OFFICIAL PROCEEDINGS

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

OCTOBER, 2012

**OFFICIAL PROCEEDINGS OF THE MEETING
OF THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF ST. LOUIS, MINNESOTA,
HELD ON OCTOBER 2, 2012**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 2nd day of October, 2012, at 9:34 a.m., in the County Boardroom, Courthouse, 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 protect and serve our communities and those who protect our freedoms, followed by the Pledge of Allegiance.

Chair Nelson opened the meeting to persons who wanted to address the Board concerning issues not on the agenda and no one chose to do so.

Commissioner O'Neil, supported by Commissioner Sweeney, moved to approve the consent agenda. The consent agenda was then approved; seven yeas, zero nays.

Jewell/Raukar moved to consider a resolution in opposition to the proposed "Recognition of Marriage" amendment to the Minnesota Constitution. Commissioner Dahlberg said that he would not be supporting the resolution and that there should be more discipline of knowing what issues should be brought before the County Board. Commissioner Forsman agreed with Commissioner Dahlberg and said that this resolution was not a St. Louis County issue. Commissioner Raukar said that the resolution does not tell the public how to vote on the issue and that the proposed amendment is a wedge issue that divides residents rather than unites them.

Chair Nelson then allowed citizens to address the Board regarding the motion of the proposed resolution. At this time, eleven members of the public chose to address the Board expressing their personal opinions on both the amendment and on the roles of County Commissioners in representing their constituents.

Commissioner O'Neil notified the Board of a website called 'Project 515' which categorized the 515 state law limitations for same sex couples. Commissioner O'Neil read through some of the limitations and identified some that relate to County issues such as property taxes. After lengthy discussion, a roll call vote was conducted and the motion passed; four yeas, three nays - Commissioners Dahlberg, Forsman, and Chair Nelson. Resolution No. 12-529.

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

Kevin Gray, County Administrator, Donald Dicklich, County Auditor, and Mark Rubin, County Attorney, submitting Board Letter No. 12-367, Establish a Public Hearing to Consider Allegations of Liquor Law Violation – Bayview Lodge (Greenwood Township).—59517

Kevin Gray, County Administrator, Donald Dicklich, County Auditor, and Mark Rubin, County Attorney, submitting Board Letter No. 12-368, Establish a Public Hearing to Consider Imposing the Remainder of Penalties for Liquor Law Violation – Bayview Lodge (Greenwood Township).—59518

Kevin Gray, County Administrator, submitting Board Letter No. 12-364, Advertising for Applicants to the Arrowhead Library System Board.—59519

Kevin Gray, County Administrator, submitting Board Letter No. 12-369, Resolution in Opposition to Proposed "Recognition of Marriage" Constitutional Amendment.—59520

Keith Carlson submitting Minnesota Inter-County Association (MICA) End of 2012 Session Report and 2013 Outlook.—59521

St. Louis County On-Line Software Subscriber Agreement between the County of St. Louis and ProSource Technologies, Inc.—12-822

St. Louis County On-Line Software Subscriber Agreement between the County of St. Louis and Joseph M. Kalmon.—12-823

Service Contract No. 5043-A between the County of St. Louis and Edwards Oil, Inc., Virginia, Minnesota, for tankwagon transport deliveries of gasohol, fuel oil and diesel fuel for the period October 1, 2012, through September 30, 2013.—12-824

Service Contract No. 5043-B between the County of St. Louis and Como Oil & Propane, Duluth, Minnesota, for tankwagon transport deliveries of gasohol, fuel oil and diesel fuel for the period October 1, 2012, through September 30, 2013.—12-825

Service Contract No. 5043-C between the County of St. Louis and Davis Oil, Inc., Grand Rapids, Minnesota, for tankwagon transport deliveries of gasohol, fuel oil and diesel fuel for the period October 1, 2012, through September 30, 2013.—12-826

Service Contract No. 5043-D between the County of St. Louis and Inter City Oil Company, Inc. (ICO), Duluth, Minnesota, for tankwagon transport deliveries of gasohol, fuel oil and diesel fuel for the period October 1, 2012, through September 30, 2013.—12-827

Service Contract No. 5043-E between the County of St. Louis and Petroleum Traders Corp., Fort Wayne, Indiana, for tankwagon transport deliveries of gasohol, fuel oil and diesel fuel for the period October 1, 2012, through September 30, 2013.—12-828

Service Contract No. 5043-F between the County of St. Louis and C & B Warehouse, Virginia, Minnesota, for tankwagon transport deliveries of gasohol, fuel oil and diesel fuel for the period October 1, 2012, through September 30, 2013.—12-829

Upon motion by Commissioner O'Neil, supported by Commissioner Sweeney, resolutions numbered 12-520 through 12-528, as submitted to this Board on the consent agenda, were unanimously adopted as follows:

BY COMMISSIONER O'NEIL:

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

WHEREAS, Daniel Dick of Brooklyn Park, MN, and Donald Heim of Orr, MN, have applied to repurchase state tax forfeited land legally described as:

THAT PART OF SE ¼ OF SE ¼ LYING NORTH AND EAST OF RY
Section 4, Township 54 North, Range 16 West
Town of Cotton
Parcel Code: 305-0010-00685

WHEREAS, the applicants were the owners of record at the time of forfeiture and are 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 Daniel Dick of Brooklyn Park, MN, and Donald Heim of Orr, MN, on file in County Board File No. 59398, subject to payments including total taxes and assessments of $566.56, service fee of $114, deed tax of $1.87, deed fee of $25, and recording fee of $46; for a total of $753.43, to be deposited into Fund 240 (Forfeited Tax Fund).

Adopted October 2, 2012. No. 12-520

WHEREAS, Arrowhead Township has requested to purchase the following described state tax forfeited land for the appraised value of $5,000, plus fees, for use as a public park:

Legal: ELY 375 FT OF GOVT LOT 1 LYING S OF RY RT OF WAY
Section 27, Township 51 North, Range 19 West
Township: Arrowhead
Parcel Code: 225-0070-00017
Acres: 4.18
LDKEY: 70916

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

WHEREAS, this parcel of land has been classified as non-conservation land pursuant to Minn. Stat. § 282.01; and

WHEREAS, this parcel of land is not withdrawn from sale pursuant to Minn. Stat. §§ 85.012, 92.461, 282.01, Subd. 8; 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 Arrowhead Township for the price of $5,000, plus the following fees: 3% assurance fee of $150, deed fee of $25, deed tax of $16.50, recording fee of $46, and appraisal fee of $500; for a total of $5,737.50, to be deposited into Fund 240 (Forfeited Tax Fund).

RESOLVED FURTHER, that the St. Louis County Auditor shall offer for sale at public auction the state tax forfeited land described here if the township of Arrowhead does not purchase the land by December 31, 2012.

Adopted October 2, 2012. No. 12-521

RESOLVED, that the appraisal reports for the sale of timber to be offered at PUBLIC TIMBER AUCTION, Tracts 1 through 34 (totaling $701,511.06), as submitted by the Land Commissioner, on file in the office of the County Auditor identified as County Board File No. 59391, are approved and the County Auditor is authorized to carry out the recommendations as listed in said appraisal reports.

Adopted October 2, 2012. No. 12-522

RESOLVED, that a public hearing will be held at 9:40 a.m. on Tuesday, October 23, 2012, in the Virginia City Hall, Virginia, Minnesota, for the consideration of a liquor law violation allegation, sale to minor, on April 12, 2012, and if proven, the suspension or revocation of the liquor licenses issued to Vermilion Ventures, LLC d/b/a Bayview Lodge, Greenwood Township, and/or the imposition of civil penalties for the violation.
Adopted October 2, 2012. No. 12-523

RESOLVED, that a public hearing will be held at 9:45 a.m. on Tuesday, October 23, 2012, in the Virginia City Hall, Virginia, Minnesota, for the consideration of imposition of the remaining suspension and civil penalties for liquor law violation allegations, predicated on the violation of the no same or similar condition due to sale to a minor on April 12, 2012, and if proven, the imposition of the remaining seven (7) day suspension and $700.00 civil penalty previously ordered against Vermilion Ventures, LLC d/b/a Bayview Lodge, Greenwood Township.
Adopted October 2, 2012. No. 12-524

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, dated September 21, 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 October 2, 2012. No. 12-525

WHEREAS, the recent merger of the Arrowhead Library System and the North Country Library Cooperative has resulted in a new contract agreement with participating counties; and
WHEREAS, under the new operating agreement, as a participating member county, St. Louis County is required to appoint three (3) members to the ALS Board of Directors; and
WHEREAS, the position currently held by Ms. Teresa Dawson of Duluth, Minnesota, will expire on December 31, 2012, and Ms. Dawson has reached the maximum number of terms allowed by state statute.
NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners authorizes the County Auditor to advertise for applications seeking a Duluth resident to be appointed to the Arrowhead Library System Board of Directors from January 1, 2013, through December 31, 2015.
Adopted October 2, 2012. No. 12-526

WHEREAS, the Department of Homeland Security has made funding available to the Port of Duluth/Superior under the FY 2009 Port Security Grant Program; and
WHEREAS, the Tritech Hammerhead Scanning Sonar from Subsea Technologies, Inc., of Katy, Texas, is a precision search tool that will integrate existing technologies currently employed by the Sheriff's Office.
NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the expenditure of $54,150 ($50,666 plus $3,484 Minnesota tax) for the purchase of stationary scanning sonar and positioning equipment from Subsea Technologies, Inc., of Katy, Texas, to be accounted for in Fund 100, Agency 129999, Grant 12938, Year 2012 and the required match of $18,050 ($16,889 plus $1,161 Minnesota tax), to be accounted for in Fund 100, Agency 129003, Object 643200.
RESOLVED FURTHER, that the St. Louis County Board authorizes the appropriate county officials to sign any associated contract documents.
Adopted October 2, 2012. No. 12-527

WHEREAS, the Federal Communications Commission has mandated that public safety communications systems must meet new standards for narrowband compliance by 2013; and

WHEREAS, on November 9, 2010, by Resolution No. 10-531, the St. Louis County Board authorized the Sheriff's Office to transition county radio systems to the state-wide Allied Radio Matrix for Emergency Response (ARMER) radio system; and
WHEREAS, the infrastructure and equipment is available from Motorola Solutions, Inc., on the State of Minnesota contract.
NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the purchase of the Archive Interface Server from Motorola, Inc., not to exceed $68,000, to be funded in Enhanced 911 Fund 179, Agency 179001, Object 665900.
Adopted October 2, 2012. No. 12-528

BY COMMISSIONER JEWELL:
WHEREAS, in 2011 the Minnesota State Legislature voted to include the following question on the election ballot in November 2012: "Shall the Minnesota Constitution be amended to provide that only a union of one man and one woman shall be valid or recognized as a marriage in Minnesota?"; and
WHEREAS, the proposed amendment would add a new Section 13 to the Minnesota Constitution stating: "Only a union of one man and one woman shall be valid or recognized as a marriage in Minnesota"; and
WHEREAS, constitutions historically have been designed and interpreted to protect minorities from the arbitrary imposition of unjust barriers by the majority; and
WHEREAS, the proposed amendment would be contrary to the purpose of the Minnesota Constitution to protect the rights, privileges and freedom of conscience of all citizens by withholding from some individuals and families important legal rights and obligations; and
WHEREAS, the St. Louis County Board acknowledges and is committed to the importance of equality for all residents and citizens.
NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners in principle, hereby goes on record in opposition to the proposed constitutional amendment entitled "Recognition of Marriage Solely Between One Man and One Woman".
Yeas – Commissioners Jewell, O'Neil, Sweeney, and Raukar – 4
Nays – Commissioners Dahlberg, Forsman, and Chair Nelson – 3
Adopted October 2, 2012. No. 12-529

At 11:40 a.m., October 2, 2012, Commissioner Dahlberg, supported by Commissioner Raukar, moved to adjourn; 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)

**OFFICIAL PROCEEDINGS OF THE MEETING
OF THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF ST. LOUIS, MINNESOTA,
HELD ON OCTOBER 9, 2012**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 9th day of October, 2012, at 9:35 a.m., in the County Boardroom, Courthouse, 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 protect and serve our communities and those who protect our freedoms, followed by the Pledge of Allegiance.

A formal recognition of St. Louis County staff for their efforts during and after the June 2012 flood event was held. A video titled "When the Impossible Happens", created by James Foldesi, Public Works Director and read by Jim Gangl of Public Health and Human Services, was presented. Public Works Director James Foldesi gave a brief demonstration of the construction viewer tool used for flood project management.

Commissioner O'Neil recognized the following St. Louis County staff:

Public Health and Human Services: Jim Gangl. IT Department: Jason Wefel, Clarence Manz, Ouitdee Carson, Dylan Roy, Mike Welch, Darrell Bjerklie, Cheryl Van Guilder and Dan Bergerson. Planning Department: Darren Jablonsky, David Yapel, Lea Berwall, Bruce Grohn, Andrea Grygo and Jeff Storlie. Assessor's Office: Rodella LaFreniere, Donna House and Margaret Dunsmore. Land and Minerals Department: Jim Polzin, Mark Pannkuk, Conrad Sund, Scott Spicer, Tom Zeisler, Stacy Melcher, Jason Meyer and Bill Hakala. Public Works: Inga Foster. Environmental Services: Gary Bergquist.

Commissioner Sweeney gave each recipient a star ornament as a Customer Service Award.

Commissioner O'Neil said that on October 10, 2012, at 2:00 p.m., another recognition event will be held at the Public Safety Building. Then on October 11, 2012, at noon, a barbeque will be held at the Public Works Department in Pike Lake, MN, to thank the Public Works staff for their efforts during the flood event.

Commissioner O'Neil also recognized those St. Louis County residents who are still deeply affected by the flood and said recovery is still very much a work in progress.

Chair Nelson called for a recess at 10:25 a.m. The Board reconvened 10:32 a.m.

Chair Nelson opened the meeting to persons who wanted to address the Board concerning issues not on the agenda and no one chose to do so.

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

At 10:33 a.m., a public hearing was conducted pursuant to Resolution No. 12-512, adopted September 25, 2012, to consider allegations of a liquor law violation by Ballz Deep, Inc., d/b/a The Other Place Bar and Grill, Rice Lake Township. Assistant County Attorney James Nephew submitted a packet to the Board that included the resolution for the public hearing, required notices and an affidavit of mailing. Assistant County Attorney Nephew said license

holder Robert Hargraves signed an agreement waiving rights to a public hearing and agreeing to a ten day suspension and $1,000 fine, with nine days of the suspension and $1,000 of the fine stayed for one year with no same or similar violations during that period. The agreement was signed by Auditor Donald Dicklich and Chair Keith Nelson. At 10:38 a.m., Commissioner Dahlberg, supported by Commissioner O'Neil, moved to close the public hearing; seven yeas, zero nays. Commissioner Dahlberg, supported by Commissioner O'Neil, moved to approve the agreement. The motion passed; seven yeas, zero nays. Resolution No. 12-551.

At 10:40 a.m., a public hearing was conducted pursuant to Resolution No. 12-513, adopted September 25, 2012, to consider allegations of a liquor law violation by Vernon Skoglund d/b/a Silver Fox Lodge, Gnesen Township. Assistant County Attorney James Nephew submitted a packet to the Board that included the resolution for the public hearing, required notices and an affidavit of mailing. Assistant County Attorney Nephew said license holder Vernon Skoglund signed an agreement waiving rights to a public hearing and agreeing to a ten day suspension and $1,000 fine, with nine days of the suspension and $1,000 of the fine stayed for one year with no same or similar violations during that period. The agreement was signed by Auditor Donald Dicklich and Chair Keith Nelson. At 10:47 a.m., Commissioner Dahlberg, supported by Commissioner Jewell, moved to close the public hearing; seven yeas, zero nays. Commissioner Forsman, supported by Commissioner Dahlberg, moved to approve the agreement. The motion passed; seven yeas, zero nays. Resolution No. 12-552.

Michael Jershe addressed the Board regarding the private sale of state tax forfeited land and agreed to accept the final purchase price of $3,564.24, which includes a $600 appraisal fee. Commissioner Forsman, supported by Commissioner Raukar, moved to approve the resolution. The motion passed; six yeas, zero nays (Commissioner Sweeney temporarily absent). Resolution No. 12-553.

Commissioner Forsman, supported by Commissioner Sweeney, moved to approve the resolution awarding a bid in the amount of $1,157,662.82, to KGM Contractors, Inc., of Angora, Minnesota, for culvert replacement and overlay projects in Embarrass, Babbitt and Waasa Townships, SAP 69-598-037, CP 83767. The motion passed; seven yeas, zero nays. Resolution No. 12-554.

Commissioner Sweeney, supported by Commissioner Forsman, moved to approve the resolution awarding a bid in the amount of $985,126.75 to Redstone Construction Co., Inc., of Mora, Minnesota, for a bridge replacement on County State Aid Highway 37 in Lakewood Township, SP 69-637-022, CP 161399. The motion passed; seven yeas, zero nays. Resolution No. 12-555.

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, submitting Board Letter No. 12-374, Classification of November 30, 2011 Forfeitures as 'Conservation'.—59522

Kevin Gray, County Administrator, Barbara Hayden, Director of Planning and Community Development, and Ted Troolin, Director of Environmental Services, submitting Board Letter No. 12-372, 2013 Natural Resources Block Grant from Minnesota Board of Water and Soil Resources.—59523

Kevin Gray, County Administrator, and Robert Krepps, Land Commissioner, Land &

Minerals, submitting Board Letter No. 12-375, Award of Bid: Containerized Tree Seedlings for 2014, 2015.—59524

Kevin Gray, County Administrator, Robert Krepps, Land Commissioner, Land & Minerals, and Don Dicklich, County Auditor, submitting Board Letter No. 12-377, Private Sale of State Tax Forfeited Land – McKinney.—59525

Kevin Gray, County Administrator, and James Foldesi, Public Works Director/Highway Engineer, submitting Board Letter No. 12-380, Agreement with CenturyLink for Utility Work on CSAH 91 (Haines Road.)—59526

Kevin Gray, County Administrator, and Tony Mancuso, Director of Property Management, submitting Board Letter No. 12-383, Free Conveyance of Surplus Fee Land and Cook Rescue Squad Building to City of Cook.—59527

2012 Flood Event – Employee Recognition.—59528

John Engesser, Assistant Director of Minnesota Department of Natural Resources Division of Land and Minerals, and Vicki Sellner, Attorney, submitting State Mineral Leasing and Metallic Mineral Exploration presentation handout.—59529

Agreement between St. Louis County and the City of Duluth for FY2012 Justice Assistance Grant.—12-830

Contract for County-State Aid Highway Project between the County of St. Louis and Hammerlund Construction, Inc., Grand Rapids, MN, for crush, screen, and stockpile aggregate base, Class 5 (modified) SAP 69-030-023(low)/Storm WO 162622.—12-831

Grant Agreement between the Minnesota Department of Public Safety and St. Louis County Sheriff's Office for the 2011 Operation Stonegarden Homeland Security Grant in the amount of $104,190.—12-832

Group Residential Housing Rate Agreement No. 51160 between the St. Louis County Board of Commissioners and Stepping Stones for Living – Arrowhead.—12-833

Group Residential Housing Rate Agreement No. 51161 between the St. Louis County Board of Commissioners and Stepping Stones for Living – Berkeley.—12-834

Group Residential Housing Rate Agreement No. 51162 between the St. Louis County Board of Commissioners and Stepping Stones for Living – Canosia.—12-835

Group Residential Housing Rate Agreement No. 51163 between the St. Louis County Board of Commissioners and Stepping Stones for Living – Deerwood.—12-836

Group Residential Housing Rate Agreement No. 51164 between the St. Louis County Board of Commissioners and Stepping Stones for Living – Duncan.—12-837

Group Residential Housing Rate Agreement No. 51165 between the St. Louis County Board of Commissioners and Stepping Stones for Living – Haines.—12-838

Group Residential Housing Rate Agreement No. 51166 between the St. Louis County Board of Commissioners and Stepping Stones for Living – Maple.—12-839

Group Residential Housing Rate Agreement No. 51167 between the St. Louis County Board of Commissioners and Stepping Stones for Living – Medin.—12-840

Group Residential Housing Rate Agreement No. 51168 between the St. Louis County Board of Commissioners and Stepping Stones for Living – Midway.—12-841

Group Residential Housing Rate Agreement No. 51169 between the St. Louis County Board of Commissioners and Stepping Stones for Living – Morris.—12-842

Group Residential Housing Rate Agreement No. 51170 between the St. Louis County Board of Commissioners and Stepping Stones for Living – Skyline.—12-843

Group Residential Housing Rate Agreement No. 51171 between the St. Louis County Board of Commissioners and Stepping Stones for Living – Thompson.—12-844

Group Residential Housing Rate Agreement No. 51172 between the St. Louis County Board of Commissioners and Stepping Stones for Living – Tischer.—12-845

Group Residential Housing Rate Agreement No. 51173 between the St. Louis County Board of Commissioners and Stepping Stones for Living – Ugstad.—12-846

Group Residential Housing Rate Agreement No. 51174 between the St. Louis County Board of Commissioners and Stepping Stones for Living – Wilderness.—12-847

Group Residential Housing Rate Agreement No. 51384 between the St. Louis County Board of Commissioners and Winter Homes West.—12-848

Group Residential Housing Rate Agreement No. 51439 between the St. Louis County Board of Commissioners and Clayridge Assisted Living.—12-849

Group Residential Housing Rate Agreement No. 51440 between the St. Louis County Board of Commissioners and Willow Wood Assisted Living I.—12-850

Group Residential Housing Rate Agreement No. 51441 between the St. Louis County Board of Commissioners and Willow Wood Assisted Living II.—12-851

Group Residential Housing Rate Agreement No. 51425 between the St. Louis County Board of Commissioners and Cindy Turnquist and D3an Turnquist.—12-852

Group Residential Housing Rate Agreement No. 51421 between the St. Louis County Board of Commissioners and Wendigo Pines of Chisholm – House 1.—12-853

Group Residential Housing Rate Agreement No. 51422 between the St. Louis County Board of Commissioners and Wendigo Pines of Chisholm – House 2.—12-854

Group Residential Housing Rate Agreement No. 51423 between the St. Louis County Board of Commissioners and Wendigo Pines of Chisholm – House 3.—12-855

Group Residential Housing Rate Agreement No. 51210 between the St. Louis County Board of Commissioners and Theresa St. Germain.—12-856

Group Residential Housing Rate Agreement No. 51389 between the St. Louis County Board of Commissioners and Arlene Sipola.—12-857

Group Residential Housing Rate Agreement No. 51386 between the St. Louis County Board of Commissioners and Country Care.—12-858

Group Residential Housing Rate Agreement No. 51436 between the St. Louis County Board of Commissioners and Carol Reigstad.—12-859

Group Residential Housing Rate Agreement No. 51437 between the St. Louis County Board of Commissioners and Carol Reigstad (House I).—12-860

Group Residential Housing Rate Agreement No. 51438 between the St. Louis County Board of Commissioners and Irene McDougall.—12-861

Group Residential Housing Rate Agreement No. 51424 between the St. Louis County Board of Commissioners and Lakeside Manor.—12-862

Group Residential Housing Rate Agreement No. 51371 between the St. Louis County Board of Commissioners and Terry Chartier.—12-863

Group Residential Housing Rate Agreement No. 51075 between the St. Louis County Board of Commissioners and Autio Homes – Fir Street.—12-864

Addendum to Purchase Agreement, Contract No. 13081L, between the St. Louis County Board of Commissioners and Duluth Regional Care Center (SILS).—12-865

Contract for County-State Aid Highway Project between the County of St. Louis and Ulland Brothers, Inc., for bituminous surfacing on County Road 898 (Lindahl Road), STORM WO 160783A.—12-866

Contract for County-State Aid Highway Project between the County of St. Louis and Ulland Brothers, Inc., for bituminous surfacing on CSAH 13 (Midway Road), STORM WO 160220A.—12-867

Contract between the County of St. Louis and Rainy Lake Oil, Inc., International Fall, MN, for tankwagon transport deliveries of gasohol, fuel oil and diesel fuel for the period October 1, 2012, through September 30, 2013, per Bid No. 5043-G.—12-868

Upon motion by Commissioner Raukar, supported by Commissioner Dahlberg, resolutions numbered 12-530 through 12-550, as submitted on the consent agenda, were unanimously adopted as follows:

BY COMMISSIONER RAUKAR:
RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of September 25, 2012, are hereby approved.
Adopted October 9, 2012. No. 12-530

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners

for the meeting of October 2, 2012, are hereby approved.
Adopted October 9, 2012. No. 12-531

WHEREAS, the Public Health and Human Services Department (PHHS) continues to explore ways to decrease the number of children in out-of-home placement; and
WHEREAS, the department has used Family Group Decision Making (FGDM) as an effective tool to engage families and prevent out-of-home placements, with a focus on American Indian families; and
WHEREAS, PHHS has conducted an African American FGDM pilot through a contract and wishes to extend this pilot through the use of a full time PHHS staff person to further evaluate the effectiveness of this model in the prevention of out-of-home placement; and
WHEREAS, PHHS has available reserve funds for Prevention and Innovation Initiatives and County Administration has agreed that the FGDM pilot would qualify as an appropriate use of the funding.
NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the Public Health and Human Services Department to increase, by one FTE, the complement of social workers to continue to explore the effectiveness of Family Group Decision Making to African American families.
RESOLVED FURTHER, that funding for this position shall be Prevention and Innovation reserve funds (Budget Reference: 230-999999-311405) and for a time period ending December 31, 2013, at which time the position and the funding shall be eliminated.
Adopted October 9, 2012. No. 12-532

WHEREAS, the Minnesota Board of Water and Soil Resources has awarded a 2013 Natural Resources Block Grant in the amount of $122,628 to St. Louis County for wetland, shoreland, water plan, and subsurface sewage treatment system purposes.
NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board accepts the 2013 Natural Resources Block Grant in the amount of $122,628 and authorizes appropriate county officials to execute the grant agreement and related documents.
RESOLVED FURTHER, that the Planning and Community Development Department proposed budget includes receipt of $103,687 from the Natural Resources Block Grant, with funds to be deposited into Fund 100, Agency 109999, Grant 10902, Year 2013.
RESOLVED FURTHER, that the Environmental Services Department proposed budget includes receipt of $18,941 from the Natural Resources Block Grant, with funds to be deposited into Fund 616, Agency 616999, Object 530102, Grant 61601, Year 2013.
RESOLVED FURTHER, that the St. Louis County Board authorizes a local match of $95,593 from the Planning and Community Development Department, Fund 100, Agency 109002 (Salaries and Benefits).
RESOLVED FURTHER, that per conditions of the grant, $9,003 shall be paid to the North Soil and Water Conservation District and $9,003 shall be paid to the South Soil and Water Conservation District for Wetland Conservation Act activities.
Adopted October 9, 2012. No. 12-533

WHEREAS, the contract with Edward and Bonnie Lundberg of Duluth, MN, for the repurchase of state tax forfeited land is in default for nonpayment of installments; and
WHEREAS, the purchasers were properly served with Notice of Cancellation of Contract by civil process and have failed to cure the default for lands legally described as:

CITY OF DULUTH
LOTS 1 AND 2 EX SLY 55 FT INC BLK 2, WILLARDS ADDITION, BLOCK 9
STERLING DIVISION OF DULUTH
Parcel Code: 010-4120-00735
C22100075

WHEREAS, Minn. Stat. §§ 282.04, Subd. 2(d), and 504B.271 authorize the County Auditor

to dispose of abandoned personal property; and
WHEREAS, the previous owners of the property will be notified by posting of the property or by mail.
NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the cancellation of contract for the repurchase 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 St. Louis County Auditor is authorized to dispose of abandoned personal property from the above described state tax forfeited property.
Adopted October 9, 2012. No. 12-534

WHEREAS, the parcels described here forfeited to the State of Minnesota on November 30, 2011, for nonpayment of real estate taxes; and
WHEREAS, all parcels of land becoming the property of the State of Minnesota in Trust through forfeiture for nonpayment of real estate taxes shall be classified as 'conservation' or 'non-conservation' as required by Minn. Stat. § 282.01, Subd. 1; and
WHEREAS, the Land and Minerals Department has recommended that the parcels be classified as 'conservation' after considering many factors including the present use of adjacent land, the productivity of the soil, the character of forest or other growth, the accessibility of lands to established roads, schools, and other public services, the suitability or desirability for particular uses and the suitability of the forest resources on the land for multiple use and sustained yield management; and
WHEREAS, the forfeited parcels may be located inside the boundaries of a municipality or town and Minn. Stat. § 282.01 provides that notice of the classification or reclassification and sale of lands situated within a municipality or town must be transmitted to its governing body; and
WHEREAS, the classification of the forfeited parcels will be deemed approved if the County Board does not receive notice of a municipality's or town's disapproval within 60 days of the date on which this resolution is delivered to the clerks of the municipalities or towns in which the parcels are located.
NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board classifies the state tax forfeited parcels described in County Board File No. 59522 as 'conservation', and a notice of the classification shall be transmitted by the Land and Minerals Department to the clerks of the municipalities or towns in which the parcels are located.
Adopted October 9, 2012. No. 12-535

WHEREAS, the St. Louis County Purchasing Division solicited bids to furnish and deliver containerized tree seedlings for planting on tax forfeited land in the years 2014 and 2015; and
WHEREAS, the bid offering was divided into 12 sections with the award of bid going to the low bidder of each section; and
WHEREAS, PRT, USA of Victoria, Canada, submitted the low bid for sections 1 through 12 in the amount of $255,800.
NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the appropriate county officials to execute a contract with PRT, USA, of Victoria, Canada, to furnish and deliver a total of 1,800,000 containerized tree seedlings in the spring of 2014 and 2015, in accordance with the specifications of Bid No. 5046, and subject to approval of the County Attorney, at the low specification bid price of $255,800, payable from Fund 290, Agency 290001.
Adopted October 9, 2012. No. 12-536

WHEREAS, Lake Country Power has requested an underground utility easement across state tax forfeited land to supply power to a Minnesota Department of Transportation Communication tower; and

WHEREAS, exercising the easement will not conflict with public use of land; and
WHEREAS, Minn. Stat. § 282.04, Subd. 4, authorizes the St. Louis County Auditor to grant easements for such purposes.
NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the County Auditor to grant a utility easement to Lake Country Power described as follows:

A 20 foot easement for utility purposes over, under and across, that part of the Southwest Quarter of the Northeast Quarter and the Northwest Quarter of the Northeast Quarter of Section 12, Township 55 North, Range 19 West and the Southwest Quarter of the Southeast Quarter, Section 1, Township 55 North, Range 19 West, St. Louis County, Minnesota.

The centerline of said 20 foot easement is described as follows: Commencing at the West Quarter corner of said Section 12; thence North 89 degrees 49 minutes 03 seconds East along the East-West Quarter line of said Section 12, 2704.39 feet; thence North 02 degrees 08 minutes 33 seconds West, parallel with and distant 43 feet from the centerline of County Highway 83, 1061.33 feet to the **point of beginning**; thence continuing North 02 degrees 08 minutes 33 seconds West, parallel with and distant 43 feet from the centerline of said County Highway 83, 1810.23 feet; thence North 03 degrees 27 minutes 11 seconds West, parallel with and distant 43 feet from the centerline of said County Highway 83, 600 feet, more or less, to the west line of said Southwest Quarter of the Southeast Quarter. The sidelines of said easement are to be prolonged or shortened to terminate on said west line and on a line which bears South 72 degrees 32 minutes 28 seconds East from said **point of beginning**.

RESOLVED FURTHER, that the granting of this easement is conditioned upon payment of $830 land use fee, $50 administration fee, and $46 recording fee; for a total of $926, to be deposited into Fund 240 (Forfeited Tax Fund).
Adopted October 9, 2012. No. 12-537

WHEREAS, pursuant to Laws of Minnesota 2012, Chapter 236, Section 26, St. Louis County may sell by private sale the following described state tax forfeited land to remedy an inadvertent trespass:

THAT PART OF LOT P EX RY R/W & INC PT OF VAC AVE ADJ LYING N OF SAID RY R/W, BLOCK 18, HUNTER/MARKELLS GRASSY POINT ADDN TO DULUTH

Parcel Code: 010-2420-03701

WHEREAS, this parcel of land has been classified as non-conservation land pursuant to Minn. Stat. § 282.01; and
WHEREAS, this parcel of land is not withdrawn from sale pursuant to Minn. Stat. §§ 85.012, 92.461, 282.01, Subd. 8, 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 described here to John and Suzanne McKinney of Cloquet, MN, to remedy an inadvertent trespass for the appraised value of $5,200, plus 3% assurance fee of $156, deed fee of $25, deed tax of $17.16, recording fee of $46, and appraisal fee of $800; for a total of $6,244.16, to be deposited into Fund 240 (Forfeited Tax Fund).
Adopted October 9, 2012. No. 12-538

WHEREAS, Minn. Stat. § 282.241 provides that state tax forfeited land may be repurchased by the previous owners subject to payment of delinquent taxes and assessments, with penalties, costs, and interest; and
WHEREAS, the applicant, Michael David Friend of Hibbing, MN, has applied to repurchase state tax forfeited land legally described as:

CITY OF HIBBING

PART OF NW ¼ OF NW ¼ BEG 200 FT W OF SE COR THENCE W 242 FT

THENCE N 604 FT THENCE SELY AT AN ANGLE OF 63 DEG 30' 271 FT
THENCE S 480 FT TO PT OF BEG INC W 100 FT OF E 200 FT
SECTION 9, TOWNSHIP 56 NORTH, RANGE 20 WEST
Parcel Code: 141-0010-01677

WHEREAS, the applicant was the owner of record 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 Michael David Friend, on file in County Board File No. 59398, subject to payments including total taxes and assessments of $3,909.30, service fee of $114, deed tax of $12.90, deed fee of $25, and recording fee of $46; for a total of $4,107.20, to be deposited into Fund 240 (Forfeited Tax Fund).

Adopted October 9, 2012. No. 12-539

WHEREAS, the Duluth Housing and Redevelopment Authority (HRA) has requested to purchase the following described state tax forfeited land for the value of $2,100, plus fees, for the purpose of public housing:

Legal: LOT: 043 BLOCK: 006, DULUTH HEIGHTS 6TH DIVISION
City: Duluth
Section 20, Township 50 North, Range 14 West
Parcel Code: 010-0890-02140
Acres: 0.07
LDKEY: 29823

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

WHEREAS, this lot 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; and

WHEREAS, this lot has been classified as conservation land pursuant to Minn. Stat. § 282.01; and

WHEREAS, this parcel is located inside the boundaries of a municipality or town and Minn. Stat. § 282.01 provides that classification or reclassification and sale of land situated within a municipality or town must be approved by the governing body of the municipality or town; and

WHEREAS, the reclassification and sale of this parcel will be deemed approved if the County Board does not receive notice of the municipality's or town's disapproval of the reclassification and sale within 60 days of the date on which this resolution is delivered to the clerk; and

WHEREAS, the Land Commissioner recommends that this parcel be reclassified as non-conservation and offered for sale having considered, among other things, the present use of adjacent land; the productivity of the soil; the character of forest or other growth; the accessibility of lands to established roads, schools, and other public services; and the peculiar suitability or desirability of lands for particular uses.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the reclassification and sale of state tax forfeited land, as described, to the Duluth Housing and Redevelopment Authority for the price of $2,100, plus the following fees: 3% assurance fee of $63, deed fee of $25, deed tax of $6.93, recording fee of $46; for a total of $2,240.93, to be deposited into Fund 240 (Forfeited Tax Fund).

RESOLVED FURTHER, that the St. Louis County Auditor shall offer for sale at public auction the state tax forfeited land described here if the Duluth HRA does not purchase the land by December 31, 2012.

Adopted October 9, 2012. No. 12-540

WHEREAS, the St. Louis County Public Works Department will be reconstructing Haines Road which will require certain utility improvements; and
WHEREAS, CenturyLink has agreed to pay for construction costs for its utility upgrades in the area and supply some of the materials for work on the project.
RESOLVED, that the Public Works Department is authorized to enter into an agreement with CenturyLink, and any amendments approved by the County Attorney's office, for project SP 69-691-020, County Project 8269, whereby CenturyLink will pay the cost of its utility improvements. Funds from CenturyLink will be receipted into Fund 220, Agency 220182, Object 583100.
Adopted October 9, 2012. No. 12-541

WHEREAS, the Public Works Department's 2012 budget includes purchase of sodium chloride (road salt) for maintaining winter roads; and
WHEREAS, the Public Works Department requested State Contract Pricing for road salt; and
WHEREAS, Cargill, Inc. Deicing Technology, submitted the lowest delivered price for delivery to 5 of 17 locations in the amount of $573,568.05; and
WHEREAS, North American Salt submitted the lowest delivered price to the other 12 of 17 locations in the amount of $847,033.00.
NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the estimated purchase of salt at the State of Minnesota Contract price from Cargill, Inc. Deicing Technology of North Olmstead, Ohio, for a maximum delivered cost of $573,568.05 plus State of Minnesota sales tax of $39,432.80 and from North American Salt Company of Overland Park, Kansas, for a maximum delivered cost of $847,033.00 plus State of Minnesota sales tax of $58,233.52. The total amount of $1,518,267.37 is payable from Fund 200, Agency 207012, Object 651700.
Adopted October 9, 2012. No. 12-542

WHEREAS, quotes have been received by the Public Works Department for the following project:

MP 68-171141(Low), MP 16-171142, and MP 110-171144 for paving on CSAH 68, CSAH 16, and CSAH 110; and

WHEREAS, quotes were received in the County Public Works Facility in Virginia, MN, and Mesabi Bituminous, Inc., Gilbert, MN, provided the low acceptable quote.
NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the following quote for bituminous paving:

LOW QUOTE	ADDRESS	AMOUNT
Mesabi Bituminous, Inc.	P.O. Box 78 Gilbert, MN 55741	$80,000.00

RESOLVED FURTHER, that the Chairman of the County Board, the County Auditor, and the Purchasing Department are authorized to approve the contractor's quote for the above listed project payable from Fund 200, Agency 201001, Object 651100 for paving.
Adopted October 9, 2012. No. 12-543

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. 59401.
Adopted October 9, 2012. No. 12-544

WHEREAS, the Property Management Team has reviewed the free conveyance request made by the City of Cook for county fee land and building to be used for public purposes, legally described as follows:

Lots Seventeen (17) and Eighteen (18), Browns Division, Cook, MN.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the appropriate county officials to execute the necessary documents to transfer county fee land and building for public use to the City of Cook, pursuant to Minnesota Statutes, § 465.035. A $500 land transfer administrative fee will be paid by the City of Cook directed into Fund 100, Agency 128014, Object 583100.

Adopted October 9, 2012. No. 12-545

WHEREAS, the Property Management Team identified the following described property as surplus county fee owned land legally described as follows:

Lot Fifteen (15), Crescent Beach Plat

WHEREAS, St. Louis County has previously advertised this property and received no bids to be considered.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the Property Management Director to advertise for written bids for the above described property, pursuant to the requirements and procedures of Minn. Stat. § 373.01, with a minimum bid of $63,800.

RESOLVED FURTHER, that the County Board establishes the time for bid proposal consideration to be at 9:45 A.M. on Tuesday, November 13, 2012, at the St. Louis County Courthouse, Duluth, MN.

Adopted October 9, 2012. No. 12-546

WHEREAS, St. Louis County has developed an E-Government Plan as part of its business improvement/customer service initiatives; and

WHEREAS, a key strategy of this E-Government Plan has been to identify a software solution to roll out permits, applications, citizen requests and payment processing services through the county website; and

WHEREAS, a workgroup including County Administration, Information Technology, the Auditor's Office and the Planning and Community Development Department reviewed various options and solutions and has identified Mitchell Humphrey's Fast Track Gov as the best option for St. Louis County; and

WHEREAS, funding is available for the one-time expenses associated with implementing this project in the General Fund assigned fund balance for Information Technology and in the Information Technology operating budget for the ongoing maintenance cost.

NOW, THEREFORE, BE IT RESOLVED, that the appropriate county officials are authorized to finalize and sign the Mitchell Humphrey Supplemental Software Products Order for Fast Track Gov.

RESOLVED FURTHER, that funds available for the $261,073 for installation, implementation, consulting, training and technical services are available in the General Fund assigned fund balance for Information Technology (Fund 100, Object 311139) and funds are available for $52,583 of ongoing maintenance in the Information Technology operating budget (Fund 100, Agency 117051, Object 634800).

RESOLVED FURTHER, that the county is authorized to pay ongoing annual maintenance, license and support costs to Mitchell Humphrey for Fast Track Gov at the current agreed upon rate up to $52,583 per year for the county's use of the software for up to 75 users, at which time the rate would change. In addition, the software assurance part of this cost, $34,058, can be increased by no more than the lesser of (i) the Consumer Price Index-Midwest Urban increase, or (ii) the percentage increment and maintenance fees for existing customers established by Mitchell Humphrey, with 60 days' notice. Ongoing annual maintenance is to be budgeted and paid from the Information Technology Operating budget Fund 100, Agency 117051, Object 634800.

RESOLVED FURTHER, that amendments to the licensing, maintenance and support agreements may be executed by the County Auditor provided the funding for requested

changes to the license agreement are included in the appropriate budgets.
Adopted October 9, 2012. No. 12-547

WHEREAS, the County Board annually reviews health insurance trends, expected claims, and its self-insured health and dental fund to establish funding levels for the employee and retiree medical and dental plans; and
WHEREAS, the County Board believes a 0% rate increase for the self-funded health and dental plans in 2013 is reasonable based on projections prepared by its claims administrators and the County Auditor and as recommended by its Health Insurance Committee.
NOW, THEREFORE, BE IT RESOLVED, that the 2013 monthly premium rates for the self-funded employee and retiree health insurance are approved as follows:

For groups in 2012 paying $675.18 for Single Coverage and $1,568.13 for Family Coverage:

	2013 Rate
SINGLE COVERAGE:	$ 675.18
FAMILY COVERAGE:	$1,568.13

For groups in 2012 paying $657.40 for Single Coverage and $1,550.35 for Family Coverage:

	2013 Rate
SINGLE COVERAGE:	$ 657.40
FAMILY COVERAGE:	$1,550.35

For retirees:

	2013 Rate
SINGLE COVERAGE:	$ 657.40
FAMILY COVERAGE:	$1,550.35

RESOLVED FURTHER, that the 2013 stop-loss rate payable to Blue Cross Blue Shield of Minnesota of $6.02 per contract per month is approved.
RESOLVED FURTHER, that a 2013 per contract per month administrative service fee of $30.74 payable to Blue Cross Blue Shield of Minnesota (BCBSM) is approved.
RESOLVED FURTHER, that in 2013, Medicare-eligible retirees and their spouses will continue to be offered the alternative fully-insured BCBSM Group Senior Gold program with MedicareBlue Rx copay options of either $10/$25/$40/25% with a $277.50 monthly premium, or $5/$15/$35/$60 with a $293.00 monthly premium.
RESOLVED FURTHER, that the 2013 monthly premium rate for the self-insured dental plan is approved, with a 0% increase, in the amount of $37.01.
RESOLVED FURTHER, that the 2013 per contract per month administrative service fee of $2.18 payable to Delta Dental Plan of Minnesota is approved.
RESOLVED FURTHER, that the Board authorizes the appropriate county officials to execute a contract for administrative services of the medical and dental plans for the time period covering January 1 – December 31, 2013, as set forth above.
Adopted October 9, 2012. No. 12-548

WHEREAS, St. Louis County operates a fixed point-to-point microwave radio system on certain frequencies within the 2110 to 2155 MHz band that is used for St. Louis County's communication needs; and
WHEREAS, the Federal Communications Commission (FCC), pursuant to ET Docket No. 00-258, reallocated and auctioned the 2110 to 2155 MHz frequencies, including those used by St. Louis County to commercial enterprises for use by emerging technologies known as Advanced Wireless Services (AWS); and
WHEREAS, T-Mobile has determined that the AWS system in Duluth, MN, may cause interference to St. Louis County's microwave link and desires that St. Louis County permanently vacate, in accordance with the FCC's stated priorities, its licenses to operate in

the affected paths and relocate its operation onto other microwave frequencies available to St. Louis County; and
WHEREAS, T-Mobile has agreed to pay St. Louis County $100,000 to design and implement a replacement system and cease all operations on the affected paths and vacate licenses to operate on those affected paths.
NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the appropriate county officials to negotiate and sign agreements and contracts with T-Mobile to relocate the current St. Louis County FCC licensed and operating 2110 to 2155 MHz microwave link at T-Mobile expense.
Adopted October 9, 2012. No. 12-549

WHEREAS, the St. Louis County Sheriff's Office would like to continue the maintenance agreement with CenturyLink Government for the Power 911 and VIPER Systems; and
WHEREAS, the current maintenance agreement expires on January 31, 2012; and
WHEREAS, two new Power 911 Intelligent workstations will allow the Sheriff's Office Communications Division to migrate from the end of life Foreign Exchange Office gateways and facilitate the upgrade to Windows 7.
NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the appropriate county officials to enter into an agreement with CenturyLink Government for maintenance for a one year term in the amount of $23,622.91, payable from Fund 100, Agency 135001, Object 629900.
RESOLVED FURTHER, that the St. Louis County Board authorizes the purchase of two (2) new Power 911 Intelligent workstations in the amount not to exceed $55,537.11, payable from Fund 100, Agency 135001, Object 665900.
RESOLVED FURTHER, that the St. Louis County Board authorizes the appropriate county officials to sign any associated contract documents.
Adopted October 9, 2012. No. 12-550

BY COMMISSIONER DAHLBERG:
WHEREAS, the St. Louis County Liquor Licensing Committee met on September 4, 2012, to consider recommending action to be taken by the County Board as a result of an alleged liquor law violation, sale to minor on July 27, 2012, against Ballz Deep, Inc., d/b/a The Other Place Bar and Grill, Township of Rice Lake; and
WHEREAS, the Liquor Licensing Committee recommended a ten (10) day suspension and $1000 civil penalty, with nine (9) days of the suspension and $1000 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 October 9, 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 violation.
NOW, THEREFORE, BE IT RESOLVED, that the Combination On/Off-Sale Intoxicating Liquor License No. CMB13140 and Sunday On-Sale Intoxicating Liquor License No. SUN13140, issued to Ballz Deep, Inc., d/b/a The Other Place Bar and Grill, Township of Rice Lake, are hereby suspended for ten (10) days and a $1000 civil penalty is due, with nine (9) days of the suspension and $1000 of the civil penalty stayed for one (1) year, with no same or similar violations during that period.
RESOLVED FURTHER, that the date of suspension of the liquor licenses will be October 15, 2012.
RESOLVED FURTHER, that a new violation within the next year (ending October 9, 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 October 9, 2012. No. 12-551

BY COMMISSIONER FORSMAN:
WHEREAS, the St. Louis County Liquor Licensing Committee met on September 4, 2012, to consider recommending action to be taken by the County Board as a result of an alleged liquor law violation, sale to minor on July 27, 2012, against Vernon Skoglund d/b/a Silver Fox Lodge, Gnesen Township; and
WHEREAS, the Liquor Licensing Committee recommended a ten (10) day suspension and $1000 civil penalty, with nine (9) days of the suspension and $1000 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 October 9, 2012, at 9:45 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 violation.
NOW, THEREFORE, BE IT RESOLVED, that the On/Off-Sale 3.2 Percent Malt Liquor License No. B1343 and Consumption and Display Permit No. S1411 (Set-Up), issued to Vernon Skoglund d/b/a Silver Fox Lodge, Gnesen Township, are hereby suspended for ten (10) days and a $1000 civil penalty is due, with nine (9) days of the suspension and $1000 of the civil penalty stayed for one (1) year, with no same or similar violations during that period.
RESOLVED FURTHER, that the date of suspension of the liquor licenses will be May 3, 2013.
RESOLVED FURTHER, that a new violation within the next year (ending October 9, 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 license of the licensee pursuant to St. Louis County Ordinance Number 28, Section 13.
Unanimously adopted October 9, 2012. No. 12-552

BY COMMISSIONER FORSMAN:
NOW, THEREFORE, BE IT RESOLVED, that St. Louis County Board Resolution No. 12-371, dated June 26, 2012, authorizing a private sale of state tax forfeited land to Michael Jershe for a land value of $2,800, 3% assurance fee of $84, deed fee of $25, deed tax of $9.24, and recording fee of $46, include the appraisal fee of $600, for a total of $3,564.24.
RESOLVED FURTHER, that St. Louis County Board Resolution No. 12-371, dated June 26, 2012, be amended to add the following clause:
The St. Louis County Auditor shall offer for sale at an adjoining owner sale or public auction the state tax forfeited land described here if Michael Jershe does not purchase the land by November 30, 2012.
Yeas – Commissioners Jewell, O'Neil, Dahlberg, Forsman, Raukar, and Chair Nelson – 6
Absent – Commissioner Sweeney – 1
No. 12-553

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

SAP 69-598-037, CP 83767 located on CR 615, CR 620, and CR 583 (Salo Road and Hilltop Road) from CSAH 21 to CSAH 21 in Embarrass, Babbitt and Waasa Townships; and

WHEREAS, bids were opened in the St. Louis County Courthouse, Duluth, MN, on October 8, 2012, and KGM Contractors, Inc., Angora, MN, provided the low responsible bid in the amount of $1,157,662.82.
NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the award on the above project to the low bidder.

LOW BIDDER	ADDRESS	AMOUNT
KGM Contractors, Inc.	9211 Highway 53 Angora, MN 55703	$1,157,662.82

RESOLVED FURTHER, that the Chairman of the County Board, the County Auditor, and the County Attorney are authorized to approve the Contractor's Performance Bonds and to execute the bonds and contract for the above listed project payable from Fund 220, Agency 220282, Object 652700 consisting of:

Fund 220, Agency 220282, Object 652700 (Fund 29 Bridge Bond Funds):	$814,340.00
Fund 200, Agency 203277, Object 652800 (SLC Local Funds):	$343,322.82

With additional revenue budgeted for expense:

Fund 220, Agency 220282, Rev. Object 530401 (Fund 29 Bridge Bond):	$814,340.00

Unanimously adopted October 9, 2012. No. 12-554

BY COMMISSIONER SWEENEY:

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

SP 69-637-022, CP 161399 located on CSAH 37 (Jean Duluth Road between CR 286 and CSAH 43 in Lakewood Township); and

WHEREAS, bids were opened in the St. Louis County Courthouse, Duluth, MN, on October 8, 2012, and Redstone Construction Co., Inc., Mora, MN, provided the low responsible bid of $985,126.75.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the award on the above project to the low bidder.

LOW BIDDER	ADDRESS	AMOUNT
Redstone Construction Co., Inc.	P.O. Box 218 Mora, MN 55051	$985,126.75

RESOLVED FURTHER, that the Chairman of the County Board, the County Auditor, and the County Attorney are authorized to approve the Contractor's Performance Bonds and to execute the bonds and contract for the above listed project payable from Fund 225, Agency 161399, Object 652706.

Unanimously adopted October 9, 2012. No. 12-555

At 11:07 a.m., October 9, 2012, Commissioner Raukar, supported by Commissioner Jewell, moved to adjourn; 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)

**OFFICIAL PROCEEDINGS OF THE MEETING
OF THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF ST. LOUIS, MINNESOTA,
HELD ON OCTOBER 23, 2012**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 23rd day of October, 2012, at 9:31 a.m., in the Virginia City Hall, Virginia, Minnesota, with the following members present: Commissioners Frank Jewell, Steve O'Neil, Chris Dahlberg, Mike Forsman, Peg Sweeney, and Chair Keith Nelson - 6. Absent: Commissioner Steve Raukar – 1.

Chair Nelson asked for a moment of silence to honor those who protect and serve our communities and those who protect our freedoms, followed by the Pledge of Allegiance.

Chair Nelson explained that Commissioner Steve Raukar was attending Port Authority business.

Chair Nelson opened the meeting to persons who wanted to address the Board concerning issues not on the agenda and no one chose to do so.

Commissioner Sweeney, supported by Commissioner O'Neil, moved to approve the consent agenda. The consent agenda was then approved; six yeas, zero nays.

Commissioner Sweeney commented that October is breast cancer awareness month.

At 9:40 a.m., a public hearing was conducted pursuant to Resolution No. 12-523, adopted October 2, 2012, to consider allegations of a liquor law violation by Vermilion Ventures, LLC d/b/a Bayview Lodge, Greenwood Township. Assistant County Attorney James Nephew submitted a packet to the Board that included the resolution for the public hearing, required notices, and an affidavit of mailing. Attorney Nephew stated that Alissa Sundberg, co-owner of Bayview Lodge, is in the process of severing ties with co-owner, Erik Lietz, and recommends a continuation of the public hearing until that process is completed. Alissa Sundberg's representative, Attorney Shawn Reed, stated that two weeks would be in order for the paperwork to be completed. Commissioner Dahlberg noted that violation penalties are assessed to the business, not the owner; therefore, severing a partnership does not erase the penalty. Chair Nelson called for the Liquor License Committee to meet and review the situation on November 6, 2012, and continue the public hearing on November 13, 2012. Chair Nelson opened the floor up for public comment and no one chose to do so. At 9:57 a.m., Commissioner Dahlberg, supported by Commissioner O'Neil, moved to close the public hearing; six yeas, zero nays. Commissioner Forsman, supported by Commissioner O'Neil, moved to approve the continuation. The motion passed; six yeas, zero nays.

At 9:58 a.m., a public hearing was conducted pursuant to Resolution No. 12-524, adopted October 2, 2012, to consider allegations of a liquor law violation by Vermilion Ventures, LLC d/b/a Bayview Lodge, Greenwood Township. Assistant County Attorney James Nephew submitted a packet to the Board that included the resolution for the public hearing, required notices, and an affidavit of mailing. Attorney Nephew said that on October 15, 2011, a violation and penalty were assessed to the Bayview Lodge with 7 days of the suspension stayed and $700.00 of the civil penalty stayed for one year, with no same or similar violations during that period. Attorney Nephew recommends, if proven, the imposition of the remaining penalty as previously ordered. Representative of the establishment, Attorney Shawn Reed, addressed the Board stating that Alissa Sundberg, co-owner of Bayview Lodge, was prepared to go forward with admission of the first violation without admission to a new violation. The

employee who served the minor has since been terminated. Chair Nelson opened the floor for public comment. Marcie Moe addressed the Board with a noise issue. Gerald Wagner addressed the Board with loud music and large boats complaints. Chair Nelson explained that Greenwood Township handles their own planning and zoning ordinances in regards to these issues. Commissioner Forsman submitted emails he received from residents who could not attend the public hearing. Attorney Reed, speaking as representative of Bayview Lodge, stated that the concerns of the neighbors have been recognized and that Ms. Sundberg will address these concerns. At 10:28 a.m., Commissioner Sweeney, supported by Commissioner O'Neil, moved to close the public hearing; four yeas, zero nays, Commissioner Jewell temporarily absent. Commissioner O'Neil, supported by Commissioner Dahlberg, moved to approve the agreement. The motion passed; six yeas, zero nays. Resolution No. 12-564.

Chair Nelson opened the meeting to persons who wanted to address the Board concerning issues not on the agenda. James Medure addressed the Board.

Chair Nelson called for a recess at 11:01 a.m. to go to Committee of the Whole.

Chair Nelson reconvened the Board at 12:15 p.m.

Commissioner Sweeney, supported by Commissioner Jewell, moved to approve the second consent agenda which consisted of items approved at the Committee of the Whole meeting. The second consent agenda was then approved; six yeas, zero nays.

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

Kevin Gray, County Administrator, and James Gottschald, Human Resources Director, submitting Board Letter No. 12-413, Civil Service Supervisory Unit Bargaining Agreement 2012/2013.—59530

Kevin Gray, County Administrator, Mark Monacelli, Public Records & Property Valuation Director, and David Sipila, County Assessor, submitting Board Letter No. 12-418, Request for Reimbursement of Property Tax Relief Related to June 2012 Flood Event.—59531

Kevin Gray, County Administrator, and Barbara Hayden, Planning and Community Development Director, submitting Board File No. 12-421, Minnesota Investment Fund – Disaster Recovery Financing.—59532

Kevin Gray, County Administrator, submitting Board Letter No. 12-396, Establish a Public Hearing to Consider Renaming a Creek in Fairbanks and Bassett Townships as "Petrell Creek".—59533

Kevin Gray, County Administrator, and James Foldesi, Public Works Director/Highway Engineer, submitting Board Letter No. 12-404, Permanent Closure of Two Railroad Crossings and Revocation of State Aid Designation of CSAH 127 (Iron Junction).—59534

Kevin Gray, County Administrator, submitting Board Letter No. 12-405, 2013 Memorandum of Agreement University of Minnesota Extension.—59535

Kevin Gray, County Administrator, and Sherry Rodriguez, County Veterans Service Officer, submitting Board Letter No. 12-409, Acceptance of County Veterans Service Officer

Community Outreach Grant.—59536

Kevin Gray, County Administrator, and Ross Litman, Sheriff, submitting Board Letter No. 12-414, Acceptance of Amendment to the 2012 Boundary Waters Drug Task Force Grant.—59537

Kevin Gray, County Administrator, and Ross Litman, Sheriff, submitting Board Letter No. 12-415, FFY 2012 Emergency Management Performance Grant.—59538

Kevin Gray, County Administrator, and Ross Litman, Sheriff, submitting Board Letter No. 12-416, Authorization of Revised Contract with CenturyLink and Rescind County Board Resolution No. 12-550.—59539

Kevin Gray, County Administrator, and Don Dicklich, County Auditor, submitting Board Letter No. 12-417, Establish a Public Hearing to Consider Off-Sale Intoxicating Liquor License – Dawghouse Bar & Grill (Northland Township).—59540

Kevin Gray, County Administrator, and Barbara Hayden, Planning and Community Development Director, submitting Board Letter No. 12-419, 2011 HUD Shelter Plus Care Grant Agreement and MOU for New Moon Supportive Housing Project.—59541

Kevin Gray, County Administrator, and Donald Dicklich, County Auditor, submitting Board Letter No. 12-422, Agreement with the State of Minnesota for Snowmobile Trail Repair Due to June 2012 Flooding.—59542

Kevin Gray, County Administrator, and James Gottschald, Human Resources Director, submitting Board Letter No. 12-412, Designation of Safety & Risk Manager to Discharge the Duties of County Mine Inspector; and Reallocation of Assistant Mine Inspector Position.—59543

Contract for County-State Aid Highway Project between the County of St. Louis and KGM Constructors, Inc., Angora, MN, for culvert replacement and bituminous pavement on CSAH 27, Storm WO 160733.—12-867

Contract for County-State Aid Highway Project between the County of St. Louis and A Plus Landscaping, Inc., Saginaw, MN, for culvert replacement and bituminous pavement on CSAH 35, Storm WO 160828(low); WO 163895.—12-868

Payment and Performance Bond for Federal, State, or County Highway Construction and Maintenance Projects (Bond No. 929557253) for Hammerlund Construction, Inc., Grand Rapids, MN, for culvert replacement, Storm WO 160731.—12-869

Payment and Performance Bond for Federal, State, or County Highway Construction and Maintenance Projects (Bond No. 2162085) for Sinnott Contracting, LLC, Duluth, MN, for aggregate base, bituminous paving, and aggregate shoulders, Storm WO 161028(low); WO 161029; WO 161041; WO 161042; WO 161043.—12-870

Agreement for Professional Services between the County of St. Louis and Scalzo Architects, Ltd., Duluth, MN, for License Center Design for Relocation.—12-871

Agreement for Professional Services between the County of St. Louis and Scalzo Architects, Ltd., Duluth, MN, for Duluth Courthouse Skywalk Roof Replacement.—12-872

Addendum to Home and Community-Based Waiver Services Contract No. 14653F, between the Public Health and Human Services Department and Northland AFC, Inc.—12-873

Addendum to Home and Community-Based Waiver Services Contract No. 14670D, between the Public Health and Human Services Department and Salmi Homes, Inc.—12-874

Addendum to Home and Community-Based Waiver Services Contract No. 14958A, between the St. Louis County Board of Commissioners and Center for Independent Living of Northeastern Minnesota.—12-875

Agreement for Professional Services between the County of St. Louis and EPC Engineering & Testing, Duluth, MN, for Public Safety Campus Road Repair.—12-876

Agreement between the St. Louis County Sheriff's Office and Continental Prison Systems, Inc., d/b/a EZ Card and Kiosk, Irvine, CA, for one booking kiosk and one lobby kiosk for a period of three years from the date of installation.—12-877

Payment and Performance Bond for Federal, State, or County Highway Construction and Maintenance Projects (Bond No. 8232-20-30) for Ulland Brothers, Inc., Cloquet, MN, for culvert replacement, bituminous pavement on CSAH 2, Storm WO 160807A.—12-878

Payment and Performance Bond for Federal, State, or County Highway Construction and Maintenance Projects (Bond No. 8232-20-31) for Ulland Brothers, Inc., Cloquet, MN, for culvert replacement, bituminous pavement on CR 277, Storm WO 160387.—12-879

Payment and Performance Bond for Federal, State, or County Highway Construction and Maintenance Projects (Bond No. 8232-20-29) for Ulland Brothers, Inc., Cloquet, MN, for culvert replacement, bituminous pavement on CR 289, Storm WO 160816.—12-880

Payment and Performance Bond for Federal, State, or County Highway Construction and Maintenance Projects (Bond No. 929557257) for Hammerlund Construction Inc., for culvert replacement at various locations, Storm WO 161070; WO 161071; WO 161072; WO 161073.—12-881

Payment and Performance Bond for Federal, State, or County Highway Construction and Maintenance Projects (Bond No. 71332493) for A Plus Landscaping, Inc., for culvert replacement on CR 258, Storm WO 162647.—12-882

Payment and Performance Bond for Federal, State, or County Highway Construction and Maintenance Projects (Bond No. 8232-20-26) for Ulland Brothers, Inc., Cloquet, MN, for culvert replacement at various locations, Storm WO 160606(low); WO 160608; WO 160677; WO 164717.—12-883

Payment and Performance Bond for Federal, State, or County Highway Construction and Maintenance Projects (Bond No. GRMN34924A) for KTM Paving, Inc., for catch basin repair on CSAH 54 and CSAH 4, Storm WO 162165(low); WO 164047.—12-884

Payment and Performance Bond for Federal, State, or County Highway Construction and Maintenance Projects (Bond No. GRMN34923A) for KTM Paving, Inc., for bituminous pavement, aggregate shouldering on CSAH 56, Storm WO 160258.—12-885

Home and Community-Based Waiver Services Contract No. 14990 between the St. Louis County Board of Commissioners and Center for Independent Living of Northeastern Minnesota.—12-886

Addendum to Home and Community-Based Waiver Services Contract No. 14537E between the St. Louis County Board of Commissioners and TL Care Services, LLC, d/b/a Westview Services.—12-887

Group Residential Housing Rate Agreement No. 51459 between the St. Louis County Board of Commissioners and Westview Services – Grand.—12-888

Group Residential Housing Rate Agreement No. 51460 between the St. Louis County Board of Commissioners and Westview Services – Hutchinson.—12-889

Group Residential Housing Rate Agreement No. 51461 between the St. Louis County Board of Commissioners and Westview Services – Northland.—12-890

Group Residential Housing Rate Agreement No. 51462 between the St. Louis County Board of Commissioners and Westview Services – Portage I.—12-891

Group Residential Housing Rate Agreement No. 51463 between the St. Louis County Board of Commissioners and Westview Services – Portage II.—12-892

Group Residential Housing Rate Agreement No. 51464 between the St. Louis County Board of Commissioners and Westview Services – Redwing.—12-893

Group Residential Housing Rate Agreement No. 51291 between the St. Louis County Board of Commissioners and September House.—12-894

Group Residential Housing Rage Agreement No. 51447 between the St. Louis County Board of Commissioners and Better Living – Crestline.—12-895

Group Residential Housing Rate Agreement No. 51448 between the St. Louis County Board of Commissioners and Joy Rankin.—12-896

Group Residential Housing Rate Agreement No. 51367 between the St. Louis County Board of Commissioners and Mona Nelson and Mark Nelson d/b/a Bayside Adult Foster Home. —12-897

Group Residential Housing Rate Agreement No. 51405 between the St. Louis County Board of Commissioners and Northland Village – Buhl.—12-898

Group Residential Housing Rate Agreement No. 51406 between the St. Louis County Board of Commissioners and Northland Village – Hoyt Lakes.—12-899

Group Residential Housing Rate Agreement No. 51343 between the St. Louis County Board of Commissioners and Kiminki Homes, Inc. (Almac A).—12-900

Group Residential Housing Rate Agreement No. 51344 between the St. Louis County Board of Commissioners and Kiminki Homes, Inc. (Almac B).—12-901

Group Residential Housing Rate Agreement No. 51345 between the St. Louis County Board of Commissioners and Kiminki Homes, Inc. (House #2).—12-902

Group Residential Housing Rate Agreement No. 51346 between the St. Louis County Board of Commissioners and Kiminki Homes, Inc. (House #3).—12-903

Agreement between St. Louis County and Ballz Deep, Inc. d/b/a The Other Place Bar and Grill, Rice Lake Township, for a liquor law violation dated July 27, 2012.—12-904

Agreement between St. Louis County and Vernon Skoglund d/b/a Silver Fox Lodge, Gnesen Township, for a liquor law violation dated July 27, 2012.—12-905

Upon motion by Commissioner Sweeney, supported by Commissioner O'Neil, resolutions numbered 12-556 through12-563, 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 9, 2012, are hereby approved.
Adopted October 23, 2012. No. 12-556

RESOLVED, that the St. Louis County Board authorizes the appropriate county officials to sign grant contract No. 02153 with the State of Minnesota, Commissioner of Transportation, and any amendments approved by the County Attorney's office, whereby the State will pay the cost of emergency bridge assessment needs resulting from the June 2012 flood event up to $160,000. Funds will be receipted into Fund 225, Agency 161821, Object 521617.
Adopted October 23, 2012. No. 12-557

RESOLVED, that the St. Louis County Board authorizes the appropriate county officials to enter into an agreement, and approve any amendments authorized by the County Attorney, with LHB Corporation, Duluth, MN, for design/construction inspection services for the reconstruction of various bridges damaged during the June 2012 flood event. The total cost of these services is $1,324,613, payable from Fund 225, Agency 172199, Object 626600.
Adopted October 23, 2012. No. 12-558

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. 59401.
Adopted October 23, 2012. No. 12-559

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, dated October 5, 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 October 23, 2012. No. 12-560

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:

Dawghouse Bar & Grill, LLC, d/b/a Dawghouse Bar & Grill, Township of Northland, Tobacco Products License No. T12271, new.

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 October 23, 2012. No. 12-561

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:

Dawghouse Bar & Grill, LLC, d/b/a Dawghouse Bar & Grill, Township of Northland, Tobacco Products License No. T13271, 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 October 23, 2012. No. 12-562

WHEREAS, the St. Louis County Auditor has received a petition signed by residents of the Fairbanks and Bassett area in support of renaming Petrel Creek located from Bassett Township, Section 25, Township 57, Range 12, through Fairbanks Township to Section 36, Township 56, Range 13, terminating at Wolf Lake, and at least fifteen (15) of the petition signers have been verified as registered voters by the County Auditor; and

WHEREAS, Brimson resident, Michael Unger provided the following information in support of the name change:

"In Fairbanks Township, an important founding family, known as The Petrell family, managed the Petrell Post Office from 1909-1920 and provided land for, what is now, the township hall, called the Petrell Hall. Historically, this family was prominent in the Brimson area. In the early 1900s the local area was known as the 'Petrell Area'. A Fairbanks Township road in Section 2, called Petrell Road, reinforces this idea along with the first log school in the local area called Petrell School in session from 1908-1920, built alongside Petrel Creek. We believe that Petrel Creek was named after this family but the name was subsequently misspelled. There is no mention of a family name spelled 'Petrel' in existing histories such as the Brimson-Toimi Legacy book and others. This change would establish the Petrell name correctly as the historical root for the creek"; and

WHEREAS, County Administration has contacted Peter Boulay, State Climatology Office, Department of Natural Resources (DNR), Division of Waters, about the proposed name identification, and Mr. Boulay researched state geographic features named "Petrell" in the state of Minnesota, and could not find another creek identified with that name; and

WHEREAS, the DNR is supportive of the naming proposal and has encouraged a positive action by the St. Louis County Board; and

WHEREAS, Minnesota Statutes require that the County Board conduct a public hearing on any request for the naming or renaming of state geographic features and waterways.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board establishes a public hearing for Tuesday, November 13, 2012, at 9:50 a.m. in the County Board Room, St. Louis County Courthouse, Duluth, MN, to consider the renaming of a creek located from Bassett Township, Section 25, Township 57, Range 12, through Fairbanks Township to Section 36, Township 56, Range 13, terminating at Wolf Lake, "Petrell Creek".

Adopted October 23, 2012. No. 12-563

BY COMMISSIONER O'NEIL:
WHEREAS, the St. Louis County Liquor Licensing Committee met on September 11, 2012, to consider recommending action to be taken by the County Board as a result of an alleged liquor law violation, sale to minor on April 12, 2012, against Vermilion Ventures, LLC d/b/a Bayview Lodge, Greenwood Township; and
WHEREAS, the Liquor Licensing Committee recommended imposing the remaining stayed seven (7) day license suspension and $700 civil penalty for the violation that occurred on October 15, 2011; and
WHEREAS, after hearing testimony on the matter at a public hearing conducted on October 23, 2012, at 9:45 a.m. in the Virginia City Hall, Virginia, MN, the St. Louis County Board determined the recommendation of the St. Louis County Liquor Licensing Committee to be an appropriate penalty for violating the provision to have no same or similar liquor law violation.
NOW, THEREFORE, BE IT RESOLVED, that the Combination On/Off-Sale Intoxicating Liquor License No. CMB13139 and Sunday On-Sale Intoxicating Liquor License No. SUN13139, issued to Vermilion Ventures, LLC d/b/a Bayview Lodge, Greenwood Township, are hereby suspended for seven (7) days and a $700 civil penalty is due.
RESOLVED FURTHER, that the dates of suspension of the liquor licenses will be October 25, 2012, through October 31, 2012.
Unanimously adopted October 23, 2012. No. 12-564

Upon motion by Commissioner Sweeney, supported by Commissioner Jewell, the following resolutions numbered 12-565 through 12-589, as submitted on a second consent agenda, were unanimously adopted as follows:

BY COMMISSIONER SWEENEY:
WHEREAS, the contract with Jessica Taylor of Duluth, MN, for the purchase of state tax forfeited land is in default for failure to provide proof of insurance; and
WHEREAS, the purchaser was properly served with Notice of Cancellation of Contract by civil process and has failed to cure the default for lands legally described as:

CITY OF DULUTH
LOTS 1 AND 2 AND SLY 17 FT OF LOT 3
MACFARLANES GRASSY POINT ADD TO DULUTH
Parcel Code: 010-3140-00700
C22100102

WHEREAS, Minn. Stat. §§ 282.04, Subd. 2(d), and 504B.271 authorize the County Auditor to dispose of abandoned personal property; and
WHEREAS, the previous owner(s) 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.
Adopted October 23, 2012. No. 12-565

WHEREAS, the contract with Bruce Hollman of Buhl, 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 publication and has failed to cure the default for lands legally described as:

TOWN OF FAYAL

PART OF LOT 5 BEG 98 22/100 FT E OF SW CORNER OF PLAT THENCE CONTINUE ALONG SAME LINE 118 55/100 FT THENCE S 13 DEG E 214 70/100 FT THENCE S 77 DEG W 115 FT THENCE N 13 DEG W 243 49/100 FT TO POINT OF BEG
Section 10, Township 57 North, Range 17 West
Parcel Code: 340-0010-01847
C22100042

WHEREAS, Minn. Stat. §§ 282.04, Subd. 2(d), and 504B.271 authorize the County Auditor to dispose of abandoned personal property; and

WHEREAS, the previous owner(s) 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.

Adopted October 23, 2012. No. 12-566

WHEREAS, Duluth Independent School District No. 709 has requested to purchase the following described state tax forfeited land for the value of $18,000, plus fees, for the purpose of outdoor classroom and natural area, legally described as:

LOT 566
HOMECROFT PARK TOWN OF RICE LAKE
Township: Rice Lake
Parcel Code: 520-0130-01770
Acres: 0.89
LDKEY: 45929

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

WHEREAS, this lot 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; and

WHEREAS, this lot has been classified as conservation land pursuant to Minn. Stat. § 282.01.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the sale of state tax forfeited land, as described, to Duluth Independent School District No. 709 for the appraised value of $18,000, plus the following fees: 3% assurance fee of $540, deed fee of $25, deed tax of $59.40, recording fee of $46; for a total of $18,670.40, to be deposited into Fund 240 (Forfeited Tax Fund).

RESOLVED FURTHER, that the St. Louis County Auditor shall offer for sale at public auction the state tax forfeited land described here if Duluth Independent School District No. 709 does not purchase the land by December 31, 2012.

Adopted October 23, 2012. No. 12-567

WHEREAS, the St. Louis County Public Works Department has been approached by the Hanson Lake Road Association, Inc., a non-profit corporation pursuant to Minnesota Statutes Chapter 317 and representing several owners of property located generally in Section 35, Unorganized Township 64-13, to apply to the State of Minnesota for a roadway right of way easement over State Trust land and to the Superior National Forest for a roadway right of way easement over Federal land; and

WHEREAS, the State of Minnesota can only grant easements over school trust land to governmental entities and such easements must have continuous access to a public road; and

WHEREAS, the Hanson Lake Association, Inc., will be solely responsible for the road construction, improvements, and ongoing maintenance necessary to conform to Minnesota Department of Natural Resources standards as contained in the Right of Way Easement to be issued by the State of Minnesota.

NOW, THEREFORE, BE IT RESOLVED, that the State of Minnesota Department of Natural Resources is hereby requested to provide St. Louis County with an easement across the following described property:

> A thirty-three foot wide permanent easement for public roadway purposes over, under, and across the NE ¼ of the SE ¼, the NW ¼ of the SE ¼, the SW ¼ of the SE ¼, and the SE ¼ of the SW ¼ of Section 25; the NE ¼ of the NW ¼, the NW ¼ of the NE ¼, the SE ¼ of the NW ¼, the NE ¼ of the SW ¼, the SE ¼ of the SW ¼, and the SW ¼ of the SW ¼ of Section 36; and the SE ¼ of the SE ¼ of Section 35, all in Township 64 North, Range 13 West of the Fourth Principal Meridian, more or less over the course of the existing Hanson Lake Forest Road. A complete centerline description of the easement area will be provided by the Hanson Lake Road Association, Inc., when the survey of same is completed, prior to formal application for the easement to the State of Minnesota.

RESOLVED FURTHER, that to provide continuity to the above described easement with County State Aid Highway 116 (the Echo Trail), the Superior National Forest is hereby requested to provide St. Louis County with an easement across the following described property:

> A thirty-three foot wide permanent easement for public roadway purposes over, under, and across the NW ¼ of the SW ¼ and the SW ¼ of the SW ¼ of Section 30, Township 64 North, Range 12 West of the Fourth Principal Meridian, more or less over the course of the existing Hanson Lake Forest Road. A complete centerline description of the easement area will be provided by the Hanson Lake Road Association, Inc., when the survey of same is completed, prior to formal application for the easement to the Superior National Forest.

RESOLVED FURTHER, that the St. Louis County Board authorizes the appropriate county officials to execute an agreement with the Hanson Lake Road Association, Inc., and any amendments thereto as approved by the County Attorney's office, for future improvement and maintenance expenses of the road and for payments to the Minnesota Department of Natural Resources and/or the Superior National Forest for the acquisition of this permanent road easement.

Adopted October 23, 2012. No. 12-568

WHEREAS, representatives of Wisconsin Central, Ltd. (Railroad), the Minnesota Department of Transportation, St. Louis County and the City of Iron Junction have been meeting and evaluating those railroad crossings known as DOT No. 251968W and 251990J located on County State Aid Highway 127 (Main Street) within the City of Iron Junction; and

WHEREAS, these representatives have agreed that the described railroad crossings can be permanently closed in the interest of public safety and convenience without significant adverse effects upon the traveling public, business, and the delivery of emergency services; and

WHEREAS, adequate plans have been developed to mitigate the loss of access to instrumentalities of the City of Iron Junction and the Railroad, and to compensate the City of Iron Junction for the loss of convenience caused by this closure.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the appropriate county officials to execute an agreement, and any amendments approved by the County Attorney, with the City of Iron Junction, setting forth the terms and conditions for the permanent closure of the two railroad crossings of CSAH 127 (Main Street) described above.

Adopted October 23, 2012. No. 12-569

WHEREAS, representatives of the Wisconsin Central, Ltd. (Railroad), the Minnesota

Department of Transportation, St. Louis County and the City of Iron Junction have been meeting and evaluating those railroad crossings known as DOT No. 251968W and 251990J located on County State Aid Highway 127 (Main Street) within the City of Iron Junction; and
WHEREAS, these representatives have agreed that the described railroad crossings can be permanently closed in the interest of public safety and convenience without significant adverse effects upon the traveling public, business, and the delivery of emergency services; and
WHEREAS, adequate plans have been developed to mitigate the loss of access to instrumentalities of the City of Iron Junction and the Railroad, and to compensate the City of Iron Junction for the loss of convenience caused by this closure.
NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the appropriate county officials to execute an agreement, and any amendments approved by the County Attorney, with Wisconsin Central, Ltd., a Limited Liability company under the laws of the State of Illinois, setting forth the terms and conditions for the permanent closure of the two railroad crossings of CSAH 127 (Main Street) described above.
Adopted October 23, 2012. No. 12-570

WHEREAS, under the provision of Minnesota Laws, County State Aid Highway 127 may no longer meet the intent of Minnesota Rules 8820.0500 to form part of an integrated network of highways.
NOW, THEREFORE, BE IT RESOLVED, that, subject to the approval of the Commissioner of Transportation of the State of Minnesota, the St. Louis County Board revokes as a County State Aid Highway, the highways described as follows:

County State Aid Highway No. 127, from the intersection with County State Aid Highway No. 7 westerly 0.16 mile to the intersection with County Road 452 (State Aid Segment # 69-727-010), which is hereby designated as St. Louis County Road No. 452,

and

County State Aid Highway No. 127, from the intersection with County Road 452 north and then easterly 0.38 mile to the intersection with County State Aid Highway No. 7 (State Aid Segment # 69-727-030), which is hereby designated as St. Louis County Road No. 789.

RESOLVED FURTHER, that the County Auditor is authorized and directed to forward two certified copies of this resolution and attached maps to the Commissioner of Transportation for consideration.
Adopted October 23, 2012. No. 12-571

WHEREAS, on May 23, 2012, the County Extension Committee recommended that the St. Louis County Board of Commissioners approve a Memorandum of Agreement (MOA) between the County and University of Minnesota to provide specific Extension programs within St. Louis County and for Extension staff to perform these services; and
WHEREAS, the proposed MOA is for one year beginning January 1, 2013, through December 31, 2013, including three positions identified as 4-H Program Coordinator (2.75 FTEs) for a total contract price of $180,263.
NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the appropriate county officials to sign the 2013 Memorandum of Agreement with the University of Minnesota to provide Extension programs totaling $180,263, payable from Fund 184, Agency 184001, Object 629900; and Fund 184, Agency 186002, Object 629900.
Adopted October 23, 2012. No. 12-572

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 of Commissioners authorizes the following budget changes:

1. Use of depreciation reserve/leasehold improvement fund to have a water heater moved for the Jail energy upgrade projects ($264.00).
2. Use of depreciation reserve/leasehold improvement fund to purchase solar equipment for the Jail roof project (Phase II energy upgrades) ($1,492.00).
3. Increase intra-county revenue budget for insurance charges in the Property Casualty Liability fund and decrease use of fund balance as a result ($304,648.32).
4. Use of Attorney Trust Accounts-Victim/Witness fund balance to purchase parking passes for victims of crime who have little or no means to pay for parking meters so they may attend trial ($180.00).
5. Establish revenue and expense budget for new fund created in Mitchell Humphrey accounting software to track Boundary Waters Drug Task force buy money; account was previously tracked in Quicken software ($20,000.00).
6. Increase revenue and expense budgets in capital project fund to account for unexpected power grant rebate revenue for energy efficiency ($3,872.60).
7. Use of fund balance restricted for Recorder's Equipment to purchase new computers for Assessor's and Recorder's employees ($70,000.00) and to have microfilm of Torrens documents scanned and indexed ($25,000.00).
8. Transfer from Auditor ($10,000.00) and Administration ($8,025.00) to capital projects fund for design fees associated with Auditor's license center relocation.
9. Increase revenue and expense budget in HAVA (Help America Vote Act) grant to account for interest earned ($8.55).
10. Reallocate Senior Engineer position to Principal Engineer position within Public Works – no budget changes as the $4,597.00 annual increase can be absorbed within existing 2012 personnel budget.
11. Reallocate Social Service Supervisor III position to Social Worker position within Public Health & Human Services; reduce expense budget and increase contribution to fund balance by annual savings amount prorated for remaining three months of 2012 ($5,817.00).
12. Use of Public Health & Human Services technology improvements fund balance for a one-time investment in technology ($25,000).
13. Reallocate Information Specialist I position to Information Specialist II position within Public Health & Human Services – no budget changes as the $2,976 annual increase can be absorbed within existing personnel budget.

						Expense Budget	Transfer Out	Accumulation of Fund Balance	Revenue Budget	Transfers In	Use of Fund Balance
1	402	402005	663100			264.00					
	402	402001	630900			(264.00)					
2	402	402005	663100			1,492.00					
	402	402001	630900			(1,492.00)					
3	720	720001	553020						(304,648.32)		
	720	99999	311202								304,648.32
4	169	169001	635500			180.00					
	169	999999	311030								(180.00)
5	187	187001	583213						(20,000.00)		
	187	187001	642700			20,000.00					
6	400	400015	545117						(417.00)		
	400	400015	545137						(3,455.60)		
	400	400015	663100			3,872.60					
7	100	999999	3111014								(95,000.00)
	100	121002	640400			70,000.00					
	100	121001	623900			25,000.00					
8	100	104001	629900			(8,025.00)					
	100	115011	629900			(10,000.00)					
	400	400035	660265			18,025.00					
	100	115011	697600				10,000.00				
	100	104001	697600				8,025.00				
	400	400035	590100							(18,025.00)	
9	100	127999	571000	12701	2006				(8.55)		
	100	127999	629900	12701	2006	8.55					
10	200	200008	610100			4,597.00	*(this is the annual increase amount - no entry was made as they are able to absorb in their personnel budget)*				
11	230	230006	610800			(5,817.00)					
	230	999999	311200					5,817.00			
12	230	999999	311401								(25,000.00)
	230	230038	640400			25,000.00					
13	230	230019	610100			2,976.00	*(this is the annual increase amount - no entry was made as they are able to absorb in their personnel budget)*				

Adopted October 23, 2012. No. 12-573

WHEREAS, Dawghouse Bar & Grill, LLC d/b/a Dawghouse Bar & Grill, Northland Township, St. Louis County, Minnesota, has applied for On-Sale and Sunday On-Sale Intoxicating Liquor Licenses; and

WHEREAS, Minn. Stat. Chapter 340A.404, Subdivision 6, Paragraph (a), "permits the county board to issue an on-sale intoxicating liquor license within the area of the county that is unorganized or unincorporated to a bowling center, restaurant, club, or hotel with the approval of the commissioner"; and

WHEREAS, with regard to the application for said licenses, Dawghouse Bar & Grill has complied in all respects with the requirements of Minnesota Law and St. Louis County Ordinance No. 28.

NOW, THEREFORE, BE IT RESOLVED, that On-Sale Intoxicating Liquor License (License Number CMB13150) and Sunday On-Sale Intoxicating Liquor License (License Number SUN13150) shall be issued to Dawghouse Bar & Grill, LLC d/b/a Dawghouse Bar & Grill, Northland Township, located in Area 3, for an annual fee of $950.00.

RESOLVED FURTHER, that said liquor license shall be effective November 1, 2012, through June 30, 2013.

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

RESOLVED FURTHER, that said license is approved contingent upon proof of liquor liability and workers' compensation insurance and approval from the Minnesota Department of Health and St. Louis County Environmental Services.

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

Adopted October 23, 2012. No. 12-574

WHEREAS, the U.S. Department of Housing and Urban Development has awarded St. Louis

County $60,203 in FY 2011 Emergency Solutions Grant funding and $190,582 in FY 2012 Emergency Solutions Grant funding; and

WHEREAS, the Planning and Community Development and Public Health and Human Services Departments conducted a joint request for proposals with the City of Duluth to allocate the 2011 and 2012 ESG funding; and

WHEREAS, the applications were reviewed by county and city staff and the Heading Home Leadership Council through the St. Louis County Homeless Continuum of Care process resulting in funding recommendations to the St. Louis County Board and the Duluth City Council.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board allocates FY 2011 and FY 2012 projects from grants and authorizes the appropriate county officials to execute agreements for approved projects and that disbursements related to the ESG agreements be made from ESG Fund 173 as follows:

Agency-ESG Fund 173

2011 and 2012 ESG Program – St. Louis County	
Project	**Amount**
Arrowhead Economic Opportunity Agency – Homeless Assistance (Shelter Operations)	$44,063
Arrowhead Economic Opportunity Agency – Flex Fund Administration (Rapid Re-Housing)	$136,837
Range Transitional Housing – Homeless Assistance (Case Management)	$25,400
Legal Aid Service of NE Minnesota Virginia Office – Legal Services	$15,000
Amherst H. Wilder Foundation – HMIS (data collection and reporting)	8,000
St. Louis County – Administration	$21,485
Total - ESG	**$250,785**

Adopted October 23, 2012. No. 12-575

WHEREAS, the 2013 Minnesota State Legislature funded the County Veterans Service Office Community Outreach Grant, allowing the Minnesota Department of Veterans Affairs to open a grant process for County Veteran Service Offices to put forth proposals for grants to provide community outreach services to Minnesota veterans; and

WHEREAS, the St Louis County Veterans Service Officer prepared a grant application for $2,298.00 for community outreach to be used within a seven month period.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board accepts the Minnesota Department of Veterans Affairs County Veterans Service Office Community Outreach Grant in the amount of $2,298.00 for outreach, as defined in Minn. Stat. § 197.608, to all eligible veterans regarding the availability of benefits they have earned and especially those relating to post-traumatic stress disorder for all veterans, including World War II, Korean War, and Vietnam War era veterans, and should not be used to supplant or replace other funding.

RESOLVED FURTHER, that the appropriate county officials are authorized to execute the grant agreement and documents.

RESOLVED FURTHER, that the St Louis County Veterans Service Office 2013 budget is amended to include receipt of $2,298.00 from the MDVA, with funds deposited into Fund 100, Agency 124999, Grant 12403, and Year 2013.

Adopted October 23, 2012. No. 12-576

WHEREAS, the Planning and Community Development Department continues to review office staffing requirements and has determined that a current Information Specialist II position assigned to community development work will not be filled; and

WHEREAS, the Planning and Community Development Department in its capacity as lead on the county's Geographic Information System (GIS) program has identified a critical need for database administration; and
WHEREAS, the Information Technology (IT) Department in its capacity as lead on the county's land records databases has identified a critical need for database administration; and
WHEREAS, the Planning and Community Development Department has discussed this need with the IT and Human Resources Departments and the three have decided a Technical Services Analyst III position is the best fit for the technical needs, with the position managed through a shared coordination model; and
WHEREAS, the IT Department has sufficient personnel savings to fund this position for the rest of 2012 and it will be built into its 2013 budget; and
WHEREAS, County Fiscal Policies specify that any position change greater than three pay grades must go to the County Board for approval.
NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the reallocation of the Information Specialist II (pay grade 10) position in Planning and Community Development Department to a Technical Services Analyst III (pay grade 25) in the Information Technology Department (Fund 100, Agency 117013) and make associated budgetary changes effective November 3, 2012.
Adopted October 23, 2012. No. 12-577

WHEREAS, the former incumbent in the job class of Contract & Procurement Specialist recently retired from the Property Management Department, leaving the position vacant; and
WHEREAS, in analyzing the needs of the department and the most appropriate means of replacing the incumbent, it was determined that the position would be best situated in the county's Purchasing Division where it could be a shared resource with several departments including the Sheriff's Office, Public Works, and Property Management.
NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the reallocation of one (1) full time equivalent Contract & Procurement Specialist from the Property Management Department (Fund 100, Agency 128002), to the Purchasing Division of the Administration Department (Fund 100, Agency 119001).
RESOLVED FURTHER, that the personnel complement for Property Management is reduced by one (1) full time equivalent Contract & Procurement Specialist, and the personnel complement for the Administration Department, Purchasing Division, is increased by one (1) full time equivalent effective with the start of the next pay period, November 3, 2012.
Adopted October 23, 2012. No. 12-578

WHEREAS, St. Louis County has a unique value-added role to provide the mining industry through the county mine inspector function; and
WHEREAS, the present County Mine Inspector will retire effective October 19, 2012, and County Administration has been involved in a business improvement analysis and a stakeholder analysis during the past two years in preparation of succession planning for this county function; and
WHEREAS, it is the desire of the county to designate the Safety and Risk Manager as the appropriate county official to discharge the duties of mine inspector on an interim basis; and
WHEREAS, the county has determined that the reallocation of an existing vacant Assistant Mine Inspector (pay grade B17) 1.0 Full Time Equivalent (FTE) position to a Loss Control Specialist (pay grade B25) with a working title of Mine Safety Specialist, who will conduct mine inspections as well as initiate mining related loss control initiatives, would add value to this work; and
WHEREAS, County Fiscal Policies require any position change greater than three pay grades go to the County Board for approval; and
WHEREAS, funding is available within the Safety and Risk Management budget and the County Attorney's Office and Human Resources Department have reviewed both requested

items.
NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board designates the Safety and Risk Manager as the appropriate county official to discharge the duties of county mine inspector in St. Louis County effective immediately.
FURTHER RESOLVED, that the County Board authorizes the reallocation of 1.0 FTE Assistant Mine Inspector position (pay grade B17) to 1.0 FTE Loss Control Specialist (pay grade B25) (Mine Safety Specialist) and make associated budgetary changes effective November 3, 2012.
Adopted October 23, 2012. No. 12-579

RESOLVED, that the 2012/2013 Civil Service Supervisory Unit contract is ratified and County officials are authorized to execute the Collective Bargaining Unit Agreement, a copy of which is on file in County Board File No. 59530.
Adopted October 23, 2012. No. 12-580

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 an amended 2012 Boundary Waters Drug Task Force grant, increasing the amount from $96,043 to $192,086 and changing the expiration date from December 31, 2012, to December 31, 2013.
NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board accepts the amendment to the 2012 Boundary Waters Drug Task Force Grant in the amount of $192,086, to be accounted for in Fund 100, Agency 129999, Grant 12901, Year 2012.
RESOLVED FURTHER, that the St. Louis County Board authorizes the appropriate county officials to sign any associated contract documents.
Adopted October 23, 2012. No. 12-581

WHEREAS, the State of Minnesota has made $78,117 available through the Emergency Management Performance Grant to assist the St. Louis County Sheriff's Office for local emergency management programs.
NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes application and acceptance of the 2012 State of Minnesota, Emergency Management Performance Grant in the amount of $78,117, to be accounted for in Fund 100, Agency 132001, Revenue Code 540901.
RESOLVED FURTHER, that the St. Louis County Board authorizes the appropriate county officials to sign any associated contract documents.
Adopted October 23, 2012. No. 12-582

WHEREAS, on October 9, 2012, by Resolution No. 12-550, the County Board approved a maintenance agreement with CenturyLink and the purchase of two power stations; and
WHEREAS, purchasing two new 911 workstations and upgrading the current ten workstations simultaneously will ensure stability of the county's 911 system and allow for the migration to Next Generation 911; and
WHEREAS, ten 911 workstations are nearing end of service and will need to be upgraded early next year.
NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes an agreement with CenturyLink Government to upgrade the 911 phone system and purchase two (2) new workstations in the amount of $206,000, plus tax, not to exceed $14,000 for the installation and hardware portions, to be accounted for in Fund 179, Agency 179001, Object 665900.
RESOLVED FURTHER, that the St. Louis County Board authorizes the appropriate county officials to sign any associated contract documents.

RESOLVED FURTHER, that the County Board Resolution No. 12-550, dated October 9, 2012, is hereby rescinded.
Adopted October 23, 2012. No. 12-583

RESOLVED, that a public hearing will be held at 9:40 a.m., November 6, 2012, in the St. Louis County Courthouse, Duluth, Minnesota, for the purpose of considering an Off-Sale Intoxicating Liquor License for Dawghouse Bar & Grill, LLC d/b/a Dawghouse Bar & Grill, Northland Township.
Adopted October 23, 2012. No. 12-584

WHEREAS, St. Louis County experienced a flood-related disaster on June 19 and 20, 2012; and
WHEREAS, the disaster caused extensive property damage to residential, seasonal, agricultural, and commercial properties in St. Louis County; and
WHEREAS, St. Louis County was declared a disaster area by Presidential declaration on July 6, 2012, and;
WHEREAS, Minn. Stat. §§ 273.1231 - 273.1235 provide for property tax relief upon reassessment of properties damaged by disaster, and upon application to the Governor of the State of Minnesota and the Executive Council, and;
WHEREAS, the minimum requirements of the aforementioned statutes have been met as demonstrated in the damage assessment reports found in County Board File No. 59531.
NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board requests that the property tax abatements and credits granted to property owners under §§ 273.1231 - 273.1235 for the disaster that occurred on June 19 and 20, 2012, be reimbursed pursuant to the provisions of Minn. Stat. §§ 273.1231 - 273.1235.
Adopted October 23, 2012. No. 12-585

WHEREAS, the U.S. Department of Housing and Urban Development has notified St. Louis County of the award of $215,280 in Shelter Plus Care (S+C) Program funding from the FY 2011 Continuum of Care Homeless Assistance Programs competition; and
WHEREAS, the S+C funding will provide five years of rental assistance for homeless persons entering housing units of the New Moon Supportive Housing Program owned and operated by the Bois Forte Band of Chippewa and related administrative expenses; and
WHEREAS, construction of the New Moon development has been completed, the units are ready for occupancy, and the Bois Forte Band will provide supportive services and independent living skills training to assist the New Moon residents. The cost of these services will be reported as HUD-required match to the S+C funding.
NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the Planning and Community Development Director to execute the FY 2011 HUD Shelter Plus Care grant agreement and all other necessary documents to accept the funding.
RESOLVED FURTHER, that the Planning and Community Development Director is authorized to execute the memorandum of understanding between St. Louis County and the Bois Forte Band of Chippewa to implement the New Moon Supportive Housing Program.
RESOLVED FURTHER, that funds will be received and payable from Fund 173, Agency 173999, Grant 17302, Grant Year 2012.
Adopted October 23, 2012. No. 12-586

WHEREAS, the August 24, 2012, Special Session of the State Legislature set aside $500,000 in the Department of Public Safety budget for debris removal; and
WHEREAS, Homeland Security representatives have suggested that these funds should be used to pay for any debris removal costs not paid by FEMA as well as to help cover the cost of debris removal during reconstruction; and
WHEREAS, Homeland Security, through the regional Long Term Recovery Committee, has

identified the county as the appropriate agency to apply for these funds; and
WHEREAS, the Long Term Recovery Committee, hosted by the United Way of Greater Duluth, identified a budget for this project totaling a request of $200,000 from the Department of Public Safety.
NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the appropriate county officials to apply for and accept $200,000 of Department of Public Safety funds designated for flood related debris removal and create the revenue and expense budget in Fund 100, Agency 104999, Grant 10403, Year 2012.
RESOLVED FURTHER, that the St. Louis County Board authorizes the county to contract with United Way of Greater Duluth to administer these funds.
Adopted October 23, 2012. No. 12-587

WHEREAS, on August 24, 2012, state legislation was passed which provided $15 million in the Minnesota Investment Fund (MIF) Disaster Recovery Financing for local units of government to assist businesses impacted from the 2012 flood; and
WHEREAS, the Minnesota Department of Employment and Economic Development is currently taking applications for the 2012 MIF Disaster Recovery Financing; and
WHEREAS, two businesses have requested MIF Disaster Recovery Financing and an application for $170,000 will be prepared to include funding for Lake States Insulation for $150,000, the Retreat Golf Course for $15,000 and administration for $5,000.
NOW, THEREFORE, BE IT RESOLVED, that St. Louis County will act as the legal sponsor for projects contained in the $170,000 Minnesota Investment Fund Disaster Recovery Application to be submitted on or about November 1, 2012, and that the St. Louis County Planning and Community Development Director is authorized to apply to the Minnesota Department of Employment and Economic Development for funding on behalf of St. Louis County.
RESOLVED FURTHER, that St. Louis County has the legal authority to apply for financial assistance, and the institutional, managerial, and financial capability to ensure adequate administration of the projects.
RESOLVED FURTHER, that St. Louis County has not violated any federal, state, or local laws pertaining to fraud, bribery, kickbacks, collusion, conflict of interest or other unlawful or corrupt practice.
RESOLVED FURTHER, that St. Louis County adopts the St. Louis County Guidelines for administering the Minnesota Investment Fund contended in County Board File No. 59532.
RESOLVED FURTHER, that upon state approval of the application, St. Louis County may enter into an agreement with the state of Minnesota for the MIF Disaster Recovery Financing and that St. Louis County certifies that it will comply with all applicable laws and regulations as stated in all contract agreements.
RESOLVED FURTHER, that the St. Louis County Planning and Community Development Director is authorized to execute such agreements, and amendments thereto, as are necessary to implement the projects on behalf of St. Louis County.
RESOLVED FURTHER, that the St. Louis County Planning and Community Development Director and a representative of the County Attorney are authorized to execute loan agreements and all necessary documents for the approved projects.
RESOLVED FURTHER, that funds be deposited and dispersed into Fund 176, Agency 176999, Grant 17601, Year 2012.
Adopted October 23, 2012. No. 12-588

WHEREAS, St. Louis County is the sponsor of Grant-In-Aid Trails, including those maintained by the Pequaywan Area Trailblazers, Inc.; and
WHEREAS, the Pequaywan Area Trailblazers trail system sustained significant damage during the severe storms and flooding in June 2012; and
WHEREAS, the repair of the storm and flood damage sustained by this trail system is eligible

for funding through Federal Disaster Declaration (FEMA-4069-DR-MN); and
WHEREAS, the State of Minnesota has agreed to provide advance funding to the county for the reconstruction of the Grant-In-Aid Trail in accordance with the terms of the St. Louis County Grant-In-Aid Trails 2012 Disaster Rehabilitation Project Cooperative Agreement between the State of Minnesota and St. Louis County.
NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the appropriate county officials to execute the cooperative agreement with the State of Minnesota for the 2012 Disaster Rehabilitation Project, subject to approval of the County Attorney, with estimated expenses not to exceed $45,000.
Adopted October 23, 2012. No. 12-589

At 12:17 p.m., October 23, 2012, Commissioner Sweeney, supported by Commissioner Dahlberg, moved to adjourn; six 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)