

**OFFICIAL PROCEEDINGS OF THE MEETING  
OF THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF ST. LOUIS, MINNESOTA,  
HELD ON FEBRUARY 2, 2016**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 2<sup>nd</sup> day of February 2016, at 9:41 a.m., at the St. Louis County Courthouse, Duluth, Minnesota, with the following members present: Commissioners Frank Jewell, Patrick Boyle, Chris Dahlberg, Tom Rukavina, Pete Stauber, Keith Nelson, and Chair Steve Raukar - 7. Absent: None.

Chair Raukar asked for a moment of silence to honor U.S. troops, their families, and for all innocent victims of war and conflict, and asked everyone to pray that mankind comes to the realization that our commonalities far outweigh our differences on a global scale, followed by the pledge of allegiance.

Commissioner Dahlberg presented his Words of Wisdom by quoting Branch Rickey: "Luck is a residue of design." and offered the following quote: "Happy are those who dream dreams and are willing to pay the price to make them come true."

Chair Raukar turned the floor over to Commissioner Stauber. Commissioner Stauber introduced City of Rice Lake Councilor Suzanne Herstad who is interested in learning how St. Louis County operates.

Chair Raukar then opened the meeting to persons who wanted to address the Board concerning issues not on the agenda, and no one came forth.

Commissioner Nelson, supported by Commissioner Dahlberg, moved to approve the consent agenda. The motion passed; seven yeas, zero nays.

Commissioner Nelson commented on the rye bread that was given to him by Commissioner Jewell's wife and stated that two Iron Range Resources and Rehabilitation Board (IRRRB) members will be attending February's St. Louis County Extension Committee meeting as part of the IRRRB's effort to look at agricultural expansion opportunities in St. Louis County.

The following Board and contract files were created from documents received at this Board meeting:

Kevin Gray, County Administrator, and Ann Busche, Public Health and Human Services Director, submitting Board Letter No. 16-52, Appointments to the Heading Home St. Louis County Leadership Council.—60304

Kevin Gray, County Administrator, Donald Dicklich, County Auditor/Treasurer, and Mark Rubin, County Attorney, submitting Board Letter No. 16-48, Violation of St. Louis County Ordinance No. 28 – Makinen Liquor Store (Unorganized Township 56-16).—60305

Kevin Gray, County Administrator, Donald Dicklich, County Auditor/Treasurer, and Mark Rubin, County Attorney, submitting Board Letter No. 16-49, Violation of St. Louis County Ordinance No. 28 - Kountry Krossroads (Pike Township).—60306

Kevin Gray, County Administrator, submitting Board Letter No. 16-51, Contract for Mine Inspection Services with Itasca County.—60307

Kevin Gray, County Administrator, and James Gottschald, Human Resources Director, submitting Board Letter No. 16-53, Merit System Supervisory Unit Agreement: 2015-2016.—60308

Service Contract between the County of St. Louis and Gausman & Moore, Duluth, MN, for existing HVAC/roofing systems investigation and analysis to prepare for project design and scope for the Virginia Courthouse HVAC replacement and roof replacement on the 1910 portion of the Virginia Courthouse roof.—16-146

Amendment No. 1, Original Damion No. 2015-9318, between the County of St. Louis and the City of Rice Lake, MN, substituting Rice Lake Township with City of Rice Lake for SAP 69-600-044/CP 02903-215963, reconstruction of Rice Lake Dam Road, Township Road 2903.—16-147

Amendment No. 1, Original Damion No. 2014-8659, between the County of St. Louis and the City of Rice Lake, MN, substituting Rice Lake Township with City of Rice Lake for Crack Sealing 2014.—16-148

Amendment No. 1, Original Damion No. 2015-9415, between the County of St. Louis and the City of Rice Lake, MN, substituting Rice Lake Township with City of Rice Lake for Crack Sealing 2015.—16-149

Family Homeless Prevention and Assistance Program, Contract No. 15537, by and between the St. Louis County Board of Commissioners and the American Indian Community Housing Organization (AICHO), Duluth, MN, for services during the period July 1, 2015 through June 30, 2017.—16-150

Family Homeless Prevention and Assistance Program, Contract No. 15539, by and between the St. Louis County Board of Commissioners and Legal Aid Services of Northeastern Minnesota – Duluth Offices, Duluth, MN, for services during the period July 1, 2015 through June 30, 2017.—16-151

Family Homeless Prevention and Assistance Program, Contract No. 15540, by and between the St. Louis County Board of Commissioners and Legal Aid Services of Northeastern Minnesota – Iron Range Offices, Duluth, MN, for services during the period July 1, 2015 through June 30, 2017.—16-152

Service Agreement by and between the County of St. Louis and Triangle Recycling, LLC d/b/a Wearever Recycling, Nowthen, MN, for the recycling of used clothing during the period October 1, 2015 through December 31, 2016 with one (1) possible one-year extension.—16-153

Amendment No. 1, Original Damion No. 2014-009125, by and between the County of St. Louis and Northspan Group, Inc., Duluth, MN, for administration of the Septic System Loan Program, extending the terms of the Original Agreement for one year effective January 1, 2016 through

December 31, 2016.—16-154

Amendment No. 1, Original Damion No. 2014-009124, by and between the County of St. Louis and Stoel Rives, LLP, Minneapolis, MN, for legal representation and counsel services pertaining to environmental and solid waste matters, extending the terms of the Original Agreement for one year effective January 1, 2016 through December 31, 2016.—16-155

Agreement by and between St. Louis County and the City of Chisholm for reimbursement for hauling mixed solid waste during the period January 1, 2016 to December 31, 2018, with three (3) possible 2-year extensions.—16-156

Amendment No. 1, Original Damion No. 2015-9960, by the County of St. Louis and SRF Consulting Group, Inc., Minneapolis, MN, for services to complete the Intersection Control Evaluation Report for the intersection of MNTH-73 and CSAH 136.—16-157

Purchase of Service Agreement, Contract No. 15590, between the St. Louis County Board of Commissioners and Dinehery Industries, Inc., Duluth, MN, for Environmental Accessibility Adaptations under the CADI waiver.—16-158

Upon motion by Commissioner Nelson, supported by Commissioner Dahlberg, resolutions numbered 16-85 through 16-99, as submitted on the consent agenda, were unanimously adopted as follows:

**BY COMMISSIONER NELSON:**

RESOLVED, That the official proceedings of the St. Louis County Board of Commissioners for the meeting of January 26, 2016, are hereby approved.

Adopted February 2, 2016. No. 16-85

WHEREAS, Arrowhead Center, Inc., provides chemical dependency and substance abuse assessment, treatment, and aftercare services, as well as urinalysis collection and drug testing services; and

WHEREAS, Duluth Bethel provides urinalysis collection and drug screening as well as breathalyzer testing for alcohol to community correction and human service organizations as well as federal probation and pre-trial services and local employers; and

WHEREAS, Individuals are referred by Public Health and Human Services (PHHS) Children and Families Services Division who are both active clients with the St. Louis County Social Service Department and under court order to receive drug testing services, and individuals are referred by PHHS Income Maintenance Division who have a drug felony conviction; and

WHEREAS, PHHS wishes to renew its current purchase of service contracts with Arrowhead Center and Duluth Bethel;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the appropriate county officials to enter into purchase of service contracts with **Arrowhead Center, Inc.**, for the following services and rates for the period January 1, 2016, through December 31, 2016:

<u>Service</u>		<u>Annual Maximum</u>	<u>Budget</u>
<b>Public Service:</b>			
Assessment, Treatment, and Aftercare		<u>\$ 66,878.00</u>	230-232006-608000
COMBINED ANNUAL MAXIMUM		\$ 66,878.00	
Child & Family Drug Testing	\$35.00 per unit	\$100,000.00	230-232008-602000
Income Maint. Drug Testing	\$35.00 per unit	<u>\$ 5,000.00</u>	230-231014-626400
COMBINED ANNUAL MAXIMUM		\$105,000.00	

RESOLVED FURTHER, That the maximum amount to be paid under the Agreement with **Arrowhead Center, Inc.**, for assessment, treatment and aftercare services for public service purposes shall not exceed a combined annual maximum of \$66,878 per year;

RESOLVED FURTHER, That the maximum amount to be paid under the Agreement with **Arrowhead Center, Inc.**, for court-ordered urinalysis collection and drug testing services requested by PHHS Children and Families Division shall not exceed a maximum of \$100,000 per year;

RESOLVED FURTHER, That the maximum amount to be paid under the Agreement with **Arrowhead Center, Inc.**, for urinalysis collection and drug testing services requested by PHHS Financial Assistance Division shall not exceed a maximum of \$5,000 per year;

RESOLVED FURTHER, That the St. Louis County Board authorizes a purchase of service contract between PHHS and **Duluth Bethel** for the following services, rates and contract maximums for the period January 1, 2016 through December 31, 2016:

<u>Service</u>	<u>Rate</u>
Level 1 screening (for one drug)	\$11.00/unit
Level 2 screening (for two drugs)	\$16.00/unit
Full screen	\$26.00/unit
(more than 2 drugs, including Alcohol/ETG screen)	
Synthetic drugs	\$26.00/unit
Bath salts	\$26.00/unit
ETG	\$26.00/unit

<u>Service</u>	<u>Annual Maximum</u>	<u>Budget</u>
Children & Families Drug Testing	\$100,000.00	230-232008-602000
Income Maintenance Drug Testing	<u>\$ 5,000.00</u>	230-231014-626400
COMBINED ANNUAL MAXIMUM	\$105,000.00	

RESOLVED FURTHER, That the maximum amount to be paid under the Agreement with **Duluth Bethel** for court-ordered urinalysis collection and drug testing services requested by PHHS Children and Families Division shall not exceed a maximum of \$100,000 per year;

RESOLVED FURTHER, That the maximum amount to be paid under this Agreement with **Duluth Bethel** for urinalysis collection and drug testing services requested by PHHS Financial Assistance Division shall not exceed a maximum of \$5,000 per year.

Adopted February 2, 2016. No. 16-86

WHEREAS, St. Louis County has a variety of children's services available in the community that are Federal Title IV-E eligible, with the county paying the entire cost for any child who does not have private insurance coverage or is not eligible for Medical Assistance; and

WHEREAS, The Public Health and Human Services Department is seeking to renew a purchase of service agreement with KidsPeace Mesabi Academy to provide needed Correctional Facilities and Residential Treatment Services on behalf of the county;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes a purchase of service agreement for the period February 1, 2016 through December 31, 2016 with KidsPeace Mesabi Academy for Correctional Facilities and Residential Treatment Services with the following provider at the per diem rates:

Correctional Facilities and Residential Treatment Center:

<u>KidsPeace Mesabi Academy</u>	<u>Rate</u>
1. Residential	\$239.93 per day
2. Diagnostic Residential	\$262.27 per day
3. Secure Residential	\$252.96 per day
4. Sexual Offender Residential (Non-secure)	\$283.42 per day
5. Specialized Residential (IQ 50-65)	\$311.02 per day
6. Chemical Dependency	\$251.08 per day
7. Short Term Secure Residential	\$257.99 per day
8. One-on-One Services	\$ 17.59 per hour
9. Detention (For Internal Use Only)	No additional Cost

Budget References for Out-of-Home Placement:

Fund	230	Social Services
Agency	232008	Children's Services
Expense Objects	601200	Out-of-Home Placement Costs
	601600	Children's Mental Health Services

RESOLVED FURTHER, That the approved rates shall serve as a lead county agreement for services purchased from financially responsible agencies of other counties.

Adopted February 2, 2016. No. 16-87

WHEREAS, Alcohol and other drug use among women of child bearing age continues to be a significant problem in St. Louis County; and

WHEREAS, The Superior Babies Program teams a public health nurse with a licensed alcohol and drug counselor (LADC) who work with the client to help her remain drug and alcohol free, provide pregnancy and parenting education, and assist with housing, food, support, and employment and education goals; and

WHEREAS, The Public Health and Human Services Department has a long relationship with Arrowhead Center, Inc., for the LADC position and wishes to continue this through renewal of a contract;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the Public Health and Human Services Department to enter into a contract for the period January 1, 2016 through December 31, 2016, with Arrowhead Center, Inc., for a full-time licensed alcohol and drug counselor position for the Superior Babies Program, not to exceed \$100,000 for the position and all associated travel costs, payable from Fund 230, Agency 233001, Object 629900.

Adopted February 2, 2016. No. 16-88

WHEREAS, St. Louis County Public Health & Human Services Department (PHHS) is the lead applicant of a collaboration between PHHS and the Domestic Abuse Intervention Programs, Duluth Family Visitation Center, Program for Aid to Victims of Sexual Assault, Arrowhead

Regional Corrections Probation Office, County Attorney's Office, Public Defender's Office, and the Sixth Judicial District of Minnesota; and

WHEREAS, The Justice for Families Program Grant replaces the former Office on Violence Against Women Safe Havens Supervised Visitation and Safe Exchange grant program, for which St. Louis County has been the fiscal agent for six years; and

WHEREAS, This new Justice for Families Program grant was authorized in the Violence Against Women Reauthorization Act (VAWA) of 2013 to improve the response of all aspects of the civil and criminal justice system to families with a history of domestic violence, dating violence, sexual assault, and stalking, or in cases involving allegations of child sexual abuse; and

WHEREAS, The Justice for Families Program grant supports improving the capacity of communities and courts to respond to families affected by the four aforementioned crimes through supervised visitation and safe exchange by and between parents; training and technical assistance for people who work with families in the court system; civil legal services; provision of resources in juvenile court matters; and development or promotion of legislation, model codes, policies, and best practices;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the Public Health and Human Services Department to submit a grant application in an amount up to \$600,000 for a Justice for Families Program Grant from the U.S. Department of Justice Office on Violence Against Women for the 36-month grant funding period of October 1, 2016 - September 30, 2019;

RESOLVED FURTHER, That St. Louis County shall serve as fiscal agent for the grant, to be accounted for in Fund 230, Agency 232999-00000-23218-99999999-2016.

Adopted February 2, 2016. No. 16-89

WHEREAS, Title IV-B funding is available to counties through the Minnesota Department of Human Services (DHS) for Family-Based Counseling and Life Management Skills services; and

WHEREAS, St. Louis County uses a portion of this fund to contract with the Bois Forte and Fond du Lac Reservations for these services providing culturally sensitive, flexible programs that address the unique needs of American Indian families; and

WHEREAS, The Public Health and Human Services Department has contracted with the providers listed above to provide needed services on behalf of the county;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes a Purchase of Service Agreement for the period January 1, 2016 through December 31, 2016 with Bois Forte Reservation to purchase Family-Based Counseling, Life Management Skills, and Community Education and Prevention services through the Family-Based Program at \$85.00 per hour with a contract maximum of \$44,300;

RESOLVED FURTHER, That the St. Louis County Board authorizes a Purchase of Service Agreement for the period January 1, 2016 through December 31, 2016 with Fond du Lac Reservation to purchase Family-Based Crisis Services through the Families First Program at a rate of \$75.00 per hour with a contract maximum of \$130,000.

**BUDGET REFERENCE:**

Fund	230	Social Service
Agency	232008	PHHS
Object	603200	Family-Based Services
Revenue Source	540257	Family Response

Adopted February 2, 2016. No. 16-90

WHEREAS, The Heading Home St. Louis County Leadership Council acts as a neutral party in making decisions, in conjunction with funding sources, on behalf of homeless people and those at risk of homelessness in St. Louis County; and

WHEREAS, Members are appointed by the City Council of Duluth and the St. Louis County Board of Commissioners;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board appoints the following applicants to the Heading Home St. Louis County Leadership Council:

<u>Position</u>	<u>Period</u>	<u>Appointed</u>
Homeless Advocate	Term ends 12/31/18	LeAnn Littlewolf of Duluth, MN
Business	Term ends 12/31/17	Shelly Lyn Holmes of Eveleth, MN

RESOLVED FURTHER, That the County Board reappoints the following Leadership Council members:

<u>Position</u>	<u>Period</u>	<u>Reappointed</u>
Rural Housing Coalition	Term ends 12/31/18	Heather Lindula of Iron, MN
Bois Forte Reservation	Term ends 12/31/18	Pamela Hughes of Tower, MN

Adopted February 2, 2016. No. 16-91

WHEREAS, The St. Louis County Public Works Department plans to replace County Bridge 698 (State Bridge 7645) and to reconstruct approximately 1200 feet of the adjacent County State Aid Highway 5/Lind Road located approximately ½ mile east of Unorganized Town Road 8180/North Airport Road in Sections 29 & 32 of Unorganized Township 62-21; and

WHEREAS, These improvements consist of replacing the existing bridge structure at the same location and reconstructing the roadway as determined necessary to provide for the safety and convenience of the public; and

WHEREAS, In addition to the existing highway right of way, certain lands are required for this construction, together with temporary construction easements;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the Public Works Director to proceed with the acquisition of the necessary lands and temporary easements for this project, payable from Fund 200, Agency 203001, Objects 636500 and 636600.

Adopted February 2, 2016. No. 16-92

WHEREAS, The St. Louis County Liquor Licensing Committee met on January 12, 2016, to consider recommending action to be taken by the County Board as a result of an alleged liquor law violation, sale to minor, on December 15, 2015, against Curran Enterprises, Inc., d/b/a Makinen Liquor Store, Unorganized Township 56-16; and

WHEREAS, The Liquor Licensing Committee recommended a ten (10) day suspension and \$1,000 civil penalty, with nine (9) days of the suspension and \$800 of the civil penalty stayed for one year, with no same or similar violations during that year, and recommended that the County Attorney’s Office propose this penalty to Curran Enterprises, Inc.; and

WHEREAS, Curran Enterprises, Inc., has agreed to accept the proposal if approved by the County Board;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the appropriate county officials to execute an agreement suspending Off-Sale Intoxicating Liquor License No. 16-CTOFSL-00106 issued to Curran Enterprises, Inc., d/b/a Makinen Liquor Store, Unorganized Township 56-16, for ten (10) days and \$1,000 civil penalty, with nine (9) days and \$800 of the civil penalty stayed for one (1) year on the condition that the licensee has no same or

similar violations during that year;

RESOLVED FURTHER, That the date of suspension of the liquor license will be February 9, 2016;

RESOLVED FURTHER, That a new violation within the next year (ending February 2, 2017) 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.

Adopted February 2, 2016. No. 16-93

WHEREAS, The St. Louis County Liquor Licensing Committee met on January 12, 2016, to consider recommending action to be taken by the County Board as a result of an alleged liquor law violation, sale to minor, on December 15, 2015, against B 2 Babs, Inc., d/b/a Kountry Krossroads, Pike Township; and

WHEREAS, The Liquor Licensing Committee recommended a ten (10) day suspension and \$1,000 civil penalty, with nine (9) days of the suspension and \$1,000 of the civil penalty stayed for one year, with no same or similar violations during that year, and recommended that the County Attorney's Office propose this penalty to B 2 Babs, Inc.; and

WHEREAS, B 2 Babs, Inc., has agreed to accept the proposal if approved by the County Board;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the appropriate county officials to execute an agreement suspending Combination On/Off-Sale and Sunday On-Sale Intoxicating Liquor License No. 16-CTCMBS-00121 issued to B 2 Babs, Inc., d/b/a Kountry Krossroads, Pike Township, for ten (10) days and \$1,000 civil penalty, with nine (9) days and \$1,000 of the civil penalty stayed for one (1) year on the condition that the licensee have no same or similar violations during that year;

RESOLVED FURTHER, That the date of suspension of the liquor license will be February 8, 2016;

RESOLVED FURTHER, That a new violation within the next year (ending February 2, 2017) 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.

Adopted February 2, 2016. No. 16-94

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. 60288.

Adopted February 2, 2016. No. 16-95

RESOLVED, That the workers' compensation report of claims by employees for work-related injuries, dated January 22, 2016, on file in the office of the County Auditor, identified as County Board File No. 60274, is hereby received and ratified as payable from Fund 730, Agency 730001.

Adopted February 2, 2016. No. 16-96

RESOLVED, That pursuant to the provisions of Minn. Stat. § 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 applications for permit authorizing the consumption and display of intoxicating liquors are hereby approved, on file in the office of the County Auditor, identified as County Board File No. 60297:

James Saugestad d/b/a Melrude Pub, Ellsburg Township;

Wilkins Pine Aire Resort, Inc., d/b/a Pine Aire Resort, Kabetogama Township.

Adopted February 2, 2016. No. 16-97

WHEREAS, Minn. Stat. § 180 requires counties with five or more mines in operation to appoint an Inspector of Mines and to fulfill inspection and investigation related responsibilities; and

WHEREAS, Since 1991, St. Louis County has provided mine inspection services to Itasca County through a cooperative activity services agreement; and

WHEREAS, The St. Louis County Safety and Risk Management Division, Mine Inspector's Office, has sufficient staff to continue to provide this service and has negotiated an extension of the agreement through December 31, 2017;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the appropriate county officials to enter into a Mine Inspection Services Agreement with Itasca County through December 31, 2017, with an anticipated annual revenue of up to \$18,000 to be deposited into Fund 100, Object 138001;

RESOLVED FURTHER, That it is further understood that Itasca County will reimburse St. Louis County for any extraordinary costs which shall include, but are not limited to, long distance calls, mileage and meal allowances for travel outside of Virginia and the cost of obtaining copies of any reports or documents necessary to any investigation on behalf of Itasca County.

Adopted February 2, 2016. No. 16-98

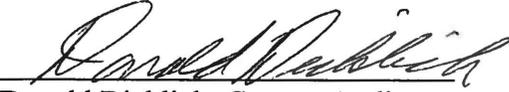
RESOLVED, That the St. Louis County Board approves the 2015-2016 Merit System Supervisory Unit Agreement and the appropriate county officials are authorized to execute the Collective Bargaining Unit Agreement, a copy of which is on file in County Board File No. 60308.

Adopted February 2, 2016. No. 16-99

At 9:48 a.m., February 2, 2016, Commissioner Dahlberg, supported by Commissioner Boyle, moved to adjourn the meeting. The motion passed; seven yeas, zero nays.

  
\_\_\_\_\_  
Steve Raukar, Chair of the Board  
of County Commissioners  
Vice Chair

Attest:

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

(Seal of the County Auditor)