

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

JANUARY, 2012

OFFICIAL PROCEEDINGS OF THE ANNUAL MEETING
OF THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF ST. LOUIS, MINNESOTA,
HELD ON JANUARY 3, 2012

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 3rd day of January, 2012, at 9:32 a.m., in the County Board Room, 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.

County Auditor Donald Dicklich called the annual organizational meeting to order at 9:32 a.m. County Auditor Donald Dicklich asked for a moment of silence to honor U.S. troops serving throughout the world, followed by the pledge of allegiance.

County Auditor Dicklich asked for nominations for Chair of the Board for 2012. Commissioner Raukar, supported by Commissioner Dahlberg, moved Commissioner Nelson to serve as Chair of the Board for 2012; seven yeas, zero nays.

Chair Nelson thanked Commissioner O'Neil for his service as Chair in 2011.

Chair Nelson asked for nominations for Vice-Chair for 2012. Commissioner Raukar, supported by Commissioner Forsman, moved Commissioner Sweeney to serve as Vice-Chair for 2012; seven yeas, zero nays.

Commissioner Forsman recognized County Attorney Mark Rubin for excellence in the arts and science. Commissioner Forsman said the original recognition was at the December 20, 2011, Board meeting in the Morse Town Hall, but due to technical and space issues the video couldn't be shown. A video showcasing County Attorney Rubin's musical talent and recordings was shown.

Chair Nelson appointed the following as Chairs of Standing Committees of the County Board for 2012: Commissioner O'Neil – Health and Human Services; Commissioner Dahlberg – Environment and Natural Resources; Commissioner Forsman – Public Works and Transportation; Commissioner Raukar – Finance and Budget; Commissioner Jewell – Central Management and Intergovernmental Committee; Commissioner Sweeney – Public Safety and Corrections.

Chair Nelson announced he will be initiating a program recognizing employees for excellence in customer service. Chair Nelson handed out "Customer Service" signs to department heads and commissioners. Chair Nelson said he will be asking department heads to nominate employees who display outstanding customer service.

Chair Nelson opened the meeting to persons who wanted to address the Board concerning

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

2

issues not on the agenda and the following chose to do so:

Don Solem, Rice Lake Township and member of the Hunting Shack Lease Association, asked the Board to keep his organization informed when lease changes are considered.

Auditor Donald Dicklich brought in an article that appeared in the December 2, 2011, Duluth News Tribune, featuring Tom Cartier and the work of Spring Point, a nonprofit organization he set up to help find a cure for Type 1 diabetes. Auditor Dicklich said the County Board gave Tom Cartier a Volunteer Service Recognition Award back in 2006, which included recognition on the good work of Spring Point and his leadership.

Commissioner Forsman, supported by Commissioner Dahlberg, moved to approve the Board meeting schedule for 2012. Commissioner Forsman noted two new locations in Ely, the Miner's Dry and the Ely Public Works Facility. Commissioner O'Neil asked the board to consider evening meetings. Commissioner Jewell recommended making arrangements for a larger venue if we are expecting larger crowds, citing the example of the limited space in the Morse Town Hall and the large crowd that attended the last meeting. Chair Nelson said he is planning to schedule four quarterly listening sessions throughout the county, at various times in the afternoon and evening. Chair Nelson said these sessions will be less formal than a board meeting and would give citizens an opportunity to be heard. Commissioner Sweeney said she supports listening sessions, adding the space for meetings should hold at least 100 people; seven yeas, zero nays. Resolution No. 12-001.

Commissioner Sweeney, supported by Commissioner Raukar, moved to approve the Committee of the Whole schedule for 2012; seven yeas, zero nays. Resolution No. 12-002.

Resolutions for the following appointments are one year terms, unless otherwise noted:

Commissioner Forsman, supported by Commissioner Raukar, moved to appoint Commissioners Jewell and Nelson as representatives and Commissioner Dahlberg as alternate to Arrowhead Counties Association (ad hoc); seven yeas, zero nays. Resolution No. 12-003.

Commissioner O'Neil, supported by Commissioner Forsman, moved to appoint Commissioners Sweeney, Dahlberg and Nelson as representatives and Commissioner Jewell as alternate to Arrowhead Regional Corrections; seven yeas, zero nays. Resolution No. 12-004.

Commissioner Forsman, supported by Commissioner Raukar, moved to appoint Commissioner O'Neil as representative and Commissioner Sweeney as alternate to Arrowhead Regional Development Commission (ARDC) Metropolitan Interstate Committee; seven yeas, zero nays. Resolution No. 12-005.

Commissioner O'Neil, supported by Commissioner Raukar, moved to appoint Commissioner Dahlberg to the Community Health Services Board (3-year term); seven yeas, zero nays. Resolution No. 12-006.

Commissioner Jewell, supported by Commissioner Raukar, moved to appoint Commissioners Sweeney and Dahlberg as representatives and Deputy County Administrator Gary Eckenberg as alternate to the Duluth/St. Louis County Joint Airport Zoning Board (2-year term); seven yeas, zero nays. Resolution No. 12-007.

Commissioner Sweeney, supported by Commissioner Raukar, moved to appoint

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

3

Commissioners Jewell and Nelson to the Election Canvassing Board for 2012; seven yeas, zero nays. Resolution No. 12-008.

Commissioner Dahlberg, supported by Commissioner Forsman, moved to appoint Commissioner Jewell as representative to the Laurentian Resource and Development Council; seven yeas, zero nays. Resolution No. 12-009.

Commissioner Jewell, supported by Commissioner Forsman, moved to appoint Commissioner Sweeney as representative to the Law Library Board; seven yeas, zero nays. Resolution No. 12-010.

Commissioner Forsman, supported by Commissioner Raukar, moved to appoint Commissioners Dahlberg and Nelson as representatives to the Liquor Licensing Committee; seven yeas, zero nays. Resolution No. 12-011.

Commissioner O'Neil, supported by Commissioner Jewell, moved to appoint Commissioners Dahlberg and Raukar as representatives and Commissioner Sweeney as alternate to the Minnesota Inter-County Association; seven yeas, zero nays. Resolution No. 12-012.

Commissioner Forsman, supported by Commissioner Raukar, moved to appoint Commissioners Nelson and Sweeney as representatives and Commissioners Forsman and O'Neil as alternates to the 9-1-1 Emergency System User Board; seven yeas, zero nays. Resolution No. 12-013.

Commissioner Raukar, supported by Commissioner O'Neil, moved to appoint Commissioner Forsman as representative and Commissioner Nelson as alternate to the Northeast Minnesota Office of Job Training, Local Elected Officials Board; seven yeas, zero nays. Resolution No. 12-014.

Commissioner Raukar, supported by Commissioner O'Neil, moved to appoint Commissioner Sweeney as representative and Commissioner Nelson as alternate to the Northeast Regional Radio Board; seven yeas, zero nays. Resolution No. 12-015.

Commissioner O'Neil, supported by Commissioner Sweeney, moved to appoint Commissioners Dahlberg, Forsman and Raukar as representatives and Commissioner Jewell as alternate to the Northern Counties Land Use Coordinating Board; seven yeas, zero nays. Resolution No. 12-016.

Commissioner Raukar, supported by Commissioner Forsman, moved to appoint Commissioner Dahlberg to the St. Louis County Planning Commission; seven yeas, zero nays. Resolution No. 12-017.

Commissioner Forsman, supported by Commissioner Raukar, moved to appoint Commissioners Sweeney and Nelson to the St. Louis County Promotional Bureau; seven yeas, zero nays. Resolution No. 12-018.

Commissioner Forsman, supported by Commissioner Raukar, moved to appoint Commissioners O'Neil and Jewell as representatives to the Public Health and Human Services Advisory Committee; seven yeas, zero nays. Resolution No. 12-019.

Commissioner Jewell, supported by Commissioner Dahlberg, moved to appoint Commissioners O'Neil, Nelson and Raukar as representatives and Commissioners Forsman and Sweeney as alternates to the St. Louis/Lake Counties Regional Railroad Authority; seven

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

4

yeas, zero nays. Resolution No. 12-020.

Commissioner Sweeney, supported by Commissioner O'Neil, moved to appoint Bill Kron as representative to the Seaway Port Authority. Commissioner Forsman, supported by Commissioner Raukar moved to appoint Commissioner Dahlberg to the Seaway Port Authority. Commissioner Sweeney withdrew her nomination of Bill Kron and took the opportunity to recognize him for his many years of excellent service to the Seaway Port Authority, including serving as the Chair. After further discussion, the motion to appoint Commissioner Dahlberg as the representative passed; seven yeas, zero nays. Resolution No. 12-021.

Commissioner Sweeney, supported by Commissioner O'Neil, moved to suspend the rules to consider authorizing the public sale of state tax forfeited land. Administrator Kevin Gray said the rules need to be suspended to give adequate notice of the sale; seven yeas, zero nays. Commissioner Dahlberg, supported by Commissioner Jewell, moved to authorize the public sale of certain parcels of state tax-forfeited land on February 9, 2012, at 10:00 a.m., at the Depot, 506 W. Michigan Street, Duluth, MN; seven yeas, zero nays. Resolution No. 12-022.

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

Kevin Gray, County Administrator, and Robert Krepps, Land Commissioner, Land & Minerals Department, submitting Board Letter 12-01, Public Sale of State Tax Forfeited Lands on February 9, 2012.—59381

Donald Dicklich, County Auditor, submitting a Duluth News Tribune article dated Dec. 2, 2011, *Cure for diabetes? If true, thank a pig* featuring Tom Cartier and the work of Spring Point, a nonprofit organization he set up to help find a cure for Type 1 diabetes, and comments from Mr. Cartier's 2006 Volunteer Service Recognition Award.—59382

Cooperative Maintenance Agreement between St. Louis County and Itasca County for full year round maintenance of judicial highways and winter maintenance only on non-judicial highways.—12-01

Fire Protection Services Agreement between the County of St. Louis and Silica Volunteer Fire Department, Inc., for fire protection services in Unorganized Township 55-21 during 2012.—12-02

Contract for County-State Aid Highway Projects between the County of St. Louis and KGM Contractors, Inc., for SAP 69-670-006, CP 91417, grading, aggregate base, and pavement reclamation on CSAH (County-State Aid Highway) 70 near Babbitt, MN.—12-03

Agreement No. 93288 between the County of St. Louis; the Duluth, Missabe and Iron Range Railway Company; and the Commissioner of Transportation, State of Minnesota, for railroad crossing signals and gates on County Road 452 (Iron Junction Rd.).—12-04

Agreement No. 93287 between the County of St. Louis; the Duluth, Missabe and Iron Range Railway Company; and the Commissioner of Transportation, State of Minnesota, for railroad crossing signals and gates on County Road 874 (Independence Rd.).—12-05

Agreement between the St. Louis County Sheriff's Office and the City of Duluth for FY2011 Justice Assistance Grant.—12-06

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

5

2012 Toward Zero Deaths Lawn Enforcement Grant Agreement by and among the City of Duluth, St. Louis County, University of Minnesota – Duluth Police Department (UMD Police), City of Hermantown, City of Proctor, and City of Floodwood, known as the Lake Superior Traffic Enforcement Team.—[12-07](#)

Agreement for Professional Services between St. Louis County and Norell on Real Property for appraisal services for SP 69-691-020, CP 8269.—[12-08](#)

Election Services Agreement between St. Louis County and Synergy Graphics for ballot layout and ballot printing services.—[12-09](#)

Contract for County-State Aid Highway Projects between the County of St. Louis and Ulland Brothers, Inc., for SAP 69-603-011, CP 8175, grading, aggregate base, bituminous surface, milling, pavement reclamation, and retaining walls on CSAH 3 (Becks Rd.) in Midway Township.—[12-10](#)

On-Line Software Subscriber Agreement between the County of St. Louis and Mackall, Crouse & Moore, PLC.—[12-11](#)

St. Louis County Community Development Block Grant Program FY 2010 Agreement between St. Louis County and the City of Gilbert for Community Planning Assistance.—[12-12](#)

2012 Fiscal Agent Agreement between the County of St. Louis; Donald Dicklich, St. Louis County Auditor; and the Carlton-Cook-Lake-St. Louis Community Health Board.—[12-13](#)

Agreement for Professional Services, Damion No. 2011-6769, between the County of St. Louis and Michael W. Lien, Attorney at Law, to provide representation for civil commitment proceedings for the period January 1, 2012, through December 31, 2012.—[12-14](#)

Family Homeless Prevention and Assistance Program Grant, Contract No. 20959, between the St. Louis County Board of Commissioners and the Legal Aid Services of Northeastern Minnesota – Duluth Office.—[12-15](#)

Family Homeless Prevention and Assistance Program Grant, Contract No. 20958, between the St. Louis County Board of Commissioners and the Legal Aid Services of Northeastern Minnesota – Iron Range Offices.—[12-16](#)

Home and Community-Based Waiver Services Contract, Contract No. 14904, between the St. Louis County Board of Commissioners and Steven C. Domagala, RN.—[12-17](#)

Home and Community-Based Waiver Services Contract, Contract No. 14903, between the St. Louis County Board of Commissioners and Northern Trends Building & Design, Inc.—[12-18](#)

Home and Community-Based Waiver Services Contract, Contract No. 14902, between the St. Louis County Board of Commissioners and Arrow Lift.—[12-19](#)

Home and Community-Based Waiver Services Contract, Contract No. 14892, between the St. Louis County Board of Commissioners and Mission Creek Company.—[12-20](#)

Home and Community-Based Waiver Services Contract, Contract No. 14899, between the St. Louis County Board of Commissioners and Wheelchairs Plus.—[12-21](#)

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

6

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14581B, between the St. Louis County Board of Commissioners and Possibilities Plus.—[12-22](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14658A, between the St. Louis County Board of Commissioners and Floodwood Services and Training, Inc.—[12-23](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14645C, between the St. Louis County Board of Commissioners and Iron Range Empowerment Services, LLC.—[12-24](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14796B, between the St. Louis County Board of Commissioners and Theresa Glapa d/b/a Grand Lake Manor.—[12-25](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14541F, between the St. Louis County Board of Commissioners and TBI Residential and Community Services, Inc.—[12-26](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14534D, between the St. Louis County Board of Commissioners and Arrowhead House Foster Care, LLC.—[12-27](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14776A, between the St. Louis County Board of Commissioners and Northern Access Transportation, Inc.—[12-28](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14613D, between the St. Louis County Board of Commissioners and Solid Foundations of Minnesota, Inc.—[12-29](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14682C, between the St. Louis County Board of Commissioners and Northland Foundation d/b/a Northland Village.—[12-30](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14662A, between the St. Louis County Board of Commissioners and The Lange Agency.—[12-31](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14622C, between the St. Louis County Board of Commissioners and Better Living, LLC.—[12-32](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14656A, between the St. Louis County Board of Commissioners and Pinewood-Duluth, Inc.—[12-33](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14561D, between the St. Louis County Board of Commissioners and Home of Hopes.—[12-34](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14561C, between the St. Louis County Board of Commissioners and Home of Hopes.—[12-35](#)

Grant Agreement, Contract No. 20955, between the St. Louis County Board of Commissioners and Northeast Minnesota Office of Job Training for MFIP Supported Work.—

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

7

12-36

Group Residential Housing Rate Agreement, Contract No. 50975, between the St. Louis County Board of Commissioners and Northland Village – Hoyt Lakes.—12-37

Group Residential Housing Rate Agreement, Contract No. 50978, between the St. Louis County Board of Commissioners and Theresa Glapa.—12-38

Fire Protection Services Agreement between the County of St. Louis and Evergreen Volunteer Fire Department, Inc., for fire protection services in Unorganized Townships 60-19 & 60-20.—12-39

Labor Relations Consultation Services Proposal from Steven C. Fecker, Johnson, Killen & Seiler, P.A.—12-40

Agreement for Professional Services between the County of St. Louis and Compass Rose Consulting, Incorporated, for architectural and engineering full service design for the Duluth Government Services Center (GSC) Building Remodeling Project.—12-41

Agreement between the County of St. Louis and St. Louis County Independent School District 2142 for Dynamic School Advance Warning Sign on CSAH 47 (Swan Lake Road) in New Independence Township – MP 47-141744.—11-42

FY 2012 State of Minnesota Board of Water and Soil Resources Natural Resources Block Grant Agreement.—11-43

Agreement for Professional Services between St. Louis County and Ramsland & Vigen, Inc., for appraisal services for right of way acquisition for the reconstruction of CSAH 91 (Haines Road) located between the City of Hermantown, MN, and the City of Duluth, MN.—11-44

2012 Memorandum of Agreement between the University of Minnesota and St. Louis County for providing Extension programs locally and employing Extension staff.—11-45

Agreement for Professional Services between St. Louis County and Todd E. Deal, Attorney at Law, to provide representation for civil commitment proceedings during the period January 1, 2012, through December 31, 2012.—11-46

BY COMMISSIONER FORSMAN:

RESOLVED, that the St. Louis County Board of Commissioners will meet in 2012 commencing at 9:30 a.m. on Tuesdays **unless otherwise noted** according to the following schedule:

January:	3 rd , 10 th — Duluth Courthouse 24 th — Grand Lake Town Hall
February:	7 th , 14 th — Duluth Courthouse 28 th — Hibbing City Council Chambers
March:	13 th — Duluth Courthouse 27 th — Ely Public Works Facility
April:	3 rd , 10 th — Duluth Courthouse 24 th — Clinton Town Hall
May:	1 st , 8 th — Duluth Courthouse 22 nd — Hibbing City Council Chambers
June:	5 th , 12 th — Duluth Courthouse 26 th — Semer's Park Pavilion, Ely

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

8

July: 3rd, 10th — Duluth Courthouse
24th — Floodwood City Hall
August: 7th — Duluth Courthouse
14th — Mesabi Station, Eveleth
September: 4th, 11th — Duluth Courthouse
25th — Historic Miner's Dry, Ely
October: 2nd, 9th — Duluth Courthouse
23rd — Virginia City Hall
November: 6th, 13th — Duluth Courthouse
27th — Hibbing City Council Chambers
December: 11th — Duluth Courthouse
18th — Morse Town Hall

NOTE: The following Tuesdays were eliminated for the reason indicated:

March 6th — NACo Legislative Conference

December 4th — AMC Annual Conference

Unanimously adopted January 3, 2012. No. 12-001

BY COMMISSIONER SWEENEY:

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

Health and Human Services Committee
Chair – Commissioner O'Neil
Environment and Natural Resources Committee
Chair – Commissioner Dahlberg
Public Works and Transportation Committee
Chair – Commissioner Forsman
Finance and Budget Committee
Chair – Commissioner Raukar
Central Management and Intergovernmental Committee
Chair – Commissioner Jewell
Public Safety and Corrections Committee
Chair – Commissioner Sweeney

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners will meet in 2012 as a Committee of the Whole immediately following the County Board meeting on Tuesdays, according to the following schedule:

January: 3rd, 10th — Duluth Courthouse
24th — Grand Lake Town Hall
February: 7th, 14th — Duluth Courthouse
28th — Hibbing City Council Chambers
March: 13th — Duluth Courthouse
27th — Ely Public Works Facility
April: 3rd, 10th — Duluth Courthouse
24th — Clinton Town Hall
May: 1st, 8th — Duluth Courthouse
22nd — Hibbing City Council Chambers
June: 5th, 12th — Duluth Courthouse
26th — Semer's Park Pavilion, Ely
July: 3rd, 10th — Duluth Courthouse
24th — Floodwood City Hall
August: 7th — Duluth Courthouse
14th — Mesabi Station, Eveleth

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

9

September: 4th, 11th — Duluth Courthouse
25th — Historic Miner's Dry, Ely
October: 2nd, 9th — Duluth Courthouse
23rd — Virginia City Hall
November: 6th, 13th — Duluth Courthouse
27th — Hibbing City Council Chambers
December: 11th — Duluth Courthouse
18th — Morse Town Hall

Unanimously adopted January 3, 2012. No. 12-002

BY COMMISSIONER FORSMAN:

RESOLVED, that the St. Louis County Board hereby appoints the following as their representatives to the Arrowhead Counties Association (ad hoc) for one year terms expiring on December 31, 2012:

Commissioner Jewell
Commissioner Nelson
Commissioner Dahlberg (alternate)

Unanimously adopted January 3, 2012. No. 12-003

BY COMMISSIONER O'NEIL:

RESOLVED, that the St. Louis County Board hereby appoints the following as their representatives to the Arrowhead Regional Corrections for one-year terms expiring on December 31, 2012:

Commissioner Sweeney
Commissioner Dahlberg
Commissioner Nelson
Commissioner Jewell (alternate)

Unanimously adopted January 3, 2012. No. 12-004

BY COMMISSIONER FORSMAN:

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

Commissioner O'Neil
Commissioner Sweeney (alternate)

Unanimously adopted January 3, 2012. No. 12-005

BY COMMISSIONER O'NEIL:

RESOLVED, that the St. Louis County Board hereby appoints the following as their representative to the Community Health Services Board for a three-year term expiring on December 31, 2014:

Commissioner Dahlberg

Unanimously adopted January 3, 2012. No. 12-006

BY COMMISSIONER JEWELL:

RESOLVED, that the St. Louis County Board hereby appoints the following as their representatives to the Duluth/St. Louis County Joint Airport Zoning Board for two-year terms expiring on December 31, 2013:

Commissioner Sweeney
Commissioner Dahlberg
Gary Eckenberg, Administration (alternate)

Unanimously adopted January 3, 2012. No. 12-007

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

10

BY COMMISSIONER SWEENEY:

RESOLVED, that the St. Louis County Board hereby appoints the following as their representatives to the Election Canvassing Board for one-year terms expiring on December 31, 2012:

Commissioner Jewell
Commissioner Nelson

Unanimously adopted January 3, 2012. No. 12-008

BY COMMISSIONER DAHLBERG:

RESOLVED, that the St. Louis County Board hereby appoints the following as their representative to the Laurentian Resource Conservation and Development Council for a one-year term expiring on December 31, 2012:

Commissioner Jewell

Unanimously adopted January 3, 2012. No. 12-009

BY COMMISSIONER JEWELL:

RESOLVED, that the St. Louis County Board hereby appoints the following as their representative to the Law Library Board for a one-year term expiring on December 31, 2012:

Commissioner Sweeney

Unanimously adopted January 3, 2012. No. 12-010

BY COMMISSIONER FORSMAN:

RESOLVED, that the St. Louis County Board hereby appoints the following as their representatives to the Liquor Licensing Committee for one-year terms expiring on December 31, 2012:

Commissioner Dahlberg
Commissioner Nelson

Unanimously adopted January 3, 2012. No. 12-011

BY COMMISSIONER O'NEIL:

RESOLVED, that the St. Louis County Board hereby appoints the following as their representatives to the Minnesota Inter-County Association for one-year terms expiring on December 31, 2012:

Commissioner Dahlberg
Commissioner Raukar
Commissioner Sweeney (alternate)

Unanimously adopted January 3, 2012. No. 12-012

BY COMMISSIONER FORSMAN:

RESOLVED, that the St. Louis County Board hereby appoints the following as their representatives to the 9-1-1 Emergency System User Board for one-year terms expiring on December 31, 2012:

Commissioner Nelson
Commissioner Sweeney
Commissioner Forsman (alternate)
Commissioner O'Neil (alternate)

Unanimously adopted January 3, 2012. No. 12-013

BY COMMISSIONER RAUKAR:

RESOLVED, that the St. Louis County Board hereby appoints the following as their representatives to the Northeast Minnesota Office of Job Training, Local Elected Officials Board for one-year terms expiring on December 31, 2012:

Commissioner Forsman

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

11

Commissioner Nelson (alternate)
Unanimously adopted January 3, 2012. No. 12-014

BY COMMISSIONER RAUKAR:

RESOLVED, that the St. Louis County Board hereby appoints the following as their representatives to the Northeast Regional Radio Board for one-year terms expiring on December 31, 2012:

Commissioner Sweeney
Commissioner Nelson (alternate)

Unanimously adopted January 3, 2012. No. 12-015

BY COMMISSIONER O'NEIL:

RESOLVED, that the St. Louis County Board hereby appoints the following as their representatives to the Northern Counties Land Use Coordinating Board for one-year terms expiring on December 31, 2012:

Commissioner Dahlberg
Commissioner Forsman
Commissioner Raukar
Commissioner Jewell (alternate)

Unanimously adopted January 3, 2012. No. 12-016

BY COMMISSIONER RAUKAR:

RESOLVED, that the St. Louis County Board hereby appoints the following as their representative to the St. Louis County Planning Commission for a one-year term expiring on December 31, 2012:

Commissioner Dahlberg

Unanimously adopted January 3, 2012. No. 12-017

BY COMMISSIONER FORSMAN:

RESOLVED, that the St. Louis County Board hereby appoints the following as their representatives to the St. Louis County Promotional Bureau for one-year terms expiring on December 31, 2012:

Commissioner Sweeney
Commissioner Nelson

Unanimously adopted January 3, 2012. No. 12-018

BY COMMISSIONER FORSMAN:

RESOLVED, that the St. Louis County Board hereby appoints the following as their representatives to the Public Health and Human Services Advisory Committee for one-year terms expiring on December 31, 2012:

Commissioner O'Neil (PHHS Chair)
Commissioner Jewell

Unanimously adopted January 3, 2012. No. 12-019

BY COMMISSIONER JEWELL:

RESOLVED, that the St. Louis County Board hereby appoints the following as their representatives to the St. Louis/Lake Counties Regional Railroad Authority for one-year terms expiring on December 31, 2012:

Commissioner Nelson
Commissioner Raukar
Commissioner O'Neil
Commissioner Forsman (alternate)
Commissioner Sweeney (alternate)

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

12

Unanimously adopted January 3, 2012. No. 12-020

BY COMMISSIONER SWEENEY:

RESOLVED, that the St. Louis County Board hereby appoints the following as their representative to the Seaway Port Authority for a six-year term expiring on December 31, 2017:

Commissioner Dahlberg

Unanimously adopted January 3, 2012. No. 12-021

BY COMMISSIONER DAHLBERG:

WHEREAS, the St. Louis County Board desires to offer for sale, as recommended by the Land Commissioner, certain parcels of land that have forfeited to the State of Minnesota for non-payment of taxes; and

WHEREAS, the parcels of land, as described in County Board File No. 59381, have been classified as non-conservation land as provided for in Minn. Stat. Chapter 282.01; and

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

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

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the County Auditor to offer these lands at public sale for not less than the basic sale price in accordance with terms set forth in the Land & Minerals Department policy, and in a manner provided for by law on Thursday, February 9, 2012, at 10:00 a.m. at the Depot, 506 W. Michigan Street, Duluth, MN. Funds from the land sale are to be deposited into Fund 240 (Forfeited Tax Fund).

Unanimously adopted January 3, 2012. No. 12-022

At 11:05 a.m., January 3, 2012, Commissioner Sweeney, supported by Commissioner Raukar, moved to adjourn the County Board meeting; seven yeas, zero nays.

Keith Nelson, Chair of the Board
of County Commissioners

Attest:

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

(Seal of the County Auditor)

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

13

**OFFICIAL PROCEEDINGS OF THE MEETING
OF THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF ST. LOUIS, MINNESOTA,
HELD ON JANUARY 10, 2012**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 10th day of January, 2012, at 9:37 a.m., in the County Board Room, Duluth, Minnesota, with the following members present: Commissioners Frank Jewell, Steve O'Neil, Chris Dahlberg, Mike Forsman, Peg Sweeney, Steve Raukar, and Chair Keith Nelson – 7. Absent: None.

Chair Nelson asked for a moment of silence to honor U.S. troops serving throughout the world, and for police and fire fighters and all those who protect our safety at home, followed by the pledge of allegiance.

Commissioner Sweeney noted the death of Ellen Pence on January 6, 2012. Ms. Pence was co-founder of Duluth's world-renowned Domestic Abuse Intervention Project, and an advocate for victims of abuse.

At 9:40 a.m., a public hearing was convened pursuant to Resolution No. 663, adopted December 20, 2011, to consider liquor law violations by Vermilion Ventures, d/b/a Bayview Lodge, Greenwood Township. Assistant County Attorney Jim Nephew reviewed the packet, which included the required notices. Assistant County Attorney Nephew said the establishment was cited for sale to a minor after hours and said the recommendation is a \$1,000 civil penalty and ten day suspension, with \$700 of the civil penalty and seven days of the suspension stayed for one year with no same or similar violations during that period. The proposed dates of suspension are January 16, 17 and 18, 2012. Shawn Reed, Attorney for Alissa Sundberg, owner of Bayview Lodge, said Ms. Sundberg met with the liquor committee and accepts the recommended penalty. In response to a question from Commissioner Raukar, Attorney Reed said that since the incident, employees have been given additional training and Ms. Sundberg has met with employees. Commissioner Sweeney said she appreciates the work of the liquor committee, but in the future would like to see minutes from the liquor committee meeting to have more information on these violations. At 9:49 a.m., Commissioner Dahlberg, supported by Commissioner O'Neil, moved to close the public hearing; seven yeas, zero nays. Commissioner Raukar, supported by Commissioner Jewell, moved to approve the resolution; seven yeas, zero nays. Resolution No. 12-034.

Commissioner Sweeney, supported by Commissioner O'Neil, moved to approve the consent agenda. Commissioner Jewell noted item nine, appointment of Joseph (Dale) Long to the Board of Adjustment. Commissioner Jewell said he spoke to both Mr. Long and Steve Kuchera, the other applicant, adding both are great candidates and would like to see Mr. Kuchera considered for a future vacancy. The consent agenda was approved; seven yeas, zero nays.

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

Workers' Compensation Reports as submitted by Safety & Risk Management for year 2012.—59383

Intoxicating Liquor License applications as submitted by the County Auditor for year 2012.—59384

Contracts for Repurchase of State Tax Forfeited Lands as submitted by the Land

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

14

Commissioner for year 2012.—59385

Kevin Gray, County Administrator, submitting Board Letter No. 12-06, Professional Services Agreement for Horticulture/Educational Activities (Robert M. Olen).—59386

Kevin Gray, County Administrator, submitting Board Letter No. 12-07, Professional Services Agreement for Agriculture and Environment Education (Kendall Dykhuis).—59387

Kevin Gray, County Administrator, and Barbara Hayden, Director of Planning & Community Development, submitting Board Letter No. 12-08, Appointment to the St. Louis County Board of Adjustment (Joseph Dale Long).—59388

Mine Inspection Reports submitted during 2012.—59389

Agreement between the County of St. Louis and Law Enforcement Labor Services, Inc. (Local No. 288) for 2010-2011.—12-47

Service Contract No. 4991 between the County of St. Louis and Pro Print, Inc., for printing and publications of 2011 St. Louis County Plat Books.—12-48

Service Contract No. 4980-D between the County of St. Louis and Udovich Logging and Garbage Service, LLC, for Canister Site Waste Haulage Service for Group IV locations: Ash River Trail, Bois Forte, Kabetogama, Orr, and Portage.—12-49

Service Contract No. 4980-A between the County of St. Louis and A-1 Disposal for Canister Site Waste Haulage Service for Group I locations: Balkan Township, Comstock Lake, Dewey Lake, French Township, Great Scott North, Great Scott South, Lavell, Makinen, and Sturgeon Township.—12-50

St. Louis County On-Line Software Subscriber Agreement between the County of St. Louis and Edina Realty Title.—12-51

Upon motion by Commissioner Sweeney, supported by Commissioner O'Neil, resolutions numbered 12-023 through 12-033, as submitted to this Board on the consent agenda, were unanimously adopted as follows:

BY COMMISSIONER SWEENEY:

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of December 13, 2011, are hereby approved.
Adopted January 10, 2012. No. 12-023

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of December 20, 2011, are hereby approved.
Adopted January 10, 2012. No. 12-024

WHEREAS, the State of Minnesota has received funds from the Centers for Disease Control and Prevention to assess and enhance the capacity of the state and local health departments to respond to bio-terrorism, infectious diseases, and other threats to public health and has allocated these funds to Community Health Boards; and

WHEREAS, the Carlton-Cook-Lake-St. Louis Community Health Board wishes to contract with St. Louis County through August 9, 2016, since the Public Health and Human Services Department has been performing the requirements of the grant agreement.

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

15

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the Public Health Emergency Preparedness Grant Project Agreement for the funding period August 19, 2011, through August 9, 2016.

RESOLVED FURTHER, that the St. Louis County Board accepts Performance Period 1 funding in the amount of \$125,184 for the period August 19, 2011, through December 31, 2012.

RESOLVED FURTHER, that the St. Louis County Board authorizes the appropriate county officials to sign the Public Health Emergency Preparedness Grant Project Agreement with the Carlton-Cook-Lake-St. Louis Community Health Board in the amount of \$125,184 for the period August 19, 2011, through December 31, 2012, payable to Fund 230, Agency 233999, Grant 23601.

Adopted January 10, 2012. No. 12-025

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 providing proof of insurance; and

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

WHEREAS, Ted William Baumchen of Hibbing, MN, has requested to reinstate Contract C22100085, which was cancelled by County Board Resolution No. 11-477, dated September 13, 2011, under new Contract C22110120 for property described as:

CITY OF HIBBING
SE 1/4 OF NE 1/4 EX S 1/2 AND EX N 330 FT
SEC 21 TWP 57 RGE 20
Parcel Code: 141-0020-02610

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the reinstatement of Contract C22110120 by Ted William Baumchen of Hibbing, MN, in the amount \$1,712.67, to be deposited into Fund 240 (Forfeited Tax Fund).

Adopted January 10, 2012. No. 12-026

WHEREAS, the Bridge Engineering and front office/reception areas of the Central Range Public Works Facility in Hibbing are not conducive to efficient operation; and

WHEREAS, the Purchasing Division solicited bids for the project and Max Gray Construction, Inc., of Hibbing, MN, submitted the low qualifying bid.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board authorizes an agreement with Max Gray Construction, Inc., of Hibbing, MN, for the renovation of the Central Range Public Works Facility in Hibbing, for a cost of \$116,600, payable from Fund 405, Agency 405045, Object 663100.

Adopted January 10, 2012. No. 12-027

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

WHEREAS, Ragnar Properties, Inc., d/b/a Billy's, 3502 West Tischer Road, Duluth, MN, a licensed liquor establishment, has requested a waiver to remain open from 1:00 a.m. to 8:00 a.m. on January 29, 2012, through February 1, 2012, to provide facilities and food to mushers and race officials of the John Beargrease Sled Dog Marathon; and

WHEREAS, the Liquor Licensing Committee has recommended approval of the waiver application, pursuant to Section 14 of Ordinance No. 28.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the application (on file in County Board File No. 59384) submitted by the below listed establishment for a waiver of Section 11.05, which requires patrons to vacate the licensed

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

16

premises by 1:20 a.m.

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

RESOLVED FURTHER, that the waiver shall be effective January 29, 2012, through February 1, 2012, from 1:00 a.m. to 8:00 a.m. and no alcohol shall be served or consumed on the licensed premises during the waiver period, although Billy's will be allowed to serve food to mushers and race officials of the John Beargrease Sled Dog Marathon during the waiver period.

Adopted January 10, 2012. No. 12-028

WHEREAS, it is recommended that the St. Louis County Board approve the Agreement for Professional Services between St. Louis County and Robert M. Olen as a contractor to perform horticulture, food and behavioral education and services for consumer and commercial audiences.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the appropriate county officials to sign an Agreement for Professional Services with Robert M. Olen to provide horticulture, food, and behavioral education services for the County Extension Office for one year beginning January 3, 2012, and terminating December 31, 2012, for a total contract price of \$68,500 (a rate of \$33.33 per hour, not to exceed 1,950 hours, including appropriate reimbursements), allowing for a renewal of up to three years, with compensation reviewed annually, payable from Fund 184, Agency 184001, Object 629900 - \$65,000; and Fund 184, Agency 184001, Object 635500 - \$3,500.

Adopted January 10, 2012. No. 12-029

WHEREAS, it is recommended that the St. Louis County Board approve the Agreement for Professional Services between St. Louis County and Kendall Dykhuis as contractor to perform agriculture and environment education and technical services for consumer and commercial audiences.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the appropriate county officials to sign an Agreement for Professional Services with Kendall Dykhuis, to provide agriculture and environment education for the County Extension Office for one year beginning January 3, 2012, and terminating December 31, 2012, for a total contract price of \$32,000 (a rate of \$30.77 per hour, not to exceed 975 hours, including appropriate reimbursements) allowing for a renewal of up to three years, with compensation reviewed annually, payable from Fund 184, Agency 184001, Object 629900 - \$30,000; and Fund 184, Agency 184001, Object 635500 - \$2,000.

Adopted January 10, 2012. No. 12-030

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, dated December 16, 2011, on file in the office of the County Auditor, identified as County Board File No. 59383, is hereby received and ratified as payable from Fund 730, Agency 730001.

Adopted January 10, 2012. No. 12-031

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, dated December 30, 2011, on file in the office of the County Auditor, identified as County Board File No. 59383, is hereby received and ratified as payable from Fund 730, Agency 730001.

Adopted January 10, 2012. No. 12-032

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

17

WHEREAS, the Minnesota Counties Information Systems, a joint powers organization, has revised their By-Laws to clarify certain ambiguities and allows for more efficient management of the organization and those revisions require minor conforming changes to the Joint and Cooperative Agreement;

NOW, THEREFORE, BE IT RESOLVED, that the Chair of the Board and the County Auditor are hereby authorized to execute the revised Joint and Cooperative Agreement with the Minnesota Counties Information Systems as included in Contract File No. 00-657.

Adopted January 10, 2012. No. 12-033

BY COMMISSIONER RAUKAR:

WHEREAS, the St. Louis County Liquor Licensing Committee met on November 16, 2011, to consider recommending action to be taken by the County Board as a result of alleged liquor law violations on October 15, 2011, against Vermilion Ventures, LLC d/b/a Bayview Lodge, Greenwood Township; and

WHEREAS, the Liquor Licensing Committee recommended a ten (10) day suspension and a \$1,000 civil penalty, with seven (7) days of the suspension and \$700 of the civil penalty stayed for one year, with no same or similar violations during that year; and

WHEREAS, after hearing testimony on the matter at a public hearing conducted on January 10, 2012, at 9:40 a.m. in the Courthouse, Duluth, MN, the St. Louis County Board determined the recommendation of the St. Louis County Liquor Licensing Committee to be an appropriate penalty for the liquor law violations.

NOW, THEREFORE, BE IT RESOLVED, that Combination On/Off-Sale Intoxicating Liquor License No. CMB12139 and Sunday On-Sale Intoxicating Liquor License No. SUN12139, issued to Vermilion Ventures, LLC d/b/a Bayview Lodge, Greenwood Township, are hereby suspended for ten (10) days and a \$1,000 civil penalty is due, with seven (7) days of the suspension and \$700 of the civil penalty stayed for one (1) year, with no same or similar violations during that period.

RESOLVED FURTHER, that the dates of suspension of the liquor licenses will be January 16, 17, and 18, 2012.

RESOLVED FURTHER, that a new violation within the next year (ending January 10, 2013) will result in the imposition of the remainder of the suspension and civil penalty, and may also be cause for additional action against the liquor licenses of the licensee pursuant to St. Louis County Ordinance Number 28, Section 13.

Unanimously adopted January 10, 2012. No. 12-034

At 9:55 a.m., January 10, 2012, Commissioner Sweeney, supported by Commissioner Raukar, moved to adjourn the County Board meeting; seven yeas, zero nays.

Keith Nelson, Chair of the Board
of County Commissioners

Attest:

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

(Seal of the County Auditor)

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

18

**OFFICIAL PROCEEDINGS OF THE MEETING
OF THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF ST. LOUIS, MINNESOTA,
HELD ON JANUARY 24, 2012**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 24th day of January, 2012, at 9:32 a.m., in the County Board Room, Duluth, Minnesota, with the following members present: Commissioners Frank Jewell, Steve O'Neil, Chris Dahlberg, Mike Forsman, Peg Sweeney, Steve Raukar, and Chair Keith Nelson – 7. Absent: None.

Chair Nelson asked for a moment of silence to honor those who serve and protect our safety and those who protect our freedom, followed by the pledge of allegiance.

Commissioner Nelson recognized Barbara Maki, with the Vital Records Department in the Virginia Records Office, for excellence in customer service. Deanne Butorac, assistant to Commissioner Nelson, said Barbara goes above and beyond and thanked her for being an excellent ambassador for St. Louis County. Mark Monacelli, Records and Valuations Director, said Ms. Maki consistently gets the highest scores on surveys and her outstanding customer service is changing people's opinion about government workers. Ms. Maki was presented an award and pictures were taken.

Chair Nelson opened the meeting to citizens to address the board.

Grand Lake Township Supervisor Duayne Anderson welcomed the board and thanked them for their support for the new town hall, as well as the fire hall, a new road and the heliport. Supervisor Anderson recognized the Town Clerk, Brooke Shannon, for setting up the room and the refreshments. Other members of the town board that could not be here today include Chair Steve Torgeson and Supervisor John Holcomb.

Matt Farden spoke to the board about not outsourcing janitorial workers at the Hibbing Annex. Mr. Farden said he is a night janitor and cares about his job, adding many of the janitorial workers have been there between 15-30 years and own homes and pay property taxes. Mr. Farden said he is dedicated to his job and they can trust that the building is clean and safe under the care of St. Louis County janitorial workers.

Dennis Frazier, social worker with St. Louis County, said he was here to speak on Resolution No. 660, dated December 20, 2011, regarding the outsourcing of 2 ½ janitorial positions at the Hibbing Annex. Mr. Frazier said outsourcing may make sense on paper, but not for the people working. Mr. Frazier requested the board to look at these employees as contributors, not a cost to eliminate.

Lee Fawcett brought forth concerns regarding septic system usage fees and assessments by Albion Township for his property on Erie Lake. Mr. Fawcett said the fees have increased significantly for the past several years and he was told by the township that the money was needed for an audit.

At the request of Chair Commissioner Nelson, Deputy Administrator Gary Eckenberg introduced the newly selected Veterans Service Officer, Sherry Rodriguez. Deputy Eckenberg said Richard Dumancus, the previous Veterans Service Officer, took a job in Washington D.C. as a Deputy Director with the American Legion. After an extensive search, Ms. Rodriguez was unanimously selected for the position. Ms. Rodriguez thanked the board, and said under her leadership veterans will always come first and she will keep the "we care"

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

19

attitude. Commissioner Forsman said Sherry Rodriguez is a great replacement and he is very pleased that this board has been there for veterans. Commissioner Sweeney said the government shouldn't make it so difficult for veterans to receive their benefits with all the paperwork required.

Commissioner Sweeney, supported by Commissioner Forsman, moved to approve the consent agenda. At the request of Commissioner Dahlberg, item one, a public hearing for St. Louis County Ordinance No. 60, Subdivision Regulations, was removed for separate consideration. The remainder of the consent agenda passed; seven yeas, zero nays.

Commissioner Dahlberg, supported by Commissioner Sweeney, moved to approve setting a public hearing to consider changes for Ordinance 60, Subdivision Regulations. Commissioner Dahlberg said some late comments have come in and a sixty day extension is requested. Planning and Community Development Director Barb Hayden said they do want this to be a solid ordinance and welcomes suggestions. Director Hayden said this process began in 2008 and public meetings were held in Duluth and Virginia, noting there are six to eight people waiting for this ordinance to be approved. Commissioner Nelson said he was approached by a member of the Range Bar Association and part of the reason they didn't respond during the public comment period was that the person they appointed with this duty fell ill. The idea is to make subdivisions less cumbersome and to receive comments that are pertinent to the decision making process, according to Commissioner Nelson. Commissioner Sweeney said she is concerned about the small window for building projects if the public hearing is pushed back to April, 24, 2012, and she would like to see the public hearing held on February 14, 2012, as planned. Commissioner Dahlberg withdrew his motion and moved to hold the public hearing on April 24, 2012, at the Clinton Town Hall, supported by Commissioner O'Neil. Commissioner Forsman said while there are some changes to the ordinance that will make it easier for people, there are changes that make it more cumbersome, particularly for families dividing property for other family members. Commissioner Raukar brought up concerns about the last minute comments, possibly due to special interest, adding he is not convinced that an additional 60 days is needed, particularly in light of possible delay of building projects.

After lengthy discussion, the board recessed at 11:00 a.m. and reconvened at 11:07 a.m.

Commissioner Raukar offered a friendly amendment to hold the public hearing on March 27, 2012, at the Ely Public Works Facility, and the makers agreed. After further discussion, Commissioner O'Neil, supported by Commissioner Jewell, moved to call the question, seven yeas, zero nays. The motion passed; five yeas, two nays, Commissioners Forsman and Nelson. Resolution No. 12-037.

Commissioner Dahlberg noted the Land and Minerals Department brochure in the packet for the tax forfeited sealed bid timber auction on February 16, 2012.

Commissioner O'Neil, supported by Commissioner Sweeney, moved to approve a resolution authorizing a Northern Common Entry Point for reporting abuse of vulnerable adults. Administrator Kevin Gray said this gives access in a northern location and provides better service to our population, adding the county is allowed to have more than one common entry point; seven yeas, zero nays. Resolution No. 12-045.

Commissioner O'Neil, supported by Commissioner Sweeney, moved to approve a Memorandum of Understanding between the St. Louis County Public Health and Human Services (PHHS) Department and the Carlton County PHHS Department for the TXT 4 LIFE program to reduce youth suicide attempts in northeastern Minnesota. Carlton County PHHS Director David Lee said this is a seven county collaboration and they are seeing very positive

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

20

results. Director Lee said this has been rolled out in Carlton County, adding the grant is \$1.4 million and he appreciates the support. Commissioner O'Neil said this is a serious problem in St. Louis County and noted the statics for our area. Posters promoting the program were distributed informing teens to text "LIFE" to the number 839863. After further discussion, the motion passed, seven yeas, zero nays. Resolution No. 12-046.

Commissioner Jewell, supported by Commissioner Raukar, moved to suspend the rules to consider the appointment for the County Veterans Service Officer; seven yeas, zero nays.

Commissioner Jewell, supported by Commissioner O'Neil, moved to approve Sherry Rodriguez as the County Veterans Service Officer. Deputy Administrator Eckenberg said by statute the county board makes the appointment and after a 12 month probationary period the appointment is certified by the state. Commissioner O'Neil said homelessness is a challenge for returning troops and Sherry Rodriguez is champion to prevent homelessness for veterans. Commissioner Raukar said there was a disproportionate number of WWII veterans from northeastern Minnesota based on population, noting the dollars that come into the area to help veterans is an asset to the county. Commissioner Dahlberg congratulated Ms. Rodriguez and said returning veterans don't always know about the benefits available to them, and some veterans are uncomfortable with taking the benefits they have earned. After further discussion, the motion passed, seven yeas, zero nays. Resolution No. 12-047.

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

Committee of the Whole minutes for 2012.—59390

Appraisal reports for the sale of timber submitted during 2012.—59391

Tobacco license applications submitted during 2012.—59392

Kevin Gray, County Administrator; Ross Litman, Sheriff; and Tony Mancuso, Property Management Director, submitting Board Letter No. 12-15, Co-Tenancy Agreement with the City of Duluth for Joint Maintenance and Use of the Public Safety Building.—59393

Kevin Gray, County Administrator, and Barbara Hayden, Planning and Community Development Director, submitting Board Letter No. 12-12, Establish a Public Hearing to Consider Adoption of Proposed Ordinance 60, Subdivision Regulations.—59394

Kevin Gray, County Administrator, and Barbara Hayden, Planning and Community Development Director, submitting Board Letter No. 12-14, Amend Business Subsidy Agreement with Cirrus Design Corp. for Tax Abatement Financing.—59395

Kevin Gray, County Administrator, and Ann M. Busche, Public Health & Human Services Director, submitting Board Letter No. 12-13, Memorandum of Understanding for the TXT 4 LIFE Program.—59396

Sheriff's Office submitting Financial Statements of Cash Received & Disbursed during 2012.—59397

Applications to Repurchase State Tax Forfeited land submitted during 2012.—59398

Purchase of Service Contract, Contract No. 14908, between St. Louis County and Sexual

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

21

Assault Program of Northern Saint Louis County to furnish social services for the period January 1, 2012, to December 31, 2012.—[12-52](#)

Purchase of Service Contract, Contract No. 14912, between St. Louis County and Copeland Valley Youth Center to furnish social services for the period January 1, 2012, to December 31, 2012.—[12-53](#)

Purchase of Service Contract, Contract No. 14907, between St. Louis County and Safe Haven Shelter for Battered Women to furnish social services for the period January 1, 2012, to December 31, 2012.—[12-54](#)

Purchase of Service Contract, Contract No. 14918, between St. Louis County and Ely Community Resources to furnish social services to youths for the period January 1, 2012, to December 31, 2012.—[12-55](#)

Purchase of Service Contract, Contract No. 14917, between St. Louis County and Elder Services Network to furnish social services for the period January 1, 2012, to December 31, 2012.—[12-56](#)

Purchase of Service Contract, Contract No. 14893, between St. Louis County and Arrowhead Center, Inc., to provide court ordered Urinalysis Collection and Drug Testing services for the period January 1, 2012, to December 31, 2012.—[12-57](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14636A, between the St. Louis County Board of Commissioners and Minnesota Department of Human Services Extended Treatment Options d/b/a Community Support Services.—[12-58](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14646A, between the St. Louis County Board of Commissioners and JM Consulting.—[12-59](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14550A, between the St. Louis County Board of Commissioners and Care at Home, Inc.—[12-60](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14549A, between the St. Louis County Board of Commissioners and Home Health, Inc. of Hibbing d/b/a HomeCare Specialists.—[12-61](#)

Family Homeless Prevention and Assistance Program Grant, Contract No. 20957, between the St. Louis County Board of Commissioners and the American Indian Community Housing Organization.—[12-62](#)

Family Homeless Prevention and Assistance Program Grant, Contract No. 20963, between the St. Louis County Board of Commissioners and the Arrowhead Economic Opportunity Agency.—[12-63](#)

Family Homeless Prevention and Assistance Program Grant, Contract No. 20960, between the St. Louis County Board of Commissioners and the Arrowhead Economic Opportunity Agency.—[12-64](#)

Family Homeless Prevention and Assistance Program Grant, Contract No. 20962, between the St. Louis County Board of Commissioners and the Salvation Army Duluth.—[12-65](#)

Agreement for Purchase of Services between St. Louis County and the St. Louis County

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

22

Historical Society for promotion of historical work within the County, and for the collection, preservation and publication of historical materials and to disseminate historical information of the county.—12-66

Joint Powers Agreement for Civil Commitment Representation for St. Louis, Carlton, Lake, and Cook Counties by and through their respective governing bodies for the period January 1, 2012, through December 31, 2014.—12-67

Agreement for Professional Services between St. Louis County and South St. Louis Soil and Water Conservation District for general services in 2012.—12-68

Purchase of Service Agreement, Contract No. 14911, between St. Louis County and Legal Aid Service of Northeastern Minnesota to furnish social services.—12-69

Grant Agreement, No. 2011-006836, between the County of St. Louis and South St. Louis County Fair Association for the period January 1, 2012, through December 31, 2012.—12-70

Grant Agreement, No. 2011-006833, between the County of St. Louis and the St. Louis County Agricultural Fair Association for the period January 1, 2012, through December 31, 2012.—12-71

Service Contract, Contract No. 4980-B, between the County of St. Louis and G-Men, Inc., for Canister Site Haulage Service for Group II locations: Bois Forte (Vermillion), County 77, Embarrass Township, Soudan and Group V location: Northwoods Transfer Station.—12-72

Service Contract, Contract No. 4980-C, between the County of St. Louis and Norland Sanitary, for Canister Site Waste Haulage Service for Group III locations: Cotton Township, and Meadowlands.—12-73

Upon motion by Commissioner Sweeney, supported by Commissioner Forsman, resolutions numbered 12-035 and 12-036 and 12-038 through 12-044, 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 January 3, 2012, are hereby approved.
Adopted January 24, 2012. No. 12-035

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of January 10, 2012, are hereby approved.
Adopted January 24, 2012. No. 12-036

RESOLVED, that the appraisal reports for the sale of timber to be offered at SEALED BID TIMBER AUCTION, Tracts 1 through 34 (totaling \$681,917.20), as submitted by the Land Commissioner, on file in the office of the County Auditor, identified as County Board File No. 59391, are hereby approved and the County Auditor is authorized to carry out the recommendations as listed in said appraisal reports.
Adopted January 24, 2012. No. 12-038

WHEREAS, Cirrus Design Corporation (Cirrus), a Minnesota Corporation, was approved for a ten year tax abatement (Resolution No. 07-330) to assist with contaminated soil correction and site preparation costs on a \$14 million expansion of its Duluth facility; and

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

23

WHEREAS, in July 2007, Cirrus entered into a Business Subsidy Agreement with St. Louis County and a provision of the agreement was that Cirrus would add more than 200 jobs to the Duluth facility and maintain that level until 2022; and

WHEREAS, the economic downturn starting in 2009 was particularly devastating to the aviation industry compelling Cirrus to significantly reduce its workforce, failing to meet the employment requirements in the 2007 Business Subsidy Agreement, but Cirrus has now stabilized its workforce at about 400 employees based in Duluth; and

WHEREAS, Cirrus has requested that St. Louis County amend the Business Subsidy Agreement between the county and Cirrus in order to maintain operations in Duluth and St. Louis County.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board amends the Business Subsidy Agreement with Cirrus and waives repayment requirements for \$27,770 and related interest in tax abatement funds Cirrus has received to date.

RESOLVED FURTHER, that Cirrus will be eligible for tax abatement of \$27,770 for years 2011 through 2017, payable from Fund 100, Agency 100001, Object 500900, provided that Cirrus maintains a minimum employee payroll at the Duluth operations of 300 employees until 2022.

RESOLVED FURTHER, that if employment payroll numbers at the Duluth facility drop below 300 employees prior to 2022, all abatement funds plus interest would need to be repaid by Cirrus.

Adopted January 24, 2012. No. 12-039

RESOLVED, that pursuant to St. Louis County Ordinance No. 51, the application for license to sell tobacco products at retail, on file in the office of the County Auditor, identified as County Board File No. 59392, is hereby approved and the County Auditor is authorized to issue the license as follows:

The following license holder was issued a tobacco violation citation on the date as stated.

Pauline Hill d/b/a Pauline's Baits & Boats, Township of Bassett, Tobacco

Products License No. T12102, December 29, 2003; renewal.

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

Adopted January 24, 2012. No. 12-040

RESOLVED, that pursuant to Ordinance No. 28, Section 11, Subdivision 11.06, authorization is hereby granted to Elephant Lake Lodge, Inc., d/b/a Melgeorge's Elephant Lake Lodge, Camp 5 Township, to sell/serve outside the designated serving area of the County Liquor License for the date of March 10, 2012, as per application on file in the office of the County Auditor, identified as County Board File No. 59385.

Adopted January 24, 2012. No. 12-041

WHEREAS, the St. Louis County Public Safety Building was constructed and opened in 2007; and

WHEREAS, the Public Safety Building was designed and constructed to accommodate a potential future co-location with the Duluth Police Department; and

WHEREAS, County Board Resolution No. 09-498, dated November 3, 2009, authorized a fifty year land lease with the City of Duluth for the purpose of constructing a law enforcement center on the site; and

WHEREAS, the new Public Safety Building design housing the Duluth Police Department was a joint effort by county and city representatives to maximize the opportunities for sharing both space and staff; and

WHEREAS, representatives of St. Louis County and the City of Duluth have drafted a serviceable, fair, flexible, equitable, and sustainable co-tenancy agreement which has been

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

24

reviewed by attorneys representing both entities; and
WHEREAS, the Duluth City Council passed a resolution accepting the co-tenancy agreement in December, 2011 (Resolution No. 11-0684R); and
WHEREAS, the co-tenancy agreement runs concurrently with the original fifty (50) year land lease and contains provisions to ensure each party is financially responsible for their appropriate and documented share of all facility expenses with the flexibility to adjust for cost fluctuations or proportional shared space allotment alterations.
NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the execution of a fifty (50) year co-tenancy agreement with the City of Duluth, found in County Board File No. 59393, and authorizes the appropriate county officials to finalize and execute the agreement upon review and approval of the County Attorney. Funds from this agreement are to be deposited into Fund 100, Agency 128015 (General Fund, Public Safety Building).
Adopted January 24, 2012. No. 12-042

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, dated January 13, 2012, on file in the office of the County Auditor, identified as County Board File No. 59383, is hereby received and ratified as payable from Fund 730, Agency 730001.
Adopted January 24, 2012. No. 12-043

WHEREAS, St. Louis County is eligible for grant funding under the 2011 Port Security Grant Program as administered by the State of Minnesota Department of Public Safety Homeland Security and Emergency Management Division; and
WHEREAS, the St. Louis County Sheriff's Office provides response service to the Duluth Port, and the St. Louis County Communications Division provides emergency communications for public safety partners in the Duluth-Superior Harbor; and
WHEREAS, the Minnesota Department of Public Safety, Homeland Security and Emergency Management, has offered the St. Louis County Sheriff's Office two Port Security grants, which include a \$21,000 grant to be used for mobile Allied Radio Matrix for Emergency Response (ARMER) radios for watercraft, and a \$150,000 grant to upgrade the Sheriff's Office underwater robotics equipment.
NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes application and acceptance of the 2011 Port Security Grant Program awards in the amounts of \$21,000 and \$150,000, with no matching fund requirements, to be accounted for in Fund 100, Agency 129999, Grant 12938, Year 2011.
RESOLVED FURTHER, that the St. Louis County Board authorizes the appropriate county officials to sign any associated contract documents.
Adopted January 24, 2012. No. 12-044

BY COMMISSIONER DAHLBERG:

WHEREAS, the St. Louis County Planning Commission held a public hearing on proposed Ordinance 60, Subdivision Regulations; and
WHEREAS, the Planning Commission voted to recommend that the St. Louis County Board of Commissioners adopt the proposed ordinance.
NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes a public hearing to be held on Tuesday, March 27, 2012, at 9:40 a.m., at the Ely Public Works Facility, Ely, Minnesota, for the purpose of receiving citizen comments on proposed Ordinance 60, Subdivision Regulations.
Yeas – Commissioners Jewell, O'Neil, Dahlberg, Sweeney, and Raukar – 5
Nays – Commissioners Forsman and Nelson – 2
Adopted January 24, 2012. No. 12-037

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

25

BY COMMISSIONER O'NEIL:

WHEREAS, pursuant to Minnesota Stat. § 626.557, all Minnesota counties must designate the Common Entry Point (CEP) and related contact information for referral of reports of suspected maltreatment of vulnerable adults; and

WHEREAS, since the inception of the CEP in 1995, St. Louis County has designated the county's Public Health and Human Services office in Duluth as the county's required CEP; and

WHEREAS, the Minnesota Department of Human Services has advised PHHS that it will allow a county to have more than one CEP site; and

WHEREAS, establishing a second CEP site will improve the county's response to suspected maltreatment of vulnerable adults.

NOW, THEREFORE, BE IT RESOLVED, that the St Louis County Board designates the county's Public Health and Human Services office in Virginia, MN, as the second Common Entry Point for St. Louis County for referral of reports of suspected maltreatment of vulnerable adults.

Unanimously adopted January 24, 2012. No. 12-045

BY COMMISSIONER O'NEIL:

WHEREAS, the rate of suicides in the seven counties of the northeast region of Minnesota are higher than in other parts of the state; and

WHEREAS, Carlton County Public Health and Human Services (CPHHS) applied for a federal grant on behalf of the counties in the northeast region (Cook, Lake, St. Louis, Aitkin, Itasca, and Koochiching) and the Fond du Lac, Grand Portage, Red Lake, and Bois Forte tribes for the TXT 4 LIFE program; and

WHEREAS, a three year, \$1.4 million federal Garrett Lee Smith grant was awarded to CPHHS for the TXT 4 LIFE initiative, whose primary mission is to reduce the incidence of suicidal ideation and suicide attempts for northeastern Minnesota youth; and

WHEREAS, the St. Louis County Public Health and Human Services Department has been asked to sign a Memorandum of Understanding to participate in the TXT 4 LIFE program.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the Public Health and Human Services Department to enter into a Memorandum of Understanding with the Carlton County Public Health and Human Services Department for the TXT 4 LIFE program.

Unanimously adopted January 24, 2012. No. 12-046

BY COMMISSIONER JEWELL:

RESOLVED, that the St. Louis County Board confirms the appointment of Sherry Rodriguez as County Veterans Service Officer, effective January 28, 2012, at a 2012 salary rate of \$58,149 (Managers Compensation Plan, Pay Plan A1, step 4) and the level of employment benefits specified in the Management Compensation Plan, with the requirement of a twelve month probationary period and subsequent appointment every four years thereafter, according to Minn. Stat. § 197.60, subd. (2).

RESOLVED FURTHER, that the County Veterans Service Officer, before entering upon duties, shall take and subscribe the oath required of public officials, as stipulated in Minn. Stat. § 197.60, subd. (5).

RESOLVED FURTHER, that the County Veterans Service Officer must be certified by the Minnesota Department of Veteran Affairs following the probationary period.

Unanimously adopted January 24, 2012. No. 12-047

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

26

At 11:49 a.m., January 24, 2012, Commissioner Raukar, supported by Commissioner Jewell, moved to adjourn the County Board meeting; seven yeas, zero nays.

Keith Nelson, Chair of the Board
of County Commissioners

Attest:

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

(Seal of the County Auditor)