

## AGENDA

### REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF ST. LOUIS COUNTY, MINNESOTA



**Tuesday, June 4, 2013, 9:30 A.M.**

**County Board Room, Second Floor  
St. Louis County Courthouse  
100 N. 5<sup>th</sup> Avenue West  
Duluth, Minnesota**

**CHRIS DAHLBERG, Chair  
Third District**

**FRANK JEWELL  
First District**

**STEVE O'NEIL  
Second District**

**MIKE FORSMAN, Vice Chair  
Fourth District**

**PETE STAUBER  
Fifth District**

**KEITH NELSON  
Sixth District**

**STEVE RAUKAR  
Seventh District**

County Auditor  
Donald Dicklich

County Administrator  
Kevin Gray

County Attorney  
Mark Rubin

Interim Clerk of the Board  
Phil Chapman

The St. Louis County Board of Commissioners welcomes you to this meeting. This agenda contains a brief description of each item to be considered. The Board encourages your participation. If you wish to speak on an item contained in the agenda, you will be allowed to address the Board when a motion is on the floor. If you wish to speak on a matter that does not appear on the agenda, you may do so during the public comment period at the beginning of the meeting. Except as otherwise provided by the Standing Rules of the County Board, no action shall be taken on any item not appearing in the agenda.

When addressing the Board, please sign in at the podium and state your name and address for the record. Please address the Board as a whole through the Chair. Comments to individual Commissioners or staff are not permitted. The St. Louis County Board promotes adherence to civility in conducting the business of the County. Civility will provide increased opportunities for civil discourse in order to find positive resolutions to the issue before the Board. Tools of civility include: pay attention, listen, be inclusive, do not gossip, show respect, be agreeable, apologize, give constructive criticism and take responsibility [County Board Resolution No. 560, adopted on September 9, 2003]. Speakers will be limited to five (5) minutes.

**\*\*In compliance with the Americans with Disabilities Act, those requiring accommodation for this meeting should notify Property Management 72 hours prior to the meeting at (218)725-5085.\*\***

All supporting documentation is available for public review in the County Auditor's Office, 100 North 5th Avenue West - Room No. 214, St. Louis County Courthouse, Duluth, MN, during regular business hours 8:00 A.M. - 4:30 P.M., Monday through Friday. Agenda is also available on our website at <http://www.stlouiscountymn.gov/GOVERNMENT/BoardofCommissioners.aspx>

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9:30 A.M.      Moment of Silence  
                    Pledge of Allegiance  
                    Roll Call

*“St. Louis County History: People & Places” – Commissioner Stauber,  
Fifth District*

AT THIS TIME CITIZENS WILL BE ALLOWED TO ADDRESS THE BOARD ON ITEMS NOT ON THE AGENDA. [Speakers will be limited to 5 minutes each.]

FOR ITEMS LISTED ON THE BOARD AGENDA OR COMMITTEE OF THE WHOLE AGENDA, CITIZENS WILL BE ALLOWED TO ADDRESS THE BOARD AT THE TIME A MOTION IS ON THE FLOOR.

**CONSENT AGENDA**

Approval of business submitted on the consent agenda.

**REGULAR AGENDA**

**Central Management & Intergovernmental Committee – Commissioner Jewell, Chair**

1. Resolution approving a settlement agreement to resolve pending federal court litigation. This litigation outcome was discussed at a closed session of the Committee of the Whole held on May 7, 2013. {13-216}

**ADJOURNED:**

# **BOARD LETTER NO. 13 - 216**

## **CENTRAL MANAGEMENT & INTERGOVERNMENTAL COMMITTEE**

### **JUNE 4, 2013 BOARD AGENDA NO. 1**

**DATE:** June 4, 2013 **RE:** Sislo Settlement Agreement

**FROM:** Kevin Z. Gray  
County Administrator

Mark Rubin  
County Attorney

#### **RELATED DEPARTMENTAL GOAL:**

To resolve federal court litigation pending against the county.

#### **ACTION REQUESTED:**

The St. Louis County Board is requested to approve a full settlement of all claims in the matter of *Betty Sislo [sic] v. St. Louis County*, United States District Court, District of Minnesota, Court File No. 12-CV-3143 (DWF/LIB).

#### **BACKGROUND INFORMATION:**

Former employee Betty Sislo began litigation against St. Louis County in November 2012 relating to events that occurred during and after her employment with the county. The county filed an answer denying all liability. At a settlement conference before Magistrate Leo Brisbois, the parties were able to reach a tentative settlement of all claims involved in the lawsuit. Despite the fact that the county does not believe it will be held liable in this case, a nuisance settlement in the amount of \$65,000 was tentatively offered and accepted by Ms. Sislo at the settlement conference. The tentative settlement is subject to final Board approval.

#### **RECOMMENDATION:**

It is recommended that the St. Louis County Board approve a settlement payment to Ms. Sislo in the amount of \$65,000 in exchange for her full and final settlement of the lawsuit and release of all claims against the county.

## Sislo Settlement Agreement

BY COMMISSIONER \_\_\_\_\_

WHEREAS, Betty Sislo, a former employee of St. Louis County, began litigation against St. Louis County in November 2012 relating to events that occurred during and after her employment with the county, which case was captioned *Betty Sislo [sic] v. St. Louis County*, United States District Court, District of Minnesota, Court File No. 12-CV-3143 (DWF/LIB); and

WHEREAS, The county denied all liability relative to Ms. Sislo's claims; and

WHEREAS, In order to avoid costly litigation, at a court-ordered settlement conference, the county tentatively offered to pay Ms. Sislo's \$65,000 in exchange for a full and final settlement and release of all claims she may have against the county;

WHEREAS, Ms. Sislo has accepted the county's tentative offer; and

WHEREAS, The settlement is subject to final approval by the County Board.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves the settlement agreement between the county and Betty Sislo, whereby the county will pay Ms. Sislo \$65,000 in exchange for a full and final settlement and release of all claims she may have against the county.