

CONSENT AGENDA
FOR THE MEETING
OF
ST. LOUIS COUNTY BOARD OF COMMISSIONERS

January 24, 2012

Grand Lake Town Hall, 5297 Hwy. 53, Twig, Minnesota

All matters listed under the consent agenda are considered routine and/or noncontroversial and will be enacted by one unanimous motion. If a commissioner requests, or a citizen wishes to speak on an item on the consent agenda, it will be removed and handled separately.

RESOLUTIONS FOR APPROVAL:

Minutes of the January 3, 2012, meeting.

Minutes of the January 10, 2012, meeting.

Environment & Natural Resources Committee – Commissioner Dahlberg, Chair

1. Establish a public hearing for February 14, 2012, at 9:40 a.m. in the St. Louis County Courthouse, Duluth, MN, to consider adoption of proposed Ordinance 60, Subdivision Regulations.
2. Appraisal report for sale of timber to be offered at sealed bid timber auction, as submitted by the Land Commissioner.

Finance & Budget Committee – Commissioner Raukar, Chair

3. Amend the Business Subsidy Agreement with Cirrus Design Corp. for tax abatement financing for years 2011 through 2017.
4. Application for license to sell tobacco products at retail by Pauline Hill d/b/a Pauline's Baits & Boats, Bassett Township, renewal.
5. Authorization to sell/serve outside the designated serving area of the County liquor license granted to Elephant Lake Lodge, Inc., d/b/a Melgeorge's Elephant Lake Lodge, Camp 5 Township, for March 10, 2012.

Central Management & Intergovernmental Committee – Commissioner Jewell, Chair

6. Approve a fifty (50) year co-tenancy agreement with the City of Duluth for joint maintenance and use of the Public Safety Building.
7. Workers' compensation report dated January 13, 2012.

Public Safety & Corrections Committee – Commissioner Sweeney, Chair

8. Authorize application and acceptance of the 2011 Port Security Grant Program awards in the amounts of \$21,000 to be used for mobile Allied Radio Matrix for Emergency Response (ARMER) radios for watercraft, and \$150,000 to be used to upgrade the Sheriff's Office underwater robotics equipment.

**Official Proceedings of the County Board
of Commissioners**

BY COMMISSIONER _____

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of January 3, 2012, are hereby approved.

**Official Proceedings of the County Board
of Commissioners**

BY COMMISSIONER _____

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of January 10, 2012, are hereby approved.

**Establish Public Hearing to Consider Adoption of
Proposed Ordinance 60, Subdivision Regulations**

BY COMMISSIONER _____

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, February 14, 2012, at 9:40 a.m., at the St. Louis County Courthouse in Duluth, Minnesota, for the purpose of receiving citizen comments on proposed Ordinance 60, Subdivision Regulations.

**Appraisal Reports for the Sale of Timber –
Sealed Bid Timber Auction**

BY COMMISSIONER _____

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. _____, are hereby approved and the County Auditor is authorized to carry out the recommendations as listed in said appraisal reports.

Amend Business Subsidy Agreement with Cirrus Design Corporation for Tax Abatement Financing

BY COMMISSIONER _____

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

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.

**License to Sell Tobacco Products at Retail –
Pauline’s Baits & Boats (Bassett Township)**

BY COMMISSIONER _____

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. _____, 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.

**Sell/Serve Outside the Designated Serving Area –
Melgeorge's Elephant Lake Lodge (Camp 5 Township)**

BY COMMISSIONER _____

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. _____.

**Co-Tenancy Agreement with the City of Duluth for Joint Maintenance
and Use of the Public Safety Building**

BY COMMISSIONER _____

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 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. _____, 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).

Workers' Compensation Report

BY COMMISSIONER _____

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.

Authorization to Apply for and Accept the 2011 Port Security Grants

BY COMMISSIONER _____

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.