations during that period.

RESOLVED FURTHER, an additional \$100 civil penalty is hereby ordered, with the entire \$100 penalty waived if the licensee attends the August 2, 2011, Liquor Licensing Committee meeting, held at 8:30 a.m. in the County Auditor's Office, Duluth Courthouse.

RESOLVED FURTHER, that the date of suspension of the liquor licenses will be August 1, 2011.

RESOLVED FURTHER, that a new violation within the next year (ending July 26, 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 licenses of the licensee pursuant to St. Louis County Ordinance Number 28, Section 13.

Yeas – Commissioners Jewell, Dahlberg, Forsman, Nelson, Raukar and Chair O'Neil – 6  
Nays – Commissioner Sweeney - 1

Adopted July 26, 2011. No. 414

**BY COMMISSIONER SWEENEY:**

WHEREAS, the St. Louis County Liquor Licensing Committee met on June 21, 2011, to consider recommending action to be taken by the County Board as a result of an alleged liquor law violation on May 26, 2011, against Kathryn Brown d/b/a K.T.'s Floodwood Lake Resort & Campground, Cedar Valley Township; and

WHEREAS, the Liquor Licensing Committee recommended a ten (10) day suspension and \$1,000 civil penalty, with nine (9) days of the suspension and \$1,000 of the civil penalty stayed, for one year with no same or similar violations during that year; and

WHEREAS, after hearing testimony on the matter at a public hearing conducted on July 26, 2011, at 10:05 a.m. in the Floodwood City Hall, Floodwood, 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 On/Off-Sale 3.2 Percent Malt Liquor License No. B1267 and Consumption and Display Permit No. S1217, issued to Kathryn Brown d/b/a K.T.'s Floodwood Lake Resort & Campground, Cedar Valley Township, are hereby suspended for ten (10) days and a \$1,000 civil penalty is due, with nine (9) days of the suspension and \$1,000 of the civil penalty stayed for one (1) year, with no same or similar violations during that period.

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

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RESOLVED FURTHER, that the date of suspension of the liquor licenses will be August 1, 2011.

RESOLVED FURTHER, that a new violation within the next year (ending July 26, 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 July 26, 2011. No. 415

**BY COMMISSIONER NELSON:**

WHEREAS, the Volunteer Attorney Program is a nonprofit organization founded in 1981 as one of five nationwide American Bar Association pro bono pilot projects; and WHEREAS, the services provided by the Volunteer Attorney Program are designed to assure the basics that most citizens take for granted, such as a safe and decent place in which to live, the ability to obtain medical treatment health care, and income to survive; and

WHEREAS, the Volunteer Attorney Program provides free legal services to income-eligible clients in Northeastern Minnesota, including the full range of civil legal services from advice and brief service, representation before courts and administrative agencies, to cases appealed to the Minnesota Supreme Court; and

WHEREAS, the Volunteer Attorney Program provides free legal services for eligible clients in St. Louis, Lake, Cook, Itasca, Carlton, Pine, Kanabec, Aitkin, Cass and Crow Wing counties, covering a service area of 23,171 square miles with a population of 447,785 persons, with poverty rates in the majority of the service area exceeding the state average of 10.2%; and

WHEREAS, due to a reduction of nearly 40% of it's funding from the State of Minnesota Judicial Branch on June 30, 2011, a full-time Volunteer Attorney Program office in Virginia, MN will close as of July 1, 2011, unless additional funding is received.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board approves the establishment of a Public Service Contract with the Volunteer Attorney Program in the amount of \$25,000 to supplement the reduction of funds by the State of Minnesota Judicial Branch beginning July 1, 2011 through December 31, 2011, and directs the transfer of \$10,000 from Fund 100, Agency 113001, Object 610100 (County Attorney), and \$15,000 from Fund 100, Agency 104001, Object 610100 (Administration) to Fund 230 (Public Service Contracts) for this purpose.

Unanimously adopted July 26, 2011. No. 416

**BY COMMISSIONER FORSMAN:**

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

SP 69-604-060, CP 9282R, MN Proj. No. STPX 6911(84) located on CSAH 4 from CSAH 108 to .7 Mi. N. of CR 340.

WHEREAS, bids were opened in the County Board Room at 10:00 a.m., July 18, 2011, and the low 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>
Hoover Construction Co.	302 S. Hoover Rd. P.O. Box 1007 Virginia, MN 55792	\$5,849,257.64

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 220173, Object 652700.

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
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Unanimously adopted July 26, 2011. No. 417

At 11:01 a.m., July 26, 2011, Commissioner Raukar, supported by Commissioner Jewell, moved to adjourn; seven yeas, zero nays.

Steve O'Neil, Chair of the County Board  
of Commissioners

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

(Seal of the County Auditor)