

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

**OCTOBER, 2011**

**OFFICIAL PROCEEDINGS OF THE MEETING  
OF THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF ST. LOUIS, MINNESOTA,  
HELD ON OCTOBER 4, 2011**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 4th day of October, 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. Commissioner Sweeney said October is breast cancer awareness month.

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.

Will Sandstrom, Madison, Wisconsin, spoke to the board regarding his life experiences.

Kevin O'Brien, realtor in Duluth, discussed options for the board regarding state tax forfeited land.

Greg Billman, local contractor, said some of the state tax forfeit land is suitable for private development and asked that the auction prices for this land be reduced.

Will Sandstrom noted the agricultural loop holes in the tax system.

At 9:55 a.m. a public meeting was held to allow testimony in regard to the classification and reclassification of state tax forfeited land. Mark Weber, Resource Management Supervisor with the St. Louis County Land Department, gave the initial presentation. Mr. Weber reviewed the two parcels under consideration and said the parcels need to be classified as non-conservation in order for the county to sell or convey the property. One parcel is located on West Skyline Parkway, Duluth, and the other on Mall Drive, Duluth. Gunnar Johnson, Attorney for City of Duluth, presented the city's case. Attorney Johnson said 48 parcels came to the city for review and the city council unanimously agreed to protest classification of non-conservation for these two parcels and is requesting the county board to classify as conservation. After lengthy discussion, Land Commissioner Bob Krepps said city zoning regulations would apply to both parcels, and clarified that a land easement on the property is separate from the land classification. Deputy County Administrator Gary Eckenberg explained the 2010 law changes regarding the classification and reclassification of state tax forfeited land. Prior to the law change if a municipality protested the classification, the land would be in limbo and nothing could be done with it. The new law requires a public meeting

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and after hearing testimony the county board can classify or reclassify state forfeited land, thus giving the county ability to sell the land. County Attorney Mark Rubin said under state statute the city can purchase the land if they desire. After further discussion, Commissioner Nelson, supported by Commissioner Forsman, moved to approve the resolution for the Skyline property to be classified as non-conservation; seven yeas, zero nays. Resolution No. 525.

Commissioner Nelson, supported by Commissioner Forsman, moved to classify the property on Mall Drive as non-conservation. After lengthy discussion, the motion passed; six yeas, one nay, Commissioner Jewell. Resolution No. 526.

At 11:29 a.m., pursuant to Resolution No. 383, bids were considered for the sale of surplus fee land. Property Director Tony Mancuso said the property was advertised for sale and two bids were received, noting the minimum bid requirement was \$24,500. The highest bid was from Joseph and Peggy Bullyan in the amount of \$30,600. Commissioner Sweeney, supported by Commissioner Dahlberg, moved to approve the sale of surplus fee land to Joseph and Peggy Bullyan in the amount of \$30,600; seven yeas, zero nays. Resolution No. 527.

Commissioner Jewell, supported by Commissioner Nelson, moved the consent agenda. At the request of Commissioner Dahlberg the sale of tax forfeited land at 2711 W. 8<sup>th</sup> Street, Duluth, was pulled for separate consideration. At the request of Commissioner Raukar the application for on-sale intoxicating liquor license was pulled for separate consideration. The remainder of the consent agenda passed; seven yeas, zero nays.

At 11:36 a.m. the clerk made an announcement notifying the public that the county board will recess to a closed session for the purpose of labor negotiations.

At 11:36 a.m. the board recessed for the closed session.

At 2:07 p.m. the board reconvened with Commissioner Raukar absent.

Commissioner Jewell, supported by Commissioner Sweeney, moved to approve the sale of state tax forfeited property located at 2711 W. 8<sup>th</sup> Street, Duluth, to the Duluth Housing and Redevelopment Authority (HRA). Administrator Kevin Gray said this property was put out for bid and no bids were received, adding today's action is to approve the sale to the Duluth HRA in the amount of \$10,000 plus fees and expenses. Commissioner Dahlberg said he made the request to move without recommendation and said he supports this action; six yeas, zero nays. Resolution No. 530.

Commissioner Jewell, supported by Commissioner Sweeney, moved to approve the sale of state tax forfeited land located at 1915 E. 5<sup>th</sup> Street, Duluth, to the Duluth HRA in the amount of \$10,000, plus fees and expenses; six yeas, zero nays. Resolution No. 528.

Commissioner Sweeney, supported by Commissioner Jewell, moved to accept the 2010 Homeland Security Operation Stonegarden grant. Administrator Gray said the grant is in the amount of \$87,785.

At 2:18 p.m. Commissioner Raukar joined the meeting.

Sheriff Ross Litman said the benefit of being the fiscal agent is that we receive nearly half of

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the allocation, and said shifts at the Cook County border can be covered with Stonegarden funds. After further discussion, the motion passed; seven yeas, zero nays. Resolution No. 529.

Commissioner Dahlberg, supported by Commissioner Sweeney, moved to approve appointments to the Leadership Team Heading Home St. Louis County Project. Public Health and Human Services Director Ann Busche said the Leadership Team has fifteen members, nine appointed by St. Louis County and six appointed by the City of Duluth. Director Busche said the categories are related to the HEARTH Act (Homeless Emergency Assistance and Rapid Transition to Housing) and the emphasis is on family and youth in transitional housing and keeping kids in schools, which keeps the county competitive and in alignment for federal dollars. Commissioner Dahlberg and Commissioner Nelson both noted there was not an appointment from the Fond du Lac Band. Commissioner Nelson said Edie Carr is not an educator and has concerns with appointing her as the education representative. Commissioner Forsman said the proposed appointee to the homeless advocate position may need to resign. After further discussion, Commissioner Raukar, supported Commissioner Jewell, moved to table the motion until next week; seven yeas, zero nays.

Commissioner Forsman, supported by Commissioner Sweeney, moved to adjourn. The makers rescinded the motion to adjourn to hear the final agenda item.

Commissioner Nelson, supported by Commissioner Dahlberg, moved to approve granting an on-sale intoxicating liquor license and Sunday on-sale intoxicating liquor license to Steven G. Swanstrom, d/b/a Blue Max, Fredenberg Township, effective November 1, 2011. Commissioner Raukar said the liquor committee review process was explained to him and he approves the action. Auditor Donald Dicklich said this process has been in place for a long time, however the board may make changes if they desire; seven yeas, zero nays. Resolution No. 519.

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

Kevin Gray, County Administrator, and Ross Litman, Sheriff, submitting Board Letter 11-366, Second Amendment to the 2010 Boundary Waters Drug Task Force Grant.—[59329](#)

Kevin Gray, County Administrator, submitting Board Letter 11-373, DNR Acquisition Request – Fermoy Wildlife Management Area.—[59330](#)

Kevin Gray, County Administrator, and Ross Litman, Sheriff, submitting Board Letter 11-368, 2010 Operation Stonegarden Homeland Security Grant.—[59331](#)

Resume of Edie Carr.—[59332](#)

Service Contract No. 4946-E between the County of St. Louis and Como Oil and Propane for purchase and delivery of gasohol, fuel oil and diesel fuel in accordance with Bid No. 4946.—[11-717](#)

Service Contract No. 4946-D between the County of St. Louis and Inter City Oil Company, Inc., for purchase and delivery of gasohol, fuel oil and diesel fuel in accordance with Bid No. 4946.—[11-718](#)

Project Contract No. 4914-2 between the County of St. Louis and Northwoods Construction

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for construction of a maintenance garage at the Virginia Courthouse.—[11-719](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14871A, between the St. Louis County Board of Commissioners and Lynette Aro and Casey Aro.—[11-720](#)

Amendment No. 1, Recyclables Material Haulage and Processing, Original Damion No. 2010-005564, between the County of St. Louis and Northern Minnesota Recycling, Inc., extending the terms for an additional two (2) years effective October 1, 2011, through September 30, 2013.—[11-721](#)

Fire Protection Services Agreement between the County of St. Louis and the City of Orr for fire protection in Unorganized Townships 63-19 and 66-20 during 2012.—[11-722](#)

Agreement between the County of St. Louis and St. Louis County Jail Corrections Officers AFSCME, Local 1934 and St. Louis County Communication Department Essential Employees, AFSCME, Local 66.—[11-723](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14572B, between the St. Louis County Board of Commissioners and A & E Homes, Inc.—[11-724](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14519C, between the St. Louis County Board of Commissioners and Accessible Space, Inc.—[11-725](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14760C, between the St. Louis County Board of Commissioners and Accra Care, Inc.—[11-726](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14741A, between the St. Louis County Board of Commissioners and Judy Bennett and Gary Bennett.—[11-727](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14544A, between the St. Louis County Board of Commissioners and Cook Hospital d/b/a Daybreak Adult Day Services.—[11-728](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14690A, between the St. Louis County Board of Commissioners and Leo DeRungs and Shirley DeRungs d/b/a DeRungs Adult Foster Care Home. —[11-729](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14628B, between the St. Louis County Board of Commissioners and Diamond Willow Living, LLC d/b/a Diamond Willow Assisted Living Services, LLC.—[11-730](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14711B, between the St. Louis County Board of Commissioners and Michael Cooney and Heidi Cooney.—[11-731](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No.

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14692B, between the St. Louis County Board of Commissioners and Sandra L. Dickman and Carolyn Pohjonen.—[11-732](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14577B, between the St. Louis County Board of Commissioners and EBI, Inc.—[11-733](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14629B, between the St. Louis County Board of Commissioners and Five Star Living of Mountain Iron, LLC d/b/a Diamond Willow Assisted Living of Mountain Iron.—[11-734](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14571C, between the St. Louis County Board of Commissioners and Guided Transitions, LLC.—[11-735](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14645B, between the St. Louis County Board of Commissioners and Iron Range Empowerment Services, LLC.—[11-736](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14742B, between the St. Louis County Board of Commissioners and Dana Johnson d/b/a Rising Sun Vista.—[11-737](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14627B, between the St. Louis County Board of Commissioners and Keystone Five Star, LLC d/b/a Keystone Bluffs Assisted Living, LLC.—[11-738](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14630C, between the St. Louis County Board of Commissioners and Ecumen d/b/a Lakeshore.—[11-739](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14626B, between the St. Louis County Board of Commissioners and Lakeview Residence, Inc.—[11-740](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14745B, between the St. Louis County Board of Commissioners and Kevin G. Miles d/b/a Victorian House.—[11-741](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14687A, between the St. Louis County Board of Commissioners and Northwood Children's Home Society, Inc., d/b/a Northwood Children's Services.—[11-742](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14660A, between the St. Louis County Board of Commissioners and Occupational Development Center, Inc. (ODC).—[11-743](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14594B, between the St. Louis County Board of Commissioners and Onnen Adult Foster Home. — [11-744](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No.

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14580A, between the St. Louis County Board of Commissioners and Rainy River Waivered Services, Inc.—[11-745](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14605B, between the St. Louis County Board of Commissioners and Reed's Boarding and Lodging, LLC.—[11-746](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14537B, between the St. Louis County Board of Commissioners and TL Care Services, LLC d/b/a Westview Services.—[11-747](#)

Home and Community-Based Waiver Services Contract No. 14881 between the St. Louis County Board of Commissioners and Peace of Mind Health Services, Inc.—[11-748](#)

Group Residential Housing Rate Agreement, Contract No. 50969, between the St. Louis County Board of Commissioners and GT Woodland.—[11-749](#)

Contract for County-State Aid Highway (CSAH) Projects between the County of St. Louis and Ulland Brothers, Inc., for MP 8127-38652, remove existing bridge, grading, aggregate surfacing, box culvert (new Bridge No. 69J68) on Unorganized Township Road 8127 (Hannon Rd.) east of CSAH 5, northwest of Chisholm, MN.—[11-750](#)

Contract for County-State Aid Highway Projects between the County of St. Louis and Ulland Brothers, Inc., for SP 69-597-005, CP 3700, MN Proj. No. HPPH-STPH 160(001), grading, base, storm sewer, sanitary sewer, water main, curb & gutter, bituminous surfacing, Bridge No. 69680 on Kirkus Street from Ugstad Road to Boundary Avenue in Proctor, MN.—[11-751](#)

Agreement for Professional Services between the County of St. Louis and LHB Corporation for SAP 069-675-005, County Bridge 714, CP 117648, for bridge design over Willow River on CSAH 75 in Greaney, MN.—[11-752](#)

Local Bridge Replacement Program (LBRP) Grant Agreement between the Minnesota Department of Transportation and St. Louis County for SAP 69-598-034, Old Bridge No. 7827, New Bridge No. 69685, on County Road 492 over Embarrass River.—[11-753](#)

Upon motion by Commissioner Jewell, supported by Commissioner Nelson, resolutions numbered 514 through 518 and 520 through 524, as submitted to this Board on the consent agenda, were unanimously adopted as follows:

**BY COMMISSIONER JEWELL:**

WHEREAS, St. Louis County purchases day training and habilitation and semi-independent living services for residents with developmental disabilities; and  
WHEREAS, the Department of Public Health and Human Services has agreements with the following day training and habilitation providers and semi-independent living service providers; and

WHEREAS, the Department wishes to renew these agreements.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the Public Health and Human Services Department to enter into agreements effective July 1, 2011, through June 30, 2012, for the following services:

- 1) Day training and habilitation service providers (as listed below) to be paid

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from:

Fund: 230  
Agency: 232006  
Object: 604800

2) Semi-independent living service providers (as listed below) to be paid from:

Fund: 230  
Agency: 232006  
Object: 605200

There will be no change in rates for the first two (2) months, July 1, 2011, through August 31, 2011.

RESOLVED FURTHER, that the rates from September 1, 2011, through June 30, 2012 be approved as shown below:

**DAY TRAINING & HABILITATION** (1.0% reduction)

<u>Program Name</u>	<u>Full Day Program</u>	<u>Partial Day Program</u>	<u>Round Trip Daily Transport</u>	<u>Full Day Program &amp; Transport</u>
Access to Employment Too, Inc.	\$ 85.19	\$ 63.89	\$ 7.44	\$ 92.63
CHOICE, Unlimited-CHOICE	\$ 72.66	\$ 54.49	\$ 8.02	\$ 80.68
CHOICE, Unlimited-OPTIONS	\$101.28	\$ 75.96	\$10.69	\$111.97
East Range DAC	\$ 64.32	\$48.24	\$11.47	\$ 75.79
Floodwood Services & Training, Inc.	\$ 64.88	\$ 48.66	\$ 5.71	\$ 70.59
MSOCS Duluth-Airpark Products & Services	\$117.52	\$ 88.14	\$ 9.73	\$127.25
MSOCS Duluth-Lincoln Park Life Skills	\$ 90.55	\$ 67.91	\$13.55	\$104.10
Range Center, Inc.	\$ 83.67	\$ 62.75	\$ 6.02	\$ 89.69
UDAC, Inc.	\$ 63.27	\$ 47.45	\$ 9.80	\$ 73.07

<u>Pinewood, Inc. – Duluth</u>	<u>Level</u>	<u>Hourly Rate</u>
	A	\$28.16
	B	\$13.80
	C	\$10.84
	D	\$ 9.68

**SEMI-INDEPENDENT LIVING SERVICES (SILS)** (1.5% reduction)

<u>Service Provider</u>	<u>Per Hour</u>
Duluth Regional Care Center	\$26.05
HOMES, Inc. – Hibbing	\$26.05
HOMES, Inc. – Virginia	\$26.05
Innovative Living, Inc.	\$26.05
Trillium Services, Inc.	\$26.05

Adopted October 4, 2011. No. 514

WHEREAS, under the provisions of Minn. Stat. § 282.341, Subd. 1, a contract for deed to repurchase state tax forfeited land previously cancelled may be reinstated by the previous contract holder subject to payment of installments, taxes, assessments, penalties, costs, and interest; and

WHEREAS, less than 50 percent of the basic sale price was paid prior to cancellation; therefore, county board approval is required for reinstatement; and

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WHEREAS, Patrick and Lisa Oliver of Duluth, MN, have requested to reinstate Contract C22090099, having been cancelled on 08/02/2011, under new Contract C22110091 for property described as:

CITY OF DULUTH  
W 140 FT OF E 518 FT OF OUTLOT B  
NEW DULUTH 1ST DIVISION  
Parcel Code: 10-3430-19270

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the reinstatement of Contract C22110091 by Patrick and Lisa Oliver of Duluth, MN, in the amount of \$9,460.19, to be deposited into Fund 240 (Forfeited Tax Fund).

Adopted October 4, 2011. No. 515

WHEREAS, in 1991, St. Louis County implemented a Solid Waste Service Fee to fund portions of the county's solid waste management programs; and  
WHEREAS, in 2001 and 2002, the county established the South Solid Waste Service Area and implemented hauler-collected and tax statement line item service fees for that area; and  
WHEREAS, current revenue generated by solid waste service fees is adequate to fund recycling, household hazardous waste, administration, and waste reduction programs.

NOW, THEREFORE, BE IT RESOLVED, that the 2012 North Solid Waste Service Area Solid Waste Service Fees continue at the 2011 rates as follows:

Residential Parcels	\$ 58.00
Seasonal/Recreational Parcels	\$ 19.72
Commercial Parcels:	
* EMV less than \$50,000	\$ 58.00
EMV \$50,001 to \$100,000	\$ 87.00
EMV \$100,001 to \$150,000	\$116.00
EMV \$150,001 to \$200,000	\$145.00
EMV more than \$200,000	\$174.00

RESOLVED FURTHER, that the 2012 South Solid Waste Service Area Solid Waste Service Fees continue at the 2011 rates as follows:

Residential Parcels	\$ 18.00
Seasonal/Recreational Parcels	\$ 9.00
Commercial Parcels:	
* EMV less than \$50,000	\$ 18.00
EMV \$50,001 to \$100,000	\$ 27.00
EMV \$100,001 to \$150,000	\$ 36.00
EMV \$150,001 to \$200,000	\$ 45.00
EMV more than \$200,000	\$ 54.00

RESOLVED FURTHER, that these rates shall be certified to the St. Louis County Auditor to be included upon the 2012 tax statements.

\* EMV – Estimated Market Value – land value plus improvements

Adopted October 4, 2011. No. 516

WHEREAS, quotes have been received by the St. Louis County Public Works Department for the following project:

MP 837-86142, County Project 86142 for project materials (concrete culverts) for a bridge on County Road 837 (Halden Township), length 0.1 mi.

WHEREAS, quotes were received and the low quote was provided by Hancock Concrete Products, Hancock, MN.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the quote for concrete culverts.

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<u>LOW QUOTE</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
Hancock Concrete Products Concrete Culverts	17 Atlantic Ave. Hancock, MN 56244	\$79,535.39

RESOLVED FURTHER, that the appropriate county officials are authorized to approve the contractor's quote for the above listed project payable from Fund 200, Agency 203246, Object 651000 for concrete culverts.  
Adopted October 4, 2011. No. 517

WHEREAS, all increases in original governmental funds revenue and expenditure budgets require County Board approval; and

WHEREAS, departments anticipate being notified of additional revenues throughout the year and need approval to increase revenue and expenditure budgets; and

WHEREAS, proposed budget adjustments are levy neutral.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the following budget changes:

1. Increase Public Health & Human Services Assertive Community Treatment revenue and expense budget due to a rate increase by the State of Minnesota (-\$82,070).
2. Increase Property Management revenue and expense budget to reflect an increase in 2011 rates for the Ely Government Services Center (\$17,237).
3. Reallocation of multiple positions in Public Health & Human Services, including:
  - a. Social Services Specialist II position to a Social Worker position (\$7,200),
  - b. Collection Services Supervisor II to a Child Support Officer I (-\$5,160),
  - c. Social Services Specialist position to a Social Worker position (\$7,200),
  - d. Three Information Specialist positions to the Information Specialist II classification (\$15,912), and
  - e. Information Specialist I to a Business Systems Analyst (\$17,196).
4. Increase revenue and expense budget in Fund 280 Septic Loans to allow for the principle received in 2011 to be available for new septic loans (\$6,359).
5. Use of missing heirs fund balance to cover transfer. After 21 years, the money becomes property of the county and is transferred to the general fund (\$6,101).
6. Increase revenue and expense budget to pay off Minnesota Clean Water Partnership Project Implementation Loan (\$10,282).
7. Increase revenue and expense budget in Public Health & Human Services for higher than anticipated relative custody assistance pass-through funds from the state (\$200,000).
8. Increase revenue and expense budgets to match actual revenues received for meth-related overtime reimbursed through Northeast Law Enforcement Administrator's Council (\$1,905).
9. Increase revenue and expense budget for Arrowhead Economic Opportunity Agency (AEOA) Single Family Rehab to reflect unexpected program income generated by AEOA's Housing Development Activity for the sale of two houses (\$50,000).
10. Increase budget for 2010 Boat & Water Safety grant to contract amount (\$37).
11. Use of depreciation reserve funds for Heating Ventilation Air Conditioning unit at Hibbing Courthouse (\$56,957).

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12. Use of fund balance to cover first quarter unemployment in Assisted Living Program (\$649).
13. Add sales tax to Purchase Order No. 9519 for a new boiler and water heaters for the jail from Ryan Company. The original board resolution, Resolution No. 11-356 dated June 28, 2011, did not include the \$10,209.37 sales tax.

2nd Quarter				Expense Budget	Transfer	Out	Accumulation of Fund Balance	Revenue Budget	Transfers In	Use of Fund Balance
1	230	232003	609600	23010000			\$ 80,397.00			
	230	232003	609600				\$ 1,673.00			
	230	232003	527500					\$ (82,070.00)		
2	100	128021	553001					\$ (15,745.00)		
	100	553001	583103					\$ (1,492.00)		
	100	583103	634200				\$ 17,237.00			
3	230	232006	610100				\$ 7,200.00	based on full year		
	230	231009	610100				\$ (5,160.00)	based on full year		
	230	232005	610100				\$ 7,200.00	based on full year		
	230	various?	610100				\$ 15,912.00	based on full year for three positions		
	230	232007	610100				\$ 17,196.00	based on full year		
4	280	280001	584101					\$ (6,358.97)		
	280	280001	635200				\$ 6,358.97			
5	161	161001	653000				\$ 6,100.77			
	161	999999	311017							\$ (6,100.77)
6	282	282001	635200				\$ 10,282.24			
	282	282001	584101					\$ (10,282.24)		
7	230	232008	608500				\$ 200,000.00			
	230	232008	530628					\$ (200,000.00)		
8	100	129999	540515	12943	99999999	2011				
	100	129999	629900	12943	99999999	2011	\$ 1,904.82			
9	261	261003	583100							\$ (50,000.00)
	261	261003	629900				\$ 50,000.00			
10	100	130999	530801	13001	99999999	2010				\$ (36.57)
	100	130999	665900	13001	99999999	2010	\$ 36.57			
11	402	402001	665900				\$ 56,957.00			
	402	999999	311126							\$ (56,957.00)
12	100	104011	617200				\$ 649.00			
	100	999999	311200							\$ (649.00)
13	400	400032	630900				\$ (5,020.97)			
	400	400032	663100				\$ 5,020.97			
	400	400003	630900				\$ (5,188.40)			
	400	400032	663100				\$ 5,188.40			

Adopted October 4, 2011. No. 518

WHEREAS, the St. Louis County Sheriff's Office is a member of the Boundary Waters Drug Task Force, and the county serves as its fiscal agent; and

WHEREAS, the Minnesota Department of Public Safety, Office of Justice Programs, is offering a second amendment to the 2010 Boundary Waters Drug Task Force grant which increases the grant an additional \$46,035.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes a second amendment to the 2010 Boundary Waters Drug Task Force Grant increasing the amount by \$46,035, to be accounted for in Fund 100, Agency 129999, Grant 12901, Year 2010.

Adopted October 4, 2011. No. 520

WHEREAS, the City of Mt. Iron has contracted with St. Louis County to provide law enforcement services since 1988, and is desirous of continuing this arrangement; and

WHEREAS, St. Louis County wishes to continue the law enforcement services according to the terms and conditions set forth in a renewed agreement with the City of Mt. Iron; and

WHEREAS, such contracts are authorized and provided for by the provisions of Minn. Stat. § 471.59.

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NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the agreement for law enforcement services with the City of Mt. Iron, with funds to be accounted for in Fund 100, Agency 134002.

RESOLVED FURTHER, that the St. Louis County Board authorizes the appropriate county officials to sign the agreement on behalf of St. Louis County.

Adopted October 4, 2011. No. 521

WHEREAS, Lake Fourteen, located north of Great Scott Township (Township 60 North, Range 19 West) in St. Louis County, Minnesota, is experiencing extremely pervasive "Coon Tail" and "Canadian Water Weed" infestation; and

WHEREAS, the Lake Fourteen Lake Association has been working with the Minnesota Department of Natural Resources (DNR) to address the problem, which will involve the administration of a chemical treatment to help curb the growth of the weeds, costing around \$5,000 annually; and

WHEREAS, the St. Louis County Board of Commissioners believes it is appropriate for state and federal funding agencies to be engaged in the efforts to clean up Lake Fourteen, including the possibility of dredging the lake and hauling the weeds to a suitable location.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board fully supports the efforts of the Lake Fourteen Lake Association in its pursuit to restore Lake Fourteen to a healthy environmental balance, and urges the various state and federal funding agencies to assist the association in every way possible to reach its goal of successfully addressing the Lake Fourteen weed infestation.

Adopted October 4, 2011. No. 522

WHEREAS, the Minnesota Department of Natural Resources (DNR) is considering the acquisition of two parcels within the Fermoy Tract of the Sax-Zim Wildlife Management Area, located approximately eight miles west of Cotton, MN; and

WHEREAS, the two parcels are owned by Donald and Donna Palusky, of Duluth, Minnesota, and James Thomas, of Macomb, Michigan, willing sellers who have contacted the DNR with the request that the parcels be added to the open landscape area that is already being managed by the agency; and

WHEREAS, in accordance with Minn. Stat. 97A.145, Subd. 2, the DNR provided the St. Louis County Board with a description of lands to be acquired by the State of Minnesota for water, forestry, wildlife, and natural plant community conservation purposes.

Lands to be acquired are described as follows:

T55, R18, E ½ E ½ E ½ SW ¼ (20 acres) Sec 27 and

T55, R18, E ½ E ½ E ½ E ½ of NE (12.8 acres) Sec 27

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the proposed acquisition of the above described property by the Minnesota Department of Natural Resources for the purpose of completing the Fermoy Tract of the Sax-Zim Wildlife Management Area.

Adopted October 4, 2011. No. 523

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, dated September 23, 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 October 4, 2011. No. 524

**BY COMMISSIONER NELSON:**

WHEREAS, the St. Louis County Board reclassified a parcel of state tax forfeited land as

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non-conservation; and

WHEREAS, the Duluth City Council objected to the reclassification of this parcel by adopting City Council Resolution No. 11-260, on May 23, 2011, requesting the St. Louis County Board withhold from sale and classify the parcel as 'conservation'; and

WHEREAS, a public meeting was held on Tuesday, October 4, 2011, 9:35 a.m., at the St. Louis County Courthouse, Duluth, Minnesota, pursuant to proper notice as required by Minnesota Statutes, Section 282.01, Subdivision 1.

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

1. The .36 acre parcel of state tax forfeited land that is the subject of the proposed reclassification is described as follows:  
LOTS 9 THRU 13, INC PART OF VAC ALLEY ADJ BLOCK 1, MINERAL ADDITION TO WEST DULUTH SECTION 1, TOWNSHIP 49 NORTH, RANGE 15 WEST
2. The state tax forfeited parcel proposed for reclassification is suitable for non-conservation purposes.
3. The St. Louis County Board approves the reclassification of state tax forfeited land described herein as non-conservation.

Unanimously adopted October 4, 2011. No. 525

**BY COMMISSIONER NELSON:**

WHEREAS, the St. Louis County Board classified a parcel of state tax forfeited land as non-conservation; and

WHEREAS, the Duluth City Council objected to the classification of this parcel by adopting City Council Resolution No. 11-261, on May 23, 2011, requesting the St. Louis County Board withhold from sale and classify the parcel as 'conservation'; and

WHEREAS, a public meeting was held on Tuesday, October 4, 2011, 9:35 a.m., at the St. Louis County Courthouse, Duluth, Minnesota, pursuant to proper notice as required by Minnesota Statutes, Section 282.01, Subdivision 1.

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

1. The 6.03 acre parcel of state tax forfeited land that is the subject of the proposed classification is described as follows:  
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 AND EX THAT PART COMM AT NW CORNER OF SAID FORTY, THENCE S ALONG W LINE 991.06 FT TO NW CORNER OF SW 1/4 OF SW 1/4 OF NW 1/4 OF SW 1/4, 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
2. The state tax forfeited parcel proposed for classification is suitable for non-conservation purposes.
3. The St. Louis County Board approves the classification of state tax forfeited land described herein as non-conservation.

Yeas – Commissioners Dahlberg, Forsman, Sweeney, Nelson, and Chair O'Neil – 6

Nays – Commissioner Jewell – 1

Adopted October 4, 2011. No. 526

**BY COMMISSIONER SWEENEY:**

WHEREAS, the Property Management Team had identified the following described property

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as surplus county fee owned land and said property was advertised for sale and bids were received. Said property is legally described as follows:

See Exhibit "A" Below

WHEREAS, Peggy Lynne Bullyan and Joseph M. Bullyan submitted the highest bid of \$30,600 for said parcel.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the requirements of and procedures of Minn. Stat. § 373.01, the Chair of the County Board and the County Auditor are authorized to execute a quit claim deed, conveying the above listed property to Peggy Lynne Bullyan and Joseph M. Bullyan of Hermantown, Minnesota, for the bid amount of \$30,600, payable to Fund 100, Agency 128014, Object 583100. Buyers are also responsible for deed tax and recording fees.

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 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 Northern boundary of said forty.

Line B – 1175 feet South and parallel to the Northern boundary of said forty.

Line C – 1300 feet South and parallel to the Northerly line of said Ely ½ of SE¼.

Line D – 1400 feet South and parallel to the Northerly boundary line of said Ely ½ of SE¼.

(5) Nly 300 feet of the Sly 820 feet of the E½ of SE¼, Section 22, Township 50, Range 15 West of the Fourth Principal Meridian, St. Louis County, Minnesota.

(6) 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) 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 NE¼ of SE¼ of Section 22, Township 50 North, Range 15 West of the Fourth Principal Meridian, lying E 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 NE¼ of SE¼, 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 Nly 100 feet of the Sly 920 feet of the E½ of the SE¼, Section 22, Township 50, Range 15 which lies East of LaVaque Road.

(10) All that part of the E½ of SE¼, Section 22, Township 50, Range 15 lying East of the LaVaque Road and lying between the following described lines:

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- (a) The Nly line of the Sly 920 feet of said eighty; and
- (b) The Nly line of the SE $\frac{1}{4}$  of SE $\frac{1}{4}$ .

(11) Sly 520 feet 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 Wly 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 Ely 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 Wly 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 Ely 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.

Unanimously adopted October 4, 2011. No. 527

**BY COMMISSIONER JEWELL:**

WHEREAS, the Duluth Housing and Redevelopment Authority (HRA) has requested to purchase the following described state tax forfeited land for the reduced value of \$10,000, plus fees and expenses, for razing and possible future development:

Legal: CITY OF DULUTH  
LOT: 0013 BLOCK: 016  
HIGHLAND PARK ADDITION TO DULUTH  
Parcel Code: 010-2220-00210  
LDKEY: 70971  
ACRES: 0.16  
ADDRESS: 1915 E 5th St, Duluth, 55812

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

WHEREAS, non-conservation tax-forfeited lands may be sold by the County Board to an organized or incorporated governmental subdivision of the state for less than their market value if the county board determines that a sale at a reduced price is in the public interest because a reduced price is necessary to provide an incentive to correct the blighted conditions that make the lands undesirable in the open market, or the reduced price will lead to the development of affordable housing; and

WHEREAS, this parcel of land has not been withdrawn from sale pursuant to Minn. Stat. §§ 85.012, 92.461, 282.01, Subd. 8; and 282.018, and other statutes that require the withholding of state tax forfeited lands from sale.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the sale of state tax forfeited land, as described, to the Duluth Housing and Redevelopment Authority for \$10,000, plus fees and expenses, to be deposited into Fund 240 (Forfeited Tax Fund).

Yeas – Commissioners Jewell, Dahlberg, Forsman, Sweeney, Nelson, and Chair O’Neil –

6

Nays – None

Absent – Commissioner Raukar – 1

Adopted October 4, 2011. No. 528

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**BY COMMISSIONER SWEENEY:**

WHEREAS, the State of Minnesota Department of Public Safety, through the Homeland Security and Emergency Management Division, has again made available an Operation Stonegarden grant to enhance the security of the international border and ports of entry between St. Louis County and Canada.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes application and acceptance of the 2010 Homeland Security Operation Stonegarden grant, not to exceed \$87,785, to be accounted for in Fund 100, Agency 129999, Grant 12931, Year 2010.

RESOLVED FURTHER, that the appropriate county officials are authorized to execute all agreements and contracts necessary to fulfill the application and acceptance of the 2010 Homeland Security Operation Stonegarden grant as approved by the St. Louis County Attorney, with St. Louis County acting as coordinator and fiscal agent for the grant through the Sheriff's Office.

Unanimously adopted October 4, 2011. No. 529

**BY COMMISSIONER JEWELL:**

WHEREAS, the Duluth Housing and Redevelopment Authority has requested to purchase the following described state tax forfeited land for the reduced value of \$10,000, plus fees and expenses, for conveyance to Habitat for Humanity:

Legal: Lot 19, Block 4  
LINCOLN PARK VIEW DULUTH  
City of Duluth  
Parcel Code: 010-2930-00780  
LDKEY: 70355  
Acres: 0.09  
ADDRESS: 2711 W 8th St

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

WHEREAS, non-conservation tax-forfeited lands may be sold for less than their market value if the county board determines that a sale at a reduced price is in the public interest because a reduced price is necessary to provide an incentive to correct the blighted conditions that make the lands undesirable in the open market, or the reduced price will lead to the development of affordable housing; and

WHEREAS, this parcel of land has not been withdrawn from sale pursuant to Minn. Stat. §§ 85.012, 92.461, 282.01, Subd. 8; and 282.018, and other statutes that require the withholding of state tax forfeited lands from sale.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the sale of state tax forfeited land, as described, to the Duluth Housing and Redevelopment Authority for \$10,000, plus fees and expenses, to be deposited into Fund 240 (Forfeited Tax Fund).

Yeas – Commissioners Jewell, Dahlberg, Forsman, Sweeney, Nelson, and Chair O'Neil -

6

Nays – None

Absent – Commissioner Raukar - 1

Adopted October 4, 2011. No. 530

**BY COMMISSIONER NELSON:**

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

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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 license holder complying in all respects with the controlling liquor, health, environmental and sanitary laws, rules and regulations for the liquor license, Fredenberg Township approval, certificate of liquor liability insurance, proof of workers' compensation insurance, and Minnesota Department of Health Food/Beverage Service License application;

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 November 1, 2011, through June 30, 2012:

Steven G. Swanstrom d/b/a Blue Max, Fredenberg Township, On-Sale Intoxicating Liquor License No. CMB12144 and Sunday On-Sale Intoxicating Liquor License No. SUN12144.

Unanimously adopted October 4, 2011. No. 519

At 3:07 p.m., October 4, 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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**OFFICIAL PROCEEDINGS OF THE MEETING  
OF THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF ST. LOUIS, MINNESOTA,  
HELD ON OCTOBER 11, 2011**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 11th day of October, 2011, at 9:30 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. Commissioner Sweeney said October is breast cancer awareness month.

Commissioner Dahlberg recognized his mother, Gail Olene Dahlberg, for excellence in the arts and sciences. Commissioner Dahlberg said his mother is an artist and was a designer for Bergquist Imports, Cloquet, MN. Ms. Dahlberg thanked the board and showed the various paintings and designs that she created over the years.

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.

Will Sandstrom, Madison, WI, spoke to the board regarding the contributions the Finnish people made including their complex language, log cabin designs, and the standard forty hour work week.

Henry Banks, Duluth, MN, distributed a brochure The Finest House in Duluth, which serves young men ages 10 to 21. Mr. Banks wanted the board to know about the home in Duluth for future referrals.

Bob Tammen, Soudan, MN, said he and his wife like to come to county board meetings from time to time. Mr. Tammen urged the board to examine the program from the previous speaker as he is concerned with the large age span from ages 10 to 21, adding he and his wife have worked with youth and they both feel this age gap is too large.

Pursuant to Resolution No. 384, the county board heard on the matter of surplus fee land sale in Fredenberg Township. Property Director Tony Mancuso said the property was advertised for sale and no bids were received, therefore no board action is required.

Pursuant to Resolution No. 385, the county board considered bids for sale of surplus fee owned land in McDavitt Township. Property Director Mancuso said the minimum bid requirement was \$7,650, and one bid was received from Michael F. Mehle, Hibbing, MN, in the amount of \$7,650. Commissioner Raukar, supported by Commissioner Nelson, moved to approve the sale of surplus fee land to Michael F. Mehle in the amount of \$7,650; seven yeas, zero nays. Resolution No. 542.

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

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Commissioner Dahlberg, supported by Commissioner Sweeney, moved to approve appointments to the Leadership Team Heading Home St. Louis County Project. Public Health and Human Services Director Ann Busche said the City of Duluth appointed a representative from the Fond du Lac Band. Director Busche said she received confirmation that Karen Hill has withdrawn and the selection committee recommends the alternate, Monica Roth Day. Commissioner Dahlberg, supported by Commissioner Sweeney, move an amendment to replace Karen Hill as the Homeless Advocate with Monica Roth Day; seven yeas, zero nays. Commissioner Nelson asked to divide the question and vote for the Education Representative, Edie Hill, separately. After further discussion, Commissioner Nelson withdrew his request to separate the question. Commissioner Jewell, supported by Commissioner Raukar, moved an amendment to appoint Edie Carr to the position of Homeless Advocate and Monica Roth Day to the position of Education Representative. The amendment passed; seven yeas, zero nays. The resolution passed with the final amendment; seven yeas, zero nays. Resolution No. 543.

Commissioner Nelson, supported by Commissioner Dahlberg, moved to approve the abatement list; six yeas, zero nays, one abstention (Sweeney). Resolution No. 544.

At 10:31 a.m. Chair Commissioner O'Neil recessed the meeting until after the committee of the whole.

At 12:36 p.m., the board meeting reconvened.

Commissioner Nelson, supported by Commissioner Raukar, moved to approve the second consent agenda, which consisted of all items presented at the committee of the whole; seven yeas, zero nays.

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

Kevin Gray, County Administrator, and Barbara Hayden, Planning and Community Development Director, submitting Board Letter 11-381, Advertising for Applicants to the St. Louis County Board of Adjustment.—[59333](#)

Kevin Gray, County Administrator, submitting Board Letter 11-390, Establish Public Hearing to Consider Adoption of 2012 Fee Schedule.—[59334](#)

Kevin Gray, County Administrator, and Ann Busche, Director of Public Health & Human Services, submitting Board Letter 11-370, Committee Appointments to the Leadership Team of the Heading Home St. Louis County Project.—[59335](#)

Kevin Gray, County Administrator, Ross Litman, Sheriff, and James Gottschald, Director of Employee Relations, submitting Board Letter 11-383, Consolidation of Communications Center "Effects Bargaining" Agreement.—[59336](#)

News Release: County Board to Honor Duluth Artist Gail Olene Dahlberg.—[59337](#)

Henry Banks, Duluth, MN, submitting pamphlet regarding Finest House, a professional specialized home for adolescent boys.—[59338](#)

Application for Homeless Programs Advisory Committee by Monica L. Roth Day.—[59339](#)

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City of Duluth Application for St. Louis County Homelessness Leadership Council by Kathryn Jo King.—[59340](#)

Amendment No. 2 to Professional Services Agreement, County Attorney Contract No. 2010-006075, between the County of St. Louis and Meyer Group for additional design, specifications, and project management services for the first floor remodeling of the Government Services Center in Duluth.—[11-754](#)

Service Contract No. 4946-G between the County of St. Louis and C & B Warehouse Distributing, Inc., for Tankwagon and Transport Deliveries of Gasohol, Fuel Oil, and Diesel Fuel from October 1, 2011, to September 30, 2012, inclusive.—[11-755](#)

Fire Protection Services Agreement between the County of St. Louis and the City of Chisholm for services in Unorganized Township 59-21 during 2012.—[11-756](#)

Fire Protection Services Agreement between the County of St. Louis and Central Lakes Volunteer Fire Department, Inc., for services in Unorganized Township 56-17 during 2012.—[11-757](#)

Agreement for Professional Services between the County of St. Louis and RJS Construction Group, LLC, for Joint Public Safety Facility Construction Project Materials Hauling and Disposal.—[11-758](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14553C, between the St. Louis County Board of Commissioners and Senior Friend Associates, Inc.—[11-759](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14579A, between the St. Louis County Board of Commissioners and Winter Homes, Inc.—[11-760](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14679C, between the St. Louis County Board of Commissioners and Fairview Range Regional Health Services d/b/a Greenview Residence.—[11-761](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14618C, between the St. Louis County Board of Commissioners and Spirit Valley Assisted Living, LLC.—[11-762](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14566E, between the St. Louis County Board of Commissioners and Heartland Homes of Duluth, LLC.—[11-763](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14727B, between the St. Louis County Board of Commissioners and Carey Special Needs Foster Home. —[11-764](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14586B, between the St. Louis County Board of Commissioners and Brandt Adult Foster Home. —[11-765](#)

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Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14532B, between the St. Louis County Board of Commissioners and Andrews Home Care Services, LLC d/b/a Home Instead Senior Care.—[11-766](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14613C, between the St. Louis County Board of Commissioners and Solid Foundations of Minnesota, Inc.—[11-767](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14560B, between the St. Louis County Board of Commissioners and Lake Superior Concierge, Inc.—[11-768](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14683A, between the St. Louis County Board of Commissioners and Peterson Colonial Homes, Inc., d/b/a Colonial Homes.—[11-769](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14541D, between the St. Louis County Board of Commissioners and TBI Residential and Community Services, Inc.—[11-770](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14791B, between the St. Louis County Board of Commissioners and Sharon Shofner.—[11-771](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14712B, between the St. Louis County Board of Commissioners and Dean Turnquist and Cindy Turnquist.—[11-772](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14665C, between the St. Louis County Board of Commissioners and Lakeside Manor, Inc.—[11-773](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14612C, between the St. Louis County Board of Commissioners and Serving Hands, Inc.—[11-774](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14603D, between the St. Louis County Board of Commissioners and Tender Loving Care of Duluth, Inc.—[11-775](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14638B, between the St. Louis County Board of Commissioners and Taylor SLS, Inc.—[11-776](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14653D, between the St. Louis County Board of Commissioners and Northland AFC, Inc.—[11-777](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14548A, between the St. Louis County Board of Commissioners and Regency Home Healthcare Services, LLC.—[11-778](#)

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Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14737A, between the St. Louis County Board of Commissioners and Barbara D. Kutsi, LPN.—11-779

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14824A, between the St. Louis County Board of Commissioners and Eva J. Welsh and Aislyn D. Welsh d/b/a Welsh Adult Foster Care.—11-780

Service Contract No. 4946-B between the County of St. Louis and Rainy Lake Oil for Tankwagon and Transport Deliveries of Gasohol, Fuel Oil, and Diesel Fuel from October 1, 2011, to September 30, 2012, inclusive.—11-781

Fire Protection Services Agreement between the County of St. Louis and Northland Volunteer Fire Department, Inc., for fire protection services in Unorganized Township 53-16 during 2012.—11-782

Agreement Addendum #110702 between St. Louis County and High Line Corporation for computer software hosting.—11-783

Upon motion by Commissioner Forsman, supported by Commissioner Sweeney, resolutions numbered 531 through 541, as submitted on the consent agenda, were unanimously adopted as follows:

**BY COMMISSIONER FORSMAN:**

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of September 27, 2011, are hereby approved.

Adopted October 11, 2011. No. 531

WHEREAS, Minn. Stat. § 282.241 provides that state tax forfeited land may be repurchased by the mortgagee subject to payment of delinquent taxes and assessments with penalties, costs, and interest; and

WHEREAS, the applicant, Wells Fargo Bank (mortgagee) of Minneapolis, MN, has applied to repurchase state tax forfeited land described as:

TOWN OF BALKAN  
S 400 FT OF E 300 FT OF SW 1/4 OF NW 1/4  
SEC 2 TWP 58 RGE 20  
Parcel Code: 235-0010-00232

WHEREAS, the applicant was the mortgagee at the time of forfeiture and is eligible to repurchase the property; and

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

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the repurchase application by Wells Fargo Bank (mortgagee) of Minneapolis, MN, on file in County Board File No. 59199, subject to payments including total taxes and assessments of \$535.37, service fee of \$114, deed tax of \$1.77, deed fee of \$25, and recording fee of \$46; for a total of \$722.14, to be deposited into Fund 240 (Forfeited Tax Fund).

Adopted October 11, 2011. No. 532

WHEREAS, under the provisions of Minn. Stat. § 282.341, Subd. 1, a contract for deed to repurchase state tax forfeited land previously cancelled may be reinstated by the previous

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contract holder subject to payment of installments, taxes, assessments, penalties, costs, and interest; and

WHEREAS, less than 50 percent of the basic sale price was paid prior to cancellation; therefore, County Board approval is required for reinstatement; and

WHEREAS, Christine Schweiger of Duluth, MN, has requested to reinstate Contract C22100051, which was cancelled by County Board Resolution No. 11-363, dated July 5, 2011, under new Contract C22110090 for property described as:

TOWN OF DULUTH  
NW 1/4 OF SW 1/4 EX 3 AC AT SE CORNER  
FOR SCHOOL AND EX N 1/2  
SEC 29 TWP 52 RGE 12

Parcel Code: 315-0020-04830

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the reinstatement of Contract C22110090 by Christine Schweiger of Duluth, MN, in the amount of \$3,500.00, to be deposited into Fund 240 (Forfeited Tax Fund).

Adopted October 11, 2011. No. 533

WHEREAS, the contract with Mindy McFarland of Hoyt Lakes, 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 land legally described as:

TOWN OF WHITE  
WLY 300 FT OF NLY 360 FT OF LOT 2  
SEC 34 TWP 58 RGE 15  
Parcel Code: 570-0026-00282  
C22090079

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

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

RESOLVED FURTHER, that the County Auditor is authorized to dispose of abandoned personal property from the above described state tax forfeited property as authorized by Minn. Stat. § 282.04, Subd. 2(d) and 504B.271.

Adopted October 11, 2011. No. 534

RESOLVED, that the appraisal reports for the sale of timber to be offered at PUBLIC ORAL TIMBER AUCTION, Tracts 1 through 20 (totaling \$413,352.44), 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 recommendations as listed in said appraisal reports.

Adopted October 11, 2011. No. 535

WHEREAS, St. Louis County has historically provided data and assisted with the distribution of a St. Louis County Land Atlas and Plat Book; and

WHEREAS, St. Louis County is currently working with North Point Geographic Solutions and has significantly completed product development on the 2011 Plat Book.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes an increase of \$35,000 in the 2011 Land Atlas and Plat Book budget (\$13,000 Fund 640, Agency 640001, Object 629900 to support professional services and \$22,000 Fund 640,

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Agency 640001, Object 623100 to support printing costs) to complete the project in 2011 and that the fund be transferred from the Plat Book fund balance (Fund 640, Object 311500). RESOLVED FURTHER, that the appropriate county officials are authorized to sign an amended contract with North Point Geographic Solutions increasing the original contract from \$24,750 by \$13,000 for a total of \$37,750 for professional services.  
Adopted October 11, 2011. No. 536

WHEREAS, Steven G. Swanstrom d/b/a Blue Max, Fredenberg Township, St. Louis County, Minnesota, has applied for an off-sale intoxicating liquor license; and  
WHEREAS, Minnesota Statute Section 340A.405, Subdivision 2(d), requires that a public hearing be held prior to the issuance of an off-sale intoxicating liquor license.  
NOW, THEREFORE, BE IT RESOLVED, that a public hearing will be held at 9:40 a.m. on October 25, 2011, in the McDavitt Town Hall, Zim, Minnesota, for the purpose of considering an Off-Sale Intoxicating Liquor License to Steven G. Swanstrom d/b/a Blue Max, Fredenberg Township.  
RESOLVED FURTHER, that if the 2011 real estate or personal property taxes are not paid when due, the public hearing will be postponed to a future date.  
Adopted October 11, 2011. No. 537

RESOLVED, that pursuant to Ordinance No. 28, Section 11, Subdivision 11.06, authorization is hereby granted to Ash-Ka-Nam Resort & Lodge, LLC d/b/a Ash-Ka-Nam, Unorganized Township 68-19, to sell/serve outside the designated serving area of the County Liquor License for the dates of October 29 and 30, 2011, as per application on file in the office of the County Auditor, identified as County Board File No. 59214.  
Adopted October 11, 2011. No. 538

WHEREAS, the St. Louis County Board appoints citizens to serve on the St. Louis County Board of Adjustment; and  
WHEREAS, the St. Louis County Board of Adjustment currently has one open seat with a term expiration of December 31, 2012.  
NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the County Auditor to advertise and accept applications until November 30, 2011, for the one vacant position on the St. Louis County Board of Adjustment.  
Adopted October 11, 2011. No. 539

RESOLVED, that the St. Louis County Board approves the creation of the County Extension Administrator class, and its assignment to Grade 23 of the Civil Service Supervisory Unit Pay Plan: \$45,144 - \$63,684 (annual steps and longevities through twenty-four years of service) as recommended by the Civil Commission on September 26, 2011.  
Adopted October 11, 2011. No. 540

RESOLVED, that the effects bargaining agreement with the American Federation of State, County and Municipal Employees Council 5 representing the Jail Corrections Officers/Communications Unit is approved, and the appropriate county officials are authorized to execute the agreement, a copy of which is on file in County Board File No. 59336.  
Adopted October 11, 2011. No. 541

**BY COMMISSIONER NELSON:**

WHEREAS, the Property Management Team had identified the following described property as surplus county fee owned land and the property was advertised for sale and bids were

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received. Said property is 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, Michael F. Mehle submitted the minimum bid of \$7,650 for the parcel.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the requirements of and procedures of Minn. Stat. § 373.01, the appropriate county officials are authorized to execute a quit claim deed, conveying the above listed property to Michael F. Mehle of Hibbing, MN, for the bid amount of \$7,650, payable to Fund 100, Agency 128014, Object 583100. Buyer is also responsible for deed tax and recording fees.

Unanimously adopted October 11, 2011. No. 542

**BY COMMISSIONER DAHLBERG:**

WHEREAS, on June 14, 2011, the St. Louis County Board adopted Board Resolution No. 11-339 changing the committee structure of the Heading Home St. Louis County Ten Year Plan to End Homelessness; and

WHEREAS, nine of the fifteen members of the Leadership Team were to be appointed by the St. Louis County Board of Commissioners; and

WHEREAS, in July, 2011, the Public Health and Human Services Department placed advertisements for membership on the Leadership Team in five county newspapers, on the county's public website, and through existing homeless programs' email lists, and applications were received by the Auditor's Office.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board appoints the following nine (9) individuals to the Heading Home St. Louis County Leadership Team:

NAME	POSITION	TERM STARTS	TERM ENDS
Edie Carr	Homeless Advocate	10/04/2011	12/31/2013
Ji Young Choi	State MITCH Representative (MN Interagency Council on Homelessness)	10/04/2011	12/31/2013
Monica Roth Day	Education Representative	10/04/2011	12/31/2012
Adam Venne	Rural Housing Representative (provider)	10/04/2011	12/31/2012
Richard Wolff	At-Large Representatives (foundations/private funding sources)	10/04/2011	12/31/2012
Carrie Knuutti	At-Large Representatives (foundations/private funding sources)	10/04/2011	12/31/2012
Janelle Burton	Tribal Representative Bois Forte Band	10/04/2011	12/31/2012
Joe Gregorich	Corrections Representative	10/04/2011	12/31/2012
Al Liam	Business Community Representative	10/04/2011	12/31/2012

Unanimously adopted October 11, 2011. No. 543

**BY COMMISSIONER NELSON:**

RESOLVED, that the St. Louis County Board approves the applications for abatements, correction of assessed valuations and taxes plus penalty and interest, and any additional accrual, identified in County Board File No. 59185.

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Yeas – Commissioners Jewell, Dahlberg, Forsman, Nelson, Raukar, and Chair O’Neil - 6  
Nays – None  
Abstained – Commissioner Sweeney - 1  
Adopted October 11, 2011. No. 544

Upon motion by Commissioner Nelson, supported by Commissioner Raukar, resolutions numbered 545 through 550, as submitted to this board on a second consent agenda, were unanimously adopted as follows:

**BY COMMISSIONER NELSON:**

RESOLVED, that the St. Louis County Board approves the applications for abatements, correction of assessed valuations and taxes plus penalty and interest, and any additional accrual, identified in County Board File No. 59185.  
Adopted October 11, 2011. No. 545

WHEREAS, the U.S. Department of Housing and Urban Development (HUD) Office of Community Planning and Development has issued its Notice of Funding Availability (NOFA) for Continuum of Care Homeless Assistance Programs including the Shelter Plus Care Program; and

WHEREAS, St. Louis County is an eligible applicant for the Shelter Plus Care Program and has received a request from the Bois Forte Band of Chippewa for Shelter Plus Care rental subsidy assistance for the Band’s New Moon Supportive Housing Project; and

WHEREAS, the Bois Forte Band of Chippewa is the owner of the 6 rental units to be assisted by the Shelter Plus Care rental subsidy and will provide the rental assistance administration, client eligibility documentation, supportive service provision, Homeless Management Information System (HMIS) reporting, and all matching funding commitment required to support the project.

NOW, THEREFORE, BE IT RESOLVED, that the Planning and Community Development Director is authorized to prepare and submit a Shelter Plus Care application including all assurances and understanding required therein for \$40,000 in annual rental subsidy for 5 years to cover 6 units in the Bois Forte Band of Chippewa – New Moon Supportive Housing Project.

Adopted October 11, 2011. No. 546

RESOLVED, that pursuant to Minnesota Statute 349.213, Subd. 2, the St. Louis County Board approves the following Lawful Gambling License Application (Pull-tabs and Tipboards) on file in the office of the County Auditor, identified as County Board File No. 59219, for the following organization:

Reservoir Riders, Inc., to operate out of Blue Max, Fredenberg Township, 6139 LaVaque Road, Duluth, MN, 55803, new.

Adopted October 11, 2011. No. 547

RESOLVED, that the St. Louis County Board will convene a public hearing at 9:40 a.m. on Tuesday, November 8, 2011, St. Louis County Courthouse, Duluth, Minnesota, to consider the adoption of the fee schedule for various county services for the year 2012.

Adopted October 11, 2011. No. 548

WHEREAS, the Virginia Courthouse is experiencing overcrowding, critical security issues, has obsolete HVAC and mechanical infrastructure, an energy inefficient shell & windows, and has no energy management system; and

WHEREAS, the 2010A bond project package includes the remodeling, energy upgrades,

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window replacement, and new addition project for the courthouse in Virginia (October 5, 2010, County Board Resolution No. 10-480); and

WHEREAS, the Purchasing Division conducted a competitive bidding (Bid # 4914-1) process for the building addition and remodeling with Max Gray Construction of Hibbing, Minnesota providing the lowest qualified bid.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the appropriate county officials to enter into a professional construction contract with Max Gray Construction of Hibbing, Minnesota, in an amount of \$5,706,800, for construction services for the Virginia courthouse remodeling/upgrade and new addition project, payable from Fund 439 – 439001-662100, bond sale proceeds.

Adopted October 11, 2011. No. 549

WHEREAS, the St. Louis County jail domestic water systems are 15 years old, inefficient and in need of replacement; and

WHEREAS, utility rates have increased by double digits in the past three years and the equipment/fixtures have reached their life cycle; and

WHEREAS, there is presently a \$75,000 Minnesota Office of Energy Security stimulus grant available for the purchase of energy efficient upgrades; and

WHEREAS, Bob Hecimovich Mechanical of Hibbing, Minnesota, provided the low bid proposal (bid #4959-1) in an amount of \$147,140 for the installation of water system upgrades.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the appropriate county officials to execute an agreement with Bob Hecimovich Mechanical of Hibbing, Minnesota, for the installation of high efficiency domestic hot water heaters and a high efficiency condensing boiler for the county jail facility, payable from Fund 400, Agency 400032, and Minnesota Office of Energy Security Stimulus Grant Funds (County Board Resolution No. 10-482) - Fund 400, Agency 400999, Grant 40001.

Adopted October 11, 2011. No. 550

At 12:37 p.m., October 11, 2011, Commissioner Sweeney, supported by Commissioner Nelson, 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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**OFFICIAL PROCEEDINGS OF THE MEETING  
OF THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF ST. LOUIS, MINNESOTA,  
HELD ON OCTOBER 25, 2011**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 11th day of October, 2011, at 9:36 a.m., in the County Board Room, Duluth Courthouse, Duluth, Minnesota, with the following members present: Commissioners Steve O'Neil, Chris Dahlberg, Mike Forsman, Peg Sweeney, Keith Nelson, and Steve Raukar - 6. Absent: Commissioner Frank Jewell - 1.

Chair O'Neil asked for a moment of silence to honor U.S. troops serving throughout the world and their families as well as all persons adversely affected by war. Commissioner Sweeney said October is breast cancer awareness month and is also domestic violence awareness month.

Dennis Zinter, McDavitt Town Supervisor, welcomed the county board to McDavitt Township.

At 9:40 a.m., pursuant to Resolution No. 537, a public hearing was held to consider the issuance of an off-sale intoxicating liquor license to Steven G. Swanstrom, d/b/a Blue Max, Fredenberg Township. County Attorney Mark Rubin presented the packet which included the certificate of liquor liability insurance, township approval, required notices and proof that real estate taxes are up to date. Commissioner Nelson read a letter from Mr. Steven G. Swanstrom, who could not be present at the public hearing. Commissioner Sweeney said the Blue Max is an important part of the community. At 9:45 a.m., Commissioner Raukar, supported by Commissioner Dahlberg, moved to close the public hearing. Commissioner Nelson, supported by Commissioner Sweeney, moved to approve granting an off-sale liquor license to Steven G. Swanstrom, d/b/a Blue Max, Fredenberg Township; six yeas, zero nays. Resolution No. 557.

Commissioner Sweeney, supported by Commissioner Raukar, moved the consent agenda; six yeas, zero nays.

Commissioner Nelson noted the golden tamaracks in the area. He also received a thank you card from a constituent for the Highway 7 railroad crossing, and passed it around for board members to read.

County Attorney Rubin said a press conference will be held on Friday, October 28, 2011, at 12:30 p.m., announcing the appointment of two county attorneys as Special Assistant United States Attorneys. This is a historic relationship with the federal government and will benefit the citizens of St. Louis County.

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 11-393, Public Hearing to Consider Off-Sale Intoxicating Liquor License for Steven G. Swanstrom d/b/a Blue Max, Fredenberg Township, and supporting documents.—59341

Agreement for Professional Services between the County of St. Louis and LHB Corporation

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for bridge design of County Bridge 521 over the Embarrass River on County Road 615 (County Project 128461).—11-784

Multi-Agency Law Enforcement Joint Powers Agreement, Contract No. DPS-M-0544, between the State of Minnesota, Bureau of Criminal Apprehension and the County of St. Louis for Minnesota Internet Crimes Against Children Task Force.—11-785

Fire Protection Services Agreement between the County of St. Louis and Lake Kabetogama Volunteer Fire Department for services in Unorganized Townships 68-19, 69-19, 67-20, 68-20, 67-21 & 68-21 during 2012.—11-786

Fire Protection Services Agreement between the County of St. Louis and Gnesen Volunteer Fire Department, Inc., for services in Unorganized Township 53-15 during 2012.—11-787

Fire Protection Services Agreement between the County of St. Louis and Pequaywan Lake Volunteer Fire Department, Inc., for services in Unorganized Township 54-13 during 2012.—11-788

Fire Protection Services Agreement between the County of St. Louis and Lakeland Volunteer Fire Department, Inc., for services in Unorganized Township 57-16 during 2012.—11-789

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14545C, between the St. Louis County Board of Commissioners and Range Regional Health Services d/b/a HealthLine Home Care.—11-790

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14681D, between the St. Louis County Board of Commissioners and New Life Horizons, Inc.—11-791

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14639D, between the St. Louis County Board of Commissioners and Residential Services of NE MN, Inc.—11-792

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14602B, between the St. Louis County Board of Commissioners and Brenda Hansen Adult Foster Home. — 11-793

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14652A, between the St. Louis County Board of Commissioners and DeRungs/Bonk Adult Foster Care, Inc.—11-794

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14554A, between the St. Louis County Board of Commissioners and Ely-Bloomenson Community Hospital d/b/a Ely Bloomenson Hospital HHA.—11-795

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14686C, between the St. Louis County Board of Commissioners and Positive Outreach Services, Inc.—11-796

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14534C, between the St. Louis County Board of Commissioners and Arrowhead House

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Foster Care, LLC.—11-797

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14670C, between the St. Louis County Board of Commissioners and Salmi Homes, Inc.—11-798

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14717B, between the St. Louis County Board of Commissioners and Sherri Kangas and Daniel Kangas d/b/a Home on the Range.—11-799

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14621C, between the St. Louis County Board of Commissioners and Community Connection of Minnesota, Inc.—11-800

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14657A, between the St. Louis County Board of Commissioners and East Range Developmental Achievement Center, Inc.—11-801

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14556A, between the St. Louis County Board of Commissioners and Northern Diagnostic Services, Inc., d/b/a Healthstar Home Health Agency.—11-802

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14531C, between the St. Louis County Board of Commissioners and Andrea's Home Care, LLC.—11-803

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14647A, between the St. Louis County Board of Commissioners and Family Support, Inc. of Moose Lake.—11-804

Home and Community-Based Waiver Services Contract, Contract No. 14884, between the St. Louis County Board of Commissioners and Healthstar Home Health d/b/a Circle of Life, LLC.—11-805

County of St. Louis Project Contract No. 4959-1 between the County of St. Louis and Bob Hecimovich Mechanical Contracting, Inc., for Installation of Water Heater at the St. Louis County Jail.—11-806

Contract between RadioIP Software, Inc., and St. Louis County Sheriff's Office, quote #QUO-06464-14YBOM-6, for mobile data network systems upgrades and increased user licenses.—11-807

Grant Agreement between Minnesota Department of Public Safety, Homeland Security and Emergency Management Division and St. Louis County Sheriff's Office for the 2010 Operation Stonegarden grant.—11-808

Grant Agreement Amendment No. 2 (2010-NGTF-00378) between the Minnesota Department of Public Safety, Office of Justice Programs, and St. Louis County Sheriff's Office for the Narcotics and Gang Task Force 2010 grant.—11-809

Cooperative Agreement No. MP 126-120552 between the City of Tower and the County of

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St. Louis for paving North 2<sup>nd</sup> Street on County State Aid Highway 126 in Tower, MN.—11-810

Service Contract No. 4946-F between the County of St. Louis and Mansfield Oil Company for tank wagon and transport deliveries of gasohol, fuel oil, and diesel fuel from Oct. 1, 2011 thru September 30, 2012.—11-811

Home and Community-Based Waiver Services Contract, Contract No. 14783, between the St. Louis County Board of Commissioners and Ann E. Teske and Mary Wentland d/b/a Our Brothers Love.—11-812

Home and Community-Based Waiver Services Contract, Contract No. 14883, between the St. Louis County Board of Commissioners and Trudy Roth and Dwayne Roth.—11-813

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14551A, between the St. Louis County Board of Commissioners and Heartland PCA, LLC.—11-814

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14654B, between the St. Louis County Board of Commissioners and Choice, Unlimited.—11-815

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14578B, between the St. Louis County Board of Commissioners and Capstone Services, LLC.—11-816

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14530C, between the St. Louis County Board of Commissioners and Anderson's Pine Grove Home, Inc.—11-817

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14655A, between the St. Louis County Board of Commissioners and Access to Employment Too, Inc.—11-818

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14643E, between the St. Louis County Board of Commissioners and Rural Living Environments, Inc.—11-819

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14601C, between the St. Louis County Board of Commissioners and Seeland Adult Foster Homes d/b/a Country Care.—11-820

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14779B, between the St. Louis County Board of Commissioners and Wendigo Pines Assisted Living of Chisholm, Inc.—11-821

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14649B, between the St. Louis County Board of Commissioners and Range Respite Project, Inc.—11-822

Addendum to Home and Community-Based Waiver Services Contract, Contract No.

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14537C, between the St. Louis County Board of Commissioners and TL Care Services, LLC d/b/a Westview Services.—11-823

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14642B, between the St. Louis County Board of Commissioners and Trillium Services, Inc.—11-824

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14693A, between the St. Louis County Board of Commissioners and Trillium Works!—11-825

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14824B, between the St. Louis County Board of Commissioners and Eva J. Welsh and Aislyn D. Welsh d/b/a Welsh Adult Foster Care.—11-826

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14598A, between the St. Louis County Board of Commissioners and Vallie Adult Foster Care Home. —11-827

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14611C, between the St. Louis County Board of Commissioners and Transitional Senior Housing.—11-828

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14559D, between the St. Louis County Board of Commissioners and Stepping Stones for Living, LLC.—11-829

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14688C, between the St. Louis County Board of Commissioners and River Hill Assisted Living, Inc.—11-830

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14644B, between the St. Louis County Board of Commissioners and Range Center, Inc.—11-831

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14640C, between the St. Louis County Board of Commissioners and REM Arrowhead, Inc.—11-832

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14683B, between the St. Louis County Board of Commissioners and Peterson Colonial Homes, Inc., d/b/a Colonial Homes.—11-833

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14678C, between the St. Louis County Board of Commissioners and Peace of Mind of Duluth, Inc.—11-834

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14641B, between the St. Louis County Board of Commissioners and NHS-Northstar Specialized Services, Inc.—11-835

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Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14773A, between the St. Louis County Board of Commissioners and Range Regional Health Services d/b/a HealthLine Medical Supply.—11-836

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14634A, between the St. Louis County Board of Commissioners and Empowerment Services of Minnesota, Inc.—11-837

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14534B, between the St. Louis County Board of Commissioners and Arrowhead House Foster Care, LLC.—11-838

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14619D, between the St. Louis County Board of Commissioners and At Home Living Facilities, Inc.—11-839

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14542E, between the St. Louis County Board of Commissioners and Interim Healthcare of Lake Superior, Inc.—11-840

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14590B, between the St. Louis County Board of Commissioners and Lutheran Social Service of Minnesota.—11-841

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14635E, between the St. Louis County Board of Commissioners and Innovative Living, Inc.—11-842

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14637B, between the St. Louis County Board of Commissioners and H.O.M.E.S., Inc.—11-843

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14562C, between the St. Louis County Board of Commissioners and Garden House Estates, Ltd.—11-844

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14621A, between the St. Louis County Board of Commissioners and Community Connection of Minnesota, Inc.—11-845

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14621B, between the St. Louis County Board of Commissioners and Community Connection of Minnesota, Inc.—11-846

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14782A, between the St. Louis County Board of Commissioners and Terry K. Chartier and Allen J. Chartier d/b/a Silver Maple Estate.—11-847

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14567B, between the St. Louis County Board of Commissioners and Heritage Haven, Inc.—11-848

Agreement, Contract No. 14849, between the St. Louis County Board of Commissioners and

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Center for Alcohol and Drug Treatment, Inc. for Substance Abuse Case Manager for the Assertive Community Treatment Team South.—[11-849](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14786A, between the St. Louis County Board of Commissioners and Cherish, Inc.—[11-850](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14617C, between the St. Louis County Board of Commissioners and Bluewater Residential Services, LLC.—[11-851](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14633A, between the St. Louis County Board of Commissioners and UDAC, Inc.—[11-852](#)

Group Residential Housing Rate Agreement, Contract No. 50971, between the St. Louis County Board of Commissioners and RSI – Dodge.—[11-853](#)

Group Residential Housing Rate Agreement, Contract No. 50972, between the St. Louis County Board of Commissioners and Wendigo Pines of Chisholm – House 2.—[11-854](#)

Group Residential Housing Rate Agreement, Contract No. 50973, between the St. Louis County Board of Commissioners and Wendigo Pines of Chisholm – House 3.—[11-855](#)

Service Contract, Contract No. 4946-A, between the County of St. Louis and Edwards Oil for tank wagon and transport deliveries of gasohol, fuel oil, and diesel fuel from October 1, 2011, through September 30, 2012.—[11-856](#)

Agreement for Professional Services between the County of St. Louis and Ayres Associates for survey services for the Virginia Courthouse Remodel and New Addition Project.—[11-857](#)

Agreement for Professional Services between the County of St. Louis and Ayers Associates for survey services for the Chris Jensen Facility and Adjacent Property.—[11-858](#)

Grant contract between the State of Minnesota, Commissioner of Natural Resources, and St. Louis County Sheriff's Office for two Off Highway Vehicle (ATV) Enforcement Grants.—[11-859](#)

Agreement for Professional Services between St. Louis County and Angie VanDeHey to provide training and implementation services for the Northeast Minnesota Enforcement Safety Information System (NEMESIS) system for the period July 1, 2011, through June 30, 2012.—[11-860](#)

Agreement for Professional Services between St. Louis County and Ryan Bogart to develop machine specific Lockout/Tagout Procedures for the Government Services Center, Jean Duluth Public Works Facility and out-buildings, and the County Jail Maintenance Areas.—[11-861](#)

Fire Protection Services Agreement between the County of St. Louis and French Township for services in Unorganized Township 59-21 during 2012.—[11-862](#)

Fire Protection Services Agreement between the County of St. Louis and Greenwood

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Township Volunteer Fire Department for services in Unorganized Township 63-15 during 2012.—11-863

Fire Protection Services Agreement between the County of St. Louis and Bearville Township Volunteer Fire Department, Inc., for services in Unorganized Township 62-21 during 2012.—11-864

Fire Protection Services Agreement between the County of St. Louis and the City of Babbitt for services in Unorganized Townships 61-12 & 61-13 during 2012.—11-865

Fire Protection and First Responder Services Agreement between the County of St. Louis and Morse-Fall Lake Rural Protection Association for services in Unorganized Townships 64-12 & 64-13 during 2012.—11-866

Fire Protection and First Responder Services Agreement between the County of St. Louis and Ellsburg Volunteer Fire Department, Inc., for services in Unorganized Township 55-15 during 2012.—11-867

Project Contract No. 4914-1 between the County of St. Louis and Max Gray Construction for the Virginia Courthouse Addition and Renovation Construction Project (Bid #4914-1).—11-868

Grant Agreement, MnDOT Agreement No. 99866, between the County of St. Louis and the Minnesota Commissioner of Management and Budget, for General Obligation Bond Proceeds - End Grant for the St. Louis County Heritage and Arts Center (the Duluth Depot Roof Repair) Project (SP 69-595-006, CP 3761).—11-869

Upon motion by Commissioner Sweeney, supported by Commissioner Raukar, resolutions numbered 551 through 556, 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 October 4, 2011, are hereby approved.  
Adopted October 25, 2011. No. 551

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of October 11, 2011, are hereby approved.  
Adopted October 25, 2011. No. 552

RESOLVED, that the appraisal report for sale of timber, numbered Tract 1 as submitted by the Land Commissioner, on file in the Office of the County Auditor, identified as County Board File No. 59196, is approved and the County Auditor is authorized to carry out the recommendation as listed in said appraisal report.  
Adopted October 25, 2011. No. 553

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:

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100	General Fund	\$8,030,566.00
148	Volunteer Fire Departments	22,500.00
149	Personnel Service Fund	175.41
150	Sheriff's Nemesis Fund Group	5,524.20
161	Missing Heirs	27,504.43
168	Sheriff's State Forfeitures	916.39
169	Attorney Trust Accounts-VW	143.82
170	Boundary Waters-Forfeiture	166.02
173	Emergency Shelter Grant	39,856.07
180	Law Library	10,683.23
183	City/County Communication	368.81
184	Extension Service	37,088.79
200	Public Works	4,675,821.76
210	Road Maint – Unorg Townships	39,231.75
220	State Road Aid	5,907,065.60
230	Public Health & Human Services	6,778,063.16
240	Forfeited Tax	536,565.05
260	CDBG Grant	189,715.50
270	Home Grant	52,129.70
280	Federal Septic Loan – EPA Fund	70,671.78
290	Forest Resources	111,880.35
400	County Facility	174,635.96
402	Depreciation Reserve Fund	7,415.99
405	Public Works Building Const	12,576.50
438	2008B Capital Improvement Bond	558,159.23
439	2010A Capital Improvement Bond	40.00
600	Environmental Services	954,147.08
616	On-Site Waste Water Division	48,944.45
715	County Garage	102,793.16
720	Property Casualty Liability	18,990.17
730	Workers Compensation	214,089.52
770	Retired Employees Health Ins	692.40
826	Taconite Production Tax	4,384,031.00
900	State of Minnesota	1,245,279.61
902	Courts	350,896.04
908	Cities and Towns Taxes	230,742.30
909	Tax Refunds	254,606.95
910	School Districts Taxes	100,583.82
925	Arrowhead Regional Corrections	1,951,100.18
955	Community Health Board	422,695.34
985	Collective Local Collaborative	20,884.27
989	Regional Railroad Authority	135,548.33
990	Northern Cities Land Use	1,153.64
994	Sheriff Forfeits/Evidence	1,330.42
998	MPL-DUL Train Alliance	<u>3,644.01</u>
		\$37,731,618.19

Adopted October 25, 2011. No. 554

RESOLVED, that pursuant to St. Louis County Ordinance No. 51, the applications for license to sell tobacco products, at retail, on file in the office of the County Auditor, identified as County Board File No. 59239, are hereby approved and the County Auditor is

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authorized to issue the licenses as follows:

Van Gillen's Dry Dock Bar, Inc., d/b/a Dry Dock Bar & Restaurant, Township of Midway, Tobacco Products License No. T1242, renewal;  
Curran Enterprises, Inc., d/b/a Makinen Market, Inc., Township of Unorganized 56-16, Tobacco Products License No. T1288, renewal.

RESOLVED FURTHER, that if named license holders sell their licensed business, the County Board, at its discretion, may, after an investigation, transfer the licenses to a new owner, but without pro-rated refund to the license holders.

Adopted October 25, 2011. No. 555

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, dated October 7, 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 October 25, 2011. No. 556

**BY COMMISSIONER NELSON:**

WHEREAS, Steven G. Swanstrom d/b/a Blue Max, Fredenberg Township, St. Louis County, Minnesota, has applied for an off-sale intoxicating liquor license; and

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

WHEREAS, a public hearing was held on October 25, 2011, at 9:40 a.m. in the McDavitt Town Hall, Zim, Minnesota, for the purpose of considering the off-sale intoxicating liquor license; and

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

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

NOW, THEREFORE, BE IT RESOLVED, that off-sale intoxicating liquor license (License Number CMB12144) shall be issued to Steven G. Swanstrom d/b/a Blue Max, located in Area 3, for an annual fee of \$150.

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

RESOLVED FURTHER, that the license is approved contingent upon license holder complying in all respects with the controlling liquor, health, environmental and sanitary laws, rules and regulations for the liquor license, Fredenberg Township approval, certificate of liquor liability insurance, proof of workers' compensation insurance, 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, after an investigation, may transfer the license to a new owner, but without pro-rated refund of license fee to the license holder.

Unanimously adopted October 25, 2011. No. 557

At 9:50 a.m., October 25, 2011, Commissioner Nelson, supported by Commissioner Sweeney, moved to adjourn; six yeas, zero nays.

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

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Attest:

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

(Seal of the County Auditor)