

## AGENDA

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



**Tuesday, May 13, 2014, 9:30 A.M.**

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

**MIKE FORSMAN, Chair  
Fourth District**

**FRANK JEWELL  
First District**

**PATRICK BOYLE  
Second District**

**CHRIS DAHLBERG  
Third District**

**PETE STAUBER, Vice-Chair  
Fifth District**

**KEITH NELSON  
Sixth District**

**STEVE RAUKAR  
Seventh District**

County Auditor  
Donald Dicklich

County Administrator  
Kevin Gray

County Attorney  
Mark Rubin

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

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**

**Public Works & Transportation Committee – Commissioner Raukar, Chair**

1. Agreement with the Fond du Lac Band of Lake Superior Chippewa to install bilingual geographic location signs on county roads located within the Fond du Lac Reservation. **{14-172R} [Without recommendation.]**

**Finance & Budget Committee – Commissioner Nelson, Chair**

2. Application for on-sale and Sunday on-sale intoxicating liquor licenses by Scotts Crane Lake Bar & Grill, Inc., Crane Lake Township. **{14-184} [Has not been to committee; requires consent of the Board to be considered.]**
3. Establish a public hearing for 9:40 a.m., May 27, 2014, in the City Council Chambers, City Hall, Hibbing, MN, to consider the issuance of an off-sale intoxicating liquor license for Scotts Crane Lake Bar & Grill, Inc., Crane Lake Township. **{14-185} [Has not been to committee; requires consent of the Board of be considered.]**

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

4. Resolution to approve recent State legislation to change the terms of office for the Seventh District St. Louis County Commissioner. **{14-183}**

**ADJOURNED:**



**Agreement with Fond du Lac Band of Lake Superior Chippewa  
to Install Bilingual Geographic Location Signs**

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

WHEREAS, St. Louis County has sole statutory responsibility to place and maintain traffic signs within the county road right-of-way in accordance with Minn. Stat. 169.06, Subd. 3; and

WHEREAS, The county reserves the right to remove and discard all unauthorized traffic signs installed within the county road right-of-way in accordance with Minn. Stat. 169.07; and

WHEREAS, The Fond du Lac Band of Lake Superior Chippewa has requested authorization to install bilingual signs in English and Ojibwe for geographical locations and cultural purposes on county roads located within the Fond du Lac Reservation;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the appropriate county officials to enter into an agreement, and any amendments approved by the County Attorney, with the Fond du Lac Band of Lake Superior Chippewa to install bilingual geographic location signs on county roads located within the Fond du Lac Reservation;

RESOLVED FURTHER, That the County Board authorizes the Public Works Department to enter into additional agreements with any other tribal governments, with Reservation lands located within the boundaries of St. Louis County, wishing to install similar bilingual signs for geographic locations and cultural purposes.



**Application for On-Sale and Sunday On-Sale Intoxicating Liquor Licenses  
(Crane Lake Township)**

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

WHEREAS, Pursuant to the provisions of Minn. Stat. Section 340A, as amended, and Rules and Regulations adopted by this Board under St. Louis County Ordinance No. 28, dated May 22, 1978, as amended, the following application for an intoxicating liquor license is hereby approved, on file in the office of the County Auditor, identified as County Board File No. 59788; and

WHEREAS, Said license is approved contingent upon license holder paying real estate or personal property taxes when due; and

WHEREAS, Said license is approved contingent upon recommendation from the Liquor Licensing Committee; and

WHEREAS, If named license holder sells their licensed place of business, the County Board may, at its discretion and after an investigation, transfer the license to a new owner, but without pro-rated refund of the license fees to the license holder;

THEREFORE, BE IT RESOLVED, said license shall be effective May 13, 2014 through June 30, 2014:

Scotts Crane Lake Bar & Grill, Inc. d/b/a Scotts Crane lake Bar & Grill, Inc.,  
Crane Lake Township, On-Sale Intoxicating Liquor License No. CMB14160  
and Sunday On-Sale Intoxicating Liquor License No. SUN14160.



**Establish Public Hearing to Consider Off-Sale Intoxicating Liquor License  
(Crane Lake Township)**

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

RESOLVED, That a public hearing will be held at 9:40 a.m., on May 27, 2014, in the City Council Chambers, City Hall, Hibbing, MN, for the purpose of considering an Off-Sale Intoxicating Liquor License to Scotts Crane Lake Bar & Grill, Inc. d/b/a Scotts Crane Lake Bar & Grill, Inc., Crane Lake Township.

# **BOARD LETTER NO. 14 - 183**

## **CENTRAL MANAGEMENT & INTERGOVERNMENTAL COMMITTEE NO. 3**

### **MAY 13, 2014 BOARD AGENDA NO. 4**

**DATE:** May 6, 2014

**RE:** Approval of Special Law  
Providing Change in Staggered  
Term for Seventh District  
St. Louis County Commissioner

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

Mark Rubin  
County Attorney

#### **RELATED DEPARTMENT GOAL:**

To ensure effective and efficient government.

#### **ACTION REQUESTED:**

The St. Louis County Board is requested to approve recent legislation to change the staggered terms of office for the Seventh District St. Louis County Commissioner prior to the May 20 date which begins the 2014 election filing period.

#### **BACKGROUND:**

Since a 2002 Court Order which ended the court case regarding the St. Louis County Board's redistricting decision, all three Iron Range Commissioners have been on the same election rotation. Prior to this order, the District Seven Commissioner seat had historically been tied to Presidential election years. The Court Order resulted in all Range commissioners now up for re-election at the same time, and the potential of all three retiring, or all three being defeated in one election.

The Court Order in 2002 appointing District Seven to a different staggered term expired in 2012, when the County Board's new redistricting plan was adopted. Therefore, the new legislation is not in conflict with the Court's previous order.

On Monday, May 5, 2014, County Administration was notified that the legislature had approved a bill which essentially returns the term of office for Commissioner District Seven to its historic staggered term (attached, HF No. 3115). Returning to the historic staggered term for this District will ensure maximum voter participation and protect the institutional

memory on the County Board, that could be lost in one election cycle should all three Iron Range Commissioners either retire or lose in the same election.

**RECOMMENDATION:**

It is recommended that the County Board approve the legislation passed to change the terms of office for the Seventh District St. Louis County Commissioner.

**Approval of Special Law Providing Change in Staggered Term for  
Seventh District St. Louis County Commissioner**

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

WHEREAS, Since a 2002 Court Order which ended a court case regarding the St. Louis County Board's redistricting decision, all three Iron Range based County Commissioners have been on the same election rotation cycle; and

WHEREAS, Prior to this Order, the District Seven Commissioner seat had historically been tied to Presidential election years; and

WHEREAS, The Court Order resulted in all Iron Range commissioners running for re-election at the same time, with the potential of all three retiring, or all three being defeated in one election; and

WHEREAS, The Minnesota State Legislature has passed a law to return the term of office for the St. Louis County Seventh District Commissioner to its historic staggered term; and

WHEREAS, The law becomes effective upon compliance by the St. Louis County Board Commissioners, and applies until a subsequent redistricting plan is filed with the office of the County Auditor;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board hereby designates that the District Seven Commissioner shall be elected for only two (2) years in the 2014 election and approves the Special Law providing for this change as approved by the Minnesota State Legislature.

RESOLVED FURTHER, That thereafter, the Commissioner of District Seven shall be elected for four years beginning in 2016.

RESOLVED FURTHER, That the St. Louis County Auditor is directed to file a certificate with the Office of the Minnesota Secretary of State stating the facts essential to valid approval, including a copy of the resolution, as required and furnished by the Secretary of State.

**HOUSE OF REPRESENTATIVES**

EIGHTY-EIGHTH SESSION

**H. F. No. 3115**

03/17/2014 Authored by Melin, Dill and Murphy, M.  
The bill was read for the first time and referred to the Committee on Elections

03/31/2014 Adoption of Report: Amended and Placed on the General Register  
Read Second Time

04/25/2014 Calendar for the Day  
Read Third Time  
Passed by the House and transmitted to the Senate

1.1 A bill for an act  
1.2 relating to elections; authorizing the Saint Louis County Board to change to two  
1.3 years the term of a certain member to be elected in 2014.

1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5 Section 1. **SAINT LOUIS COUNTY BOARD OF COMMISSIONERS; CHANGE**  
1.6 **IN STAGGERED TERMS.**

1.7 Notwithstanding any terms of office for county board commissioners in effect on  
1.8 the date of final enactment of this act, the Saint Louis County Board may designate, for  
1.9 purposes of the 2014 election, that the commissioner for District 7 shall be elected to  
1.10 serve a term of two years. For purposes of subsequent elections, the commissioner for  
1.11 District 7 shall be elected for four years. The legislature finds that the terms authorized  
1.12 under this act comply with the staggered term provisions of Minnesota Statutes, section  
1.13 375.025, subdivision 4.

1.14 **EFFECTIVE DATE; LOCAL APPROVAL.** This section is effective upon  
1.15 compliance by the Saint Louis County Board and its chief clerical officer with Minnesota  
1.16 Statutes, section 645.021, subdivisions 2 and 3, and once effective applies until a new  
1.17 redistricting plan is filed with the office of the auditor of Saint Louis County under  
1.18 Minnesota Statutes, section 375.025, subdivision 4.