

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

APRIL, 2010

OFFICIAL PROCEEDINGS OF THE MEETING
OF THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF ST. LOUIS, MINNESOTA,
HELD ON APRIL 6, 2010

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 6th day of April, 2010, at 9:35 a.m., in the County Board Room, Duluth, Minnesota, with the following members present: Commissioners Dennis Fink, Steve O'Neil, Chris Dahlberg, Mike Forsman, Peg Sweeney, Keith Nelson, and Chair Steve Raukar – 7. Absent: None.

Chair Raukar asked for a moment of silence to honor U.S. troops serving throughout the world and their families at home as well as all persons whose lives are adversely affected by war.

Chair Raukar 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 Nelson, moved to approve the consent agenda. At the request of Commissioner Sweeney, item no. 7 (Grant from Office of Justice Programs for Juvenile Detention Alternatives Initiative) from the Consent Agenda was removed for separate consideration under Public Safety and Corrections; seven yeas, zero nays.

Commissioner Nelson, supported by Commissioner Sweeney, moved to approve a resolution authorizing purchase of Computer Sciences Corporation RISKMASTER General Claims Module. Administrator Kevin Gray said the license fee of \$5,750 is a one-time fee only. Administrator Gray said the module is to help insure legal compliance with all claims, not just worker's compensation; seven yeas, zero nays. Resolution No. 170.

Commissioner Nelson, supported by Commissioner Forsman, moved to approve a resolution directing appropriate county officials to secure \$750,000 in 2009 state bond funding through the Minnesota Department of Employment and Economic Development (DEED). Administrator Gray presented the background and said it is for design and construction of three restroom/shower structures at the North St. Louis County Agricultural Fair site. In order to receive the grant the county must enter into three agreements: 1) the grant application with DEED, 2) a twenty year building lease agreement with St. Louis County Agricultural Fair Association and, 3) a land lease agreement up to 50 years with Iron Range Resources (IRR). Commissioner Fink expressed concerns with some ambiguous language in the resolution, potential liability to the county and the length of the agreements. Administrator Gray clarified the language and said he would be responsible for negotiating the terms of the agreements. County Attorney Ford said IRR is a state agency and a 20 year agreement could be negotiated. Commissioner Dahlberg also expressed concerns with the 50 year lease and liability to the county, and asked if another week would allow time to get an opinion on this.

Administrator Gray said he and Planning Director Barb Hayden have been diligent on this and doesn't think waiting a week will bring forth any different information. Chair Raukar said this is virtually risk-free and a good example of intergovernmental cooperation. In response to a question from Commissioner O'Neil, Administrator Gray said the Fair Association is responsible for insuring the structures. Commissioner Nelson, supported by Commissioner Forsman, moved to amend the motion by adding language specifically transferring ownership to the St. Louis County Fair Association. County Attorney Ford suggested – and the makers agreed – to add language transferring ownership at the end of the 20 year building lease agreement. Commissioner Forsman said the grant benefits the public, the Agriculture Society, and the county and is relatively risk-free. Commissioner Dahlberg offered a friendly amendment – not accepted by the makers – changing the land lease agreement from up to 50 years to up to 20 years. Commissioner Dahlberg, supported by Commissioner Fink, moved to formally amend the motion changing the land lease agreement to up to 20 years. After brief discussion the amendment failed; two yeas, five nays, Commissioners O'Neil, Forsman, Sweeney, Nelson, and Chair Raukar. Commissioner Sweeney, supported by Commissioner Nelson, moved to call the question; seven yeas, zero nays. The original motion, as amended, was approved; six yeas, one nay, Commissioner Fink. Resolution No. 171.

Commissioner Sweeney, supported by Commissioner O'Neil, moved to approve consent item No. 7 (Grant from Office of Justice Programs for Juvenile Detention Alternatives Initiative), amended to reflect a higher grant award. Administrator Gray said the county resolution must be amended to reflect additional grant money up to \$90,000. In response to a question from Commissioner Fink, County Attorney Ford said this is a recurring grant; seven yeas, zero nays. Resolution No. 161.

Commissioner Nelson said the 2009 Annual Report from the Inspector of Mines was recently distributed and noted it was a safe year, although overall shipping was down.

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

Kevin Gray, County Administrator, and Barbara Hayden, Planning and Development Director, submitting Board Letter No. 10-102, Amend Ordinance 46, County Zoning Maps, S ½ of N ½ of NW ¼, Section 13, Township 55 North, Range 17 West (Ellsburg Township).—59064

Agreement for Professional Services between the County of St. Louis and DSGW Architects, Inc., for the Ely Lease Remodeling Project – Construction Phase.—10-234

Agreement for Professional Services between the County of St. Louis and Twin Ports Testing for the Downtown Duluth Parking Lot Repair Project – Soil Boring.—10-235

Grant Approval Form from the MN Office of Justice Programs thru the St. Louis County Attorney for the Juvenile Detention Alternatives Initiative OJP Grant.—10-236

Grant Approval Form from the MN Office of Justice Programs thru the St. Louis County Attorney for the Annie E. Casey Foundation Grant.—10-237

Grant Approval Form from the MN Department of Emergency Communications Network (DECN) thru the St. Louis County Sheriff for the Allied Radio Matrix for Emergency Response (ARMER) Grant.—10-238

Grant Approval Form from the Minnesota DEED thru the North St. Louis County Bond

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Fund for the N. SLC Fair Infrastructure Grant.—[10-239](#)

Agreement for Purchase of Services between St. Louis County and the Duluth Seaway Port Authority for economic development activities.—[10-240](#)

Lease Agreement between St. Louis County and the City of Duluth regarding the Duluth Police Department garage and storage facilities at the St. Louis County Government Services Center and outside parking spaces.—[10-241](#)

Home and Community-Based Waiver Services Contract, Contract No. 14719, between the St. Louis County Board of Commissioners and Donna Rowan and Ernest Rowan.—[10-242](#)

Home and Community-Based Waiver Services Contract, Contract No. 14747, between the St. Louis County Board of Commissioners and Cindy K. Turnquist, RN.—[10-243](#)

Home and Community-Based Waiver Services Contract, Contract No. 14598, between the St. Louis County Board of Commissioners and Vallie Adult Foster Care Home. —[10-244](#)

Home and Community-Based Waiver Services Contract, Contract No. 14599, between the St. Louis County Board of Commissioners and Woodsview Home. —[10-245](#)

Home and Community-Based Waiver Services Contract, Contract No. 14586, between the St. Louis County Board of Commissioners and Brandt Adult Foster Home. —[10-246](#)

Home and Community-Based Waiver Services Contract, Contract No. 14584, between the St. Louis County Board of Commissioners and Balmer Adult Foster Home (Amity House). —[10-247](#)

Home and Community-Based Waiver Services Contract, Contract No. 14596, between the St. Louis County Board of Commissioners and Donna Tracy Adult Foster Home. —[10-248](#)

Home and Community-Based Waiver of Services Contract, Contract No. 14544, between the St. Louis County Board of Commissioners and Cook Hospital, d/b/a Daybreak Adult Day Services. —[10-249](#)

Addendum to Home and Community-Based Waiver of Services Contract, Contract No. 14606A, between the St. Louis County Board of Commissioners and St. Ann's Residence. —[10-250](#)

Addendum to Home and Community-Based Waiver of Services Contract, Contract No. 14607A, between the St. Louis County Board of Commissioners and The Hummingbird, Inc. —[10-251](#)

Addendum to Home and Community-Based Waiver of Services Contract, Contract No. 14627A, between the St. Louis County Board of Commissioners and Keystone Five Star, LLC, d/b/a Keystone Bluffs Assisted Living, LLC. —[10-252](#)

Addendum to Home and Community-Based Waiver of Services Contract, Contract No. 14628A, between the St. Louis County Board of Commissioners and Diamond Willow Living, LLC, d/b/a Diamond Willow Assisted Living Services, LLC. —[10-253](#)

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Addendum to Home and Community-Based Waiver of Services Contract, Contract No. 14629A, between the St. Louis County Board of Commissioners and Five Star Living of Mountain Iron, LLC, d/b/a Diamond Willow Assisted Living of Mountain Iron. —10-254

Addendum to Home and Community-Based Waiver of Services Contract, Contract No. 14677A, between the St. Louis County Board of Commissioners and McCarthy Manor, Inc. —10-255

Addendum to Home and Community-Based Waiver of Services Contract, Contract No. 14542A, between the St. Louis County Board of Commissioners and Interim Healthcare of Lake Superior, Inc. —10-256

Addendum to Home and Community-Based Waiver of Services Contract, Contract No. 14530A, between the St. Louis County Board of Commissioners and Andersons Pine Grove Home, Inc. —10-257

Addendum to Home and Community-Based Waiver of Services Contract, Contract No. 14618A, between the St. Louis County Board of Commissioners and Spirit Valley Assisted Living, LLC. —10-258

Addendum to Home and Community-Based Waiver of Services Contract, Contract No. 14688A, between the St. Louis County Board of Commissioners and River Hill Assisted Living, Inc. —10-259

Addendum to Home and Community-Based Waiver of Services Contract, Contract No. 14612A, between the St. Louis County Board of Commissioners and Serving Hands, Inc. —10-260

Addendum to Home and Community-Based Waiver of Services Contract, Contract No. 14562A, between the St. Louis County Board of Commissioners and Garden House Estates, Ltd. —10-261

Addendum to Home and Community-Based Waiver of Services Contract, Contract No. 14519A, between the St. Louis County Board of Commissioners and Accessible Space, Inc. —10-262

Addendum to Home and Community-Based Waiver of Services Contract, Contract No. 14673A, between the St. Louis County Board of Commissioners and Hillside Homes of Duluth, Inc. —10-263

Addendum to Home and Community-Based Waiver of Services Contract, Contract No. 14313A, between the St. Louis County Board of Commissioners and Arrowhead Senior Living Community d/b/a St. Raphael's Health and Rehabilitation Center. —10-264

Addendum to Home and Community-Based Waiver of Services Contract, Contract No. 14670A, between the St. Louis County Board of Commissioners and Salmi Homes, Inc. —10-265

Addendum to Home and Community-Based Waiver of Services Contract, Contract No. 14630A, between the St. Louis County Board of Commissioners and Ecumen, d/b/a Lakeshore. —10-266

Addendum to Home and Community-Based Waiver of Services Contract, Contract No.

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14615A, between the St. Louis County Board of Commissioners and Edgewood Hermantown II Senior Living, LLC. —[10-267](#)

Addendum to Home and Community-Based Waiver of Services Contract, Contract No. 14616A, between the St. Louis County Board of Commissioners and Edgewood Virginia I Senior Living, LLC. —[10-268](#)

Addendum to Home and Community-Based Waiver of Services Contract, Contract No. 14614A, between the St. Louis County Board of Commissioners and Edgewood Hermantown I Senior Living, LLC. —[10-269](#)

Addendum to Home and Community-Based Waiver of Services Contract, Contract No. 14676A, between the St. Louis County Board of Commissioners and Golden Oaks – Proctor, Inc., d/b/a Golden Oaks Advanced Assisted Living Plus – Proctor. —[10-270](#)

Addendum to Home and Community-Based Waiver of Services Contract, Contract No. 14668A, between the St. Louis County Board of Commissioners and Golden Oaks, Inc. —[10-271](#)

Addendum to Purchase Agreement, Contract No. 10986A, between the St. Louis County Board of Commissioners and Cook Community Hospital, for Respite Care Services. —[10-272](#)

Group Residential Housing Rate Agreement, Contract No. 50802, between the St. Louis County Board of Commissioners and TBI Residential and Community Services - #37. —[10-273](#)

Group Residential Housing Rate Agreement, Contract No. 50826, between the St. Louis County Board of Commissioners and Sherry L. Gillis (Adult Foster Home). —[10-274](#)

Purchase of Services Agreement, Contract No. 14768, between the St. Louis County Board of Commissioners and Ridgewood Recovery, Inc., d/b/a The Superior Treatment Center, for Chemical Dependency Treatment Services. —[10-275](#)

Purchase of Services Agreement, Contract No. 20864, between St. Louis County and Arrowhead Center, for Social Services. —[10-276](#)

Purchase of Services Agreement, Contract No. 20873, between St. Louis County and Indian Legal Assistance Program, for Social Services. —[10-277](#)

Purchase of Service Agreement, Contract No. 20881, between St. Louis County and United Way of Greater Duluth, for Information and Referral. —[10-278](#)

Grant Agreement, Contract No. 20888, between St. Louis County and United Way of Greater Duluth, for Disaster Preparedness. —[10-279](#)

Grant Agreement, Contract No. 20893, between St. Louis County and Community Action Duluth, for Minnesota Innovation Fund 2010 Transportation and Short-term Training. —[10-280](#)

Addendum to Grant Agreement, Contract No. 20708B, between the St. Louis County Board of Commissioners and Range Mental Health Center, Inc., for Sub-acute Detoxification and Hold Services. —[10-281](#)

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Agreement for Professional Services between the County of St. Louis and Architectural Resources Incorporated, for the Hibbing Racetrack Repair Project.—[10-282](#)

Grant Agreement, Contract No. 20892, between the St. Louis County Board of Commissioners and the Arrowhead Economic Opportunity Agency for Minnesota Innovation Fund 2010 Transportation and Short-Term Training. —[10-283](#)

Grant Agreement, Contract No. 20897, between the St. Louis County Board of Commissioners and the Arrowhead Economic Opportunity Agency for Statewide Minnesota Family Investment Program (MFIP) Employment Services and Diversionary Work Program Services (DWP). —[10-284](#)

Easement Grant between the County of St. Louis and Minnesota Power across a portion of the NW ¼ of Section 16, Township 50 North, Range 14 West (Arrowhead Road). —[10-285](#)

Lease Agreement between St. Louis County and the City of Duluth for the Duluth Police Department Headquarters Facility at the St. Louis County Public Safety Building in Duluth, MN. —[10-286](#)

County-State Aid Highway Project Contract between the County of St. Louis and Northland Constructors of Duluth, LLC, for MP 7-98789, Structural Steel Repairs on St. Louis County Bridge No. 808 (State Bridge No. 7649). —[10-287](#)

Cooperative Construction Agreement, Mn/DOT Agreement No. 95980-R, between the State of Minnesota Department of Transportation, St. Louis County and the City of Tower, for SP 6903-015, SP 6913-33, SP 69-596-005, Fed. Proj. HPPH H185 (001) (inspection and monitoring of Bridge No. 69682 construction). —[10-288](#)

Detour Agreement, Mn/DOT Agreement No. 96162, between the State of Minnesota Department of Transportation and St. Louis County for SP 6982-290, Fed Proj. No. IM-BHIM-NH-BHNN 6910(123) (Trunk Hwy 35 & Trunk Hwy 2 detours). —[10-289](#)

Service Contract, Contract No. 4854, between the County of St. Louis and AmeriPride Linen & Apparel Services. —[10-290](#)

Agreement between the County of St. Louis and the Iron Range Resources to purchase State tax forfeited land for Giants Ridge. —[10-291](#)

Employee Development Training Contract between St. Louis County and Ward Melenich for *Excel Functions 2003*, *Excel Functions 2007*, *Excel Formulas 2003*, and *Excel Formulas 2007*. —[10-292](#)

Employee Development Training Contract between St. Louis County and Clark Bennett for *Defensive Driving*. —[10-293](#)

Employee Development Training Contract between St. Louis County and Gary Boelhower for *Respectful Workplace*. —[10-294](#)

Employee Development Training Contract between St. Louis County and Maria Stalzer Wyant Cuzzo for *Respectful Workplace*. —[10-295](#)

Employee Development Training Contract between St. Louis County and Ann Harrington Training & Consulting for *Compassionate Communications: "How to Talk So*

Others Will Listen & How to Listen So Others Will Talk” and Compassionate Communication Practice Session. —10-296

Employee Development Training Contract between St. Louis County and Rod Raymond Seminars for *It’s My Life: Where do I go from Here?* —10-297

Employee Development Training Contract between St. Louis County and Advance Training & Consulting, LLC, for *Word Mail Merge 2003, Word Mail Merge 2007, Word Tables 2003, Word Tables 2007, Access Imports, & Access Consultant.* —10-298

Employee Development Training Contract between St. Louis County and Patricia Merrier for *Plain English.* —10-299

Agreement between the County of St. Louis, Donald Dicklich, St. Louis County Auditor, and the Carlton-Cook-Lake-St. Louis Community Health Board for fiscal accounting services from January 1, 2010 through December 31, 2010. —10-300

Amendment to Contract, DAMION #07-3979, Agreement for Collection of Residential and Commercial Recyclable Materials, between St. Louis County and the City of Hibbing. —10-301

Upon motion of Commissioner O’Neil, supported by Commissioner Nelson, Resolutions numbered 155 through 160, and 162 through 169, as submitted to this Board on the Consent Agenda, were unanimously adopted as follows:

BY COMMISSIONER O’NEIL:

WHEREAS, on March 11, 2010, the St. Louis County Planning Commission held a public hearing regarding a request to rezone portions of the S 1/2 of the N 1/2 of the NW 1/4, Section 13, Township 55 North, Range 17 West; and

WHEREAS, the St. Louis County Planning Commission recommends approval of the rezoning.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves rezoning for the S 1/2 of the N 1/2 of the NW 1/4, Section 13, Township 55 North, Range 17 West (Ellsburg), from RES-5 to FAM-3, effective April 30, 2010.

Adopted April 6, 2010. No. 155

WHEREAS, the St. Louis County Public Works Department plans to replace County Bridge 232 and to reconstruct approximately 325 feet of the adjacent County Road 965 located approximately 2 miles west of County State Aid Highway No. 5 in Toivola Township (T54-R20); and

WHEREAS, these improvements consist of widening and reconstructing the roadway and bridge replacement as determined necessary 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) which include State of Minnesota tax forfeited land.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the acquisition of the necessary lands and temporary easements for this project, payable from Fund 200, Agency 2003001, Objects 636500 and 636600.

RESOLVED FURTHER, that pursuant to Minn. Stat. § 282.04, subdivision 4, the St. Louis County Board hereby authorizes the County Auditor to grant the necessary right of way easements for highway purposes over, under, and across the following Tax Forfeited parcels (shown on Exhibit A, attached):

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ST. LOUIS COUNTY, MINNESOTA

Parcel 1 - South Half (S 1/2) EXCEPT the Northeast Quarter of the Southeast Quarter (NE 1/4 of SE 1/4), Section 3, Township 54 North, Range 20 West of the Fourth Principal Meridian (P.I.N. # 550-0020-00440)

Parcel 2 - Southwest Quarter of the Southwest Quarter (SW 1/4 of SW 1/4), Section 2, Township 54 North of Range 20 West of the Fourth Principal Meridian (P.I.N. # 550-0020-00280).

EXHIBIT A

CR 965
Parcel 1 – Tax Forfeit

MP 69-
County Project 3726

Legal Description:

South Half (S1/2) EXCEPT the Northeast Quarter of the Southeast Quarter (NE 1/4 of SE 1/4), Section 3, Township 54 North, Range 20 West of the Fourth Principal Meridian.

Rights to be Acquired:

A PERMANENT EASEMENT for highway purposes over, under and across that part of the above property described as follows:

Commencing at the Southeast corner of Section 3, Township 54 North, Range 20 West and assuming the east line of said Section 3 to bear N 0 deg 49' 11" E; thence northerly along said east section line 1329.34 feet to the northeast corner of said SE 1/4 of SE 1/4, the point of beginning of the parcel to be herein described; thence S 0 deg 49' 11" W a distance of 88.57 feet to a point; thence N 30 deg 31' 05" W a distance of 103.62 feet to a point on the north line of said SE 1/4 of SE 1/4 ; thence S 89 deg 10' 49" E along said north line a distance of 53.93 feet more or less to the point of beginning.

Said Permanent Easement contains approximately 0.05 acres

EXHIBIT A

CR 965
Parcel 2 – Tax Forfeit

MP 69-
County Project 3726

Legal Description:

Southwest Quarter of the Southwest Quarter (SW 1/4 of SW 1/4), Section 2, Township 54 North, Range 20 West of the Fourth Principal Meridian

Rights to be Acquired:

An 80.0 foot PERMANENT EASEMENT for highway purposes over, under and across the above described property. The centerline of said easement is described as follows:

Commencing at the Southwest corner of Section 2, Township 54 North, Range 20 West and assuming the west line of said Section 2 to bear N 0 deg 49' 11" E; thence northerly along said west section line 1163.08 feet to a point; thence

deflect right 90 deg 00' 00" for a distance of 117.56 feet to a point on the centerline of County Road 965; thence N 30 deg 31' 05" W a distance of 50.0 feet to Engineer's station 3+00 and the point of beginning of the centerline to be herein described; thence continue N 30 deg 31' 05" W a distance of 145.1 feet more or less to the north boundary line of said SW 1/4 of SW 1/4 and there terminating.

The side lines of said easement are to be shortened to terminate at the west and north lines of said SW 1/4 of SW 1/4.

Said Permanent Easement contains approximately 0.25 acre

Together with a TEMPORARY CONSTRUCTION EASEMENT across a strip of land 15.0 feet in width southwesterly of and adjoining the above described strip and lying between the west line of said SW 1/4 of SW 1/4 and a line drawn at a right angle from centerline at Engineer's station 3+40

Said Temporary Easement contains approximately 870 square feet and shall expire 31 December 2015.

Adopted April 6, 2010. No. 156

RESOLVED, that the St. Louis County Board authorizes the appropriate county officials to sign an agreement with the City of Proctor and any amendments approved by the County Attorney's office for SP 69-597-005, County Project 3700, whereby the city will pay its local dollar match of twenty percent (20%) of the actual project costs, and other costs including any expenses billed to the County by an outside entity. Funds from the city will be receipted into Fund 220, Agency 220196, Object 551502.

Adopted April 6, 2010. No. 157

RESOLVED, that the St. Louis County Board authorizes the appropriate county officials to sign an agreement with the St. Louis and Lake Counties Regional Railroad Authority and any amendments approved by the County Attorney's office for SP 69-090-018, County Project 3623, whereby the Railroad Authority will pay its local dollar match of twenty percent (20%) of the actual project costs, and other costs including any expenses billed to the County by an outside entity. Funds from the Railroad Authority will be receipted into Fund 220, Agency 220134, Object 583101.

Adopted April 6, 2010. No. 158

RESOLVED, that the St. Louis County Board authorizes the appropriate county officials to sign an agreement with the St. Louis and Lake Counties Regional Railroad Authority and any amendments approved by the County Attorney's office for SP 69-090-024, County Project 3721, whereby the Railroad Authority will pay its local dollar match of twenty percent (20%) of the actual project costs, and other costs including any expenses billed to the county by an outside entity. Funds from the Railroad Authority will be receipted into Fund 220, Agency 220239, Object 583101.

Adopted April 6, 2010. No. 159

RESOLVED, that the St. Louis County Board authorizes the appropriate county officials to sign an agreement with the City of Cook and any amendments approved by the County Attorney's office for SP 69-724-004, County Project 9322, whereby the city will pay its local dollar match of twenty percent (20%) of the actual project costs, and other costs including any expenses billed to the county by an outside entity. Funds from the city will be receipted into Fund 220, Agency 220205, Object 551534.

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Adopted April 6, 2010. No. 160

WHEREAS, the St. Louis County Sheriff has received authorization from the St. Louis County Board to further investigate the Allied Radio Matrix for Emergency Response (ARMER) radio system as an option for emergency communications; and

WHEREAS, the next step in determining actual costs of the ARMER system in St. Louis County requires an ARMER participation plan, and the Minnesota Department of Emergency Communications Network (DECN) has funding available to complete this plan; and

WHEREAS, it has been determined that GeoComm is best equipped to provide this service.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the appropriate county officials to apply for and accept a grant from the Minnesota Department of Emergency Communications Network (DECN) to fund St. Louis County's Allied Radio Matrix for Emergency Response (ARMER) participation plan, with funds to be accounted for in Fund 100, Agency 129999, Grant 12946, Grant Year 2010.

RESOLVED FURTHER, that the St. Louis County Board authorizes the appropriate county officials to enter into an agreement with GeoComm to complete a participation plan and fire/emergency medical service paging solution for a cost of \$46,610, payable from Fund 100, Agency 129999, Grant 12946, Grant Year 2010.

Adopted April 6, 2010. No. 162

WHEREAS, bids have been received by the County Auditor for the following project:
SAP 69-657-004, CP 72929, located on CSAH 57 from CSAH 16 to Hematite Street in Hibbing, MN.

WHEREAS, bids were opened in the County Board Room at 10:00 a.m., March 22, 2010, and the lowest responsible bidder determined.

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

<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
Hardrives, Inc.	14475 Quiram Dr. Rogers, MN 55374	\$723,508.56

RESOLVED FURTHER, that the appropriate county officials 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 220241, Object 652700.

Adopted April 6, 2010. No. 163

WHEREAS, bids have been received by the County Auditor for the following project:
MP 5-1304 located on CSAH 5 from CSAH 81 to CSAH 65 South NE of Chisholm, MN.

WHEREAS, the bids were opened in the County Board Room at 10:00 a.m., March 22, 2010, and the lowest responsible bidder determined.

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

<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
Ulland Brothers, Inc.	P.O. Box 340 Cloquet, MN 55720	\$1,485,410.96

RESOLVED FURTHER, that the appropriate county officials are authorized to approve the Contractor's Performance Bonds and to execute the bonds and contract for the above listed project payable from Fund 200, Agency 203219, Object 652800.

Adopted April 6, 2010. No. 164

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WHEREAS, bids have been received by the County Auditor for the following project:
MP 110-9315 located on CSAH 110 from CSAH 100 to CR 666 in Aurora and Hoyt
Lakes, MN.

WHEREAS, bids were opened in the County Board Room at 10:00 a.m., March 22, 2010,
and the lowest responsible bidder determined.

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

<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
KGM Contractors, Inc.	9211 Hwy. 53 Angora, MN 55703	\$1,357,563.81

RESOLVED FURTHER, that the appropriate county officials are authorized to approve
the Contractor's Performance Bonds and to execute the bonds and contract for the above
listed project payable from Fund 200, Agency 203031, Object 652800.

Adopted April 6, 2010. No. 165

RESOLVED, that the official proceedings of the St. Louis County Board of
Commissioners for the meeting of March 16, 2010, are hereby approved.

Adopted April 6, 2010. No. 166

RESOLVED, that the official proceedings of the St. Louis County Board of
Commissioners for the meeting of March 23, 2010, are hereby approved.

Adopted April 6, 2010. No. 167

RESOLVED, that the workers' compensation report of claims by employees for work-
related injuries, dated March 26, 2010, on file in the office of the County Auditor,
identified as County Board File No. 59016, is hereby received and ratified as payable
from Fund 730, Agency 730001.

Adopted April 6, 2010. No. 168

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. 59015, is hereby approved and the County Auditor is
authorized to issue the license as follows;

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:

The following license holder was issued a tobacco violation citation on the date as stated:

Pauline Hill, d/b/a Pauline's Baits & Boats, Bassett Township, Tobacco Products

License No. T10102, December 29, 2003.

Adopted April 6, 2010. No. 169

BY COMMISSIONER NELSON:

WHEREAS, on December 15, 2009, Resolution No. 09-404 was approved by the St.
Louis County Board authorizing the purchase of the RISKMASTER Risk Management
Information System (RIMS) from Computer Sciences Corporation (CSC), Inc., to
facilitate efficient Workers' Compensation claims processing, reporting and related
compliance; and

WHEREAS, some tort and liability claims managed by St. Louis County are subject to
the same Medicare compliance; and

WHEREAS, compliance can be cost effectively achieved via RISKMASTER utilizing

the General Claims Module.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board authorizes the purchase of the Computer Sciences Corporation RISKMASTER General Claims Module at a one time license fee of \$5,750.00, payable from Fund 720, Agency 999999, Object 311122, and authorizes ongoing annual maintenance and support at a rate mutually agreed to by the vendor and the county, payable from Fund 720, Agency 720001, Object 634800 (the first year cost of up to \$1,437.50), and subject to Consumer Price Index through 2013 and then at the appropriate annual rate for subsequent years for the life of the county's use of the software.

RESOLVED FURTHER, that the St. Louis County Board authorizes the appropriate county officials to sign the contract, and that amendments to the licensing, maintenance and support agreements may be executed by the Director of the Safety and Risk Management Division and Auditor, provided the funding for requested changes to the license agreement are included in the appropriate budgets.

Unanimously adopted April 6, 2010. No. 170

BY COMMISSIONER NELSON:

WHEREAS, in 2009, the state bonding legislation Chapter 93, Article 1, Subdivision 2, provided for a \$750,000 grant to St. Louis County to design, construct and install public water and sewer and related infrastructure from the city of Chisholm to North St. Louis County Fair Grounds; and

WHEREAS, the St. Louis County Board of Commissioners desires to secure \$750,000 in state bond funding for improvements to the North St. Louis County Fair Grounds, located in Chisholm, MN, and have the St. Louis County Agricultural Fair Association design, construct, insure and maintain the improvements; and

WHEREAS, St. Louis County has the legal authority to apply for financial assistance, and the institutional, managerial, and financial capability to ensure adequate project administration; and

WHEREAS, St. Louis County has not violated any federal, state or local laws pertaining to fraud, bribery, graft, kickbacks, collusion, conflict of interest or other unlawful or corrupt practice.

NOW, THEREFORE, BE IT RESOLVED, that St. Louis County will act as the legal sponsor for the project contained in the Redevelopment Grant Program to be submitted by May 1, 2010, and that the appropriate county officials are hereby authorized to apply to the Minnesota Department of Employment and Economic Development for \$750,000 in funding of this project on behalf of St. Louis County;

RESOLVED FURTHER, that upon approval of its application by the state, St. Louis County may enter into an agreement with the State of Minnesota for the above-referenced project, 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 sources and amounts of the local match identified in the application are committed to the project identified;

RESOLVED FURTHER, that the St. Louis County Board authorizes the appropriate county officials to execute a lease of up to 50 years, or other satisfactory agreement with the State of Minnesota, Iron Range Resources, securing the property to be improved with bond funds;

RESOLVED FURTHER, that the St. Louis County Board authorizes the appropriate county officials to execute a 20 year agreement with St. Louis County Agricultural Fair Association to design, construct, insure and maintain the facilities improved with bond funds;

RESOLVED FURTHER, at the end of the 20 year agreement period, the facilities will be transferred to the St. Louis County Agricultural Fair Association.

NOW, THEREFORE, BE IT FINALLY RESOLVED, that the Board Chair, County Auditor, and County Attorney are hereby authorized to execute such agreements as are

necessary to implement the project on behalf of the applicant.

Yeas – Commissioners O’Neil, Dahlberg, Forsman, Sweeney, Nelson, and Chair Raukar
– 6

Nays – Commissioner Fink – 1
Adopted April 6, 2010. No. 171

BY COMMISSIONER SWEENEY:

WHEREAS, a study commissioned by Arrowhead Regional Corrections concluded that there is a disproportionate representation of minority children confined in its juvenile detention center; and

WHEREAS, in April 2009, the Office of Justice Programs granted to St. Louis County \$90,000, including matching funds from Annie E. Casey Foundation, to implement a Juvenile Detention Alternatives Initiative to reduce the disproportion through reform of admissions to detention, and policies and practices of different agencies which come into contact with alleged delinquent juveniles; and

WHEREAS, collaboration is underway between various county departments, other governmental entities, and community organizations and agencies that work with youth in St. Louis County to address racial and ethnic disparities in the juvenile justice system; and

WHEREAS, the St. Louis County Board desires to support juvenile detention reform in order to more effectively rehabilitate youth and to create a more fair and equitable justice system for juveniles.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the appropriate county officials to apply for and accept a recurring grant from the Office of Justice Programs for FY 2010 in the amount of \$89,306, which includes funds from the Annie E. Casey Foundation, to continue the Juvenile Detention Alternatives Initiative, with funds to be accounted for in Fund 100, Agency 113999, Grant 11304, Grant Year 2010.

RESOLVED FURTHER, that any positions created with the use of these grant funds will be eliminated when the grant expires.

Unanimously adopted April 6, 2010. No. 161

At 10:38 a.m., on April 6, 2010, Commissioner Nelson, supported by Commissioner Sweeney, moved to adjourn the meeting; seven yeas, zero nays.

Steve Raukar, 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 APRIL 13, 2010**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 13th day of April, 2010, at 9:34 a.m., in the County Board Room, Duluth, Minnesota, with the following members present: Commissioners Dennis Fink, Steve O'Neil, Chris Dahlberg, Mike Forsman, Peg Sweeney, Keith Nelson, and Chair Steve Raukar – 7. Absent: None.

Chair Raukar asked for a moment of silence to honor U.S. troops serving throughout the world and their families at home as well as all persons whose lives are adversely affected by war.

Commissioner Fink, inspired by this week's IRS tax deadline, presented the words of wisdom with a quote from Margaret Thatcher, "The problem with *more government* is we eventually run out of other people's money".

Chair Raukar opened the meeting to persons who wanted to address the Board concerning issues not on the agenda and the following chose to do so:

Marsh Stenerson, AFSME representative, said he is retiring after 29 years of service. Mr. Stenerson wanted to leave the board with two thoughts in the struggle to maintain services during difficult political times: 1) listen to the people on the front line as they possess a wealth of wisdom; and 2) expand core service to include programs for people as this is what sets us apart. Chair Raukar thanked Mr. Stenerson for his words, noting St. Louis County is holding a recognition dinner for employees later this month.

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

Commissioner Nelson, supported by Commissioner Forsman, moved to approve a lawful gambling license application for Community Charities of MN to operate out of Trails End Resort in Portage Township. Commissioner Fink said he researched the organization and discovered they are based in Mankato, MN, and not all proceeds stay in St. Louis County. Commissioner Sweeney said money is available from charitable organizations and encouraged groups to apply for funds, otherwise the money will go elsewhere; seven yeas, one nay, Commissioner Fink. Resolution No. 194.

Commissioner Sweeney, supported by Commissioner Nelson, moved to approve a resolution permitting property owners with total taxes for multiple parcels exceeding a \$250 threshold to continue to make installment payments. Commissioner Sweeney amended her motion to include legislatively allowable payments. County Attorney Melanie Ford suggested –and makers agreed- to add language to allow payments as permitted by Minnesota Statute 279.01. Commissioner Nelson said the \$250 threshold is still too high and the board needs to send a strong message to the legislature. Commissioner Fink said the legislation allows county boards to lessen the burden for taxpayers. After further discussion on the impact of this legislation, the resolution was approved; seven yeas, zero nays. Resolution No. 195.

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

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Kevin Gray, County Administrator, and Robert Krepps, Land Commissioner, submitting Board Letter No. 10-114, Classification of 2009 Forfeitures (Conservation).—59065

Kevin Gray, County Administrator, and Robert Krepps, Land Commissioner, submitting Board Letter No. 10-115, Classification of 2009 Forfeitures (Non-Conservation).—59066

Kevin Gray, County Administrator, and Robert Krepps, Land Commissioner, submitting Board Letter No. 10-116, Reclassification of State Tax Forfeited Land to Non-Conservation.—59067

Kevin Gray, County Administrator, and Robert Krepps, Land Commissioner, submitting Board Letter No. 10-118, Removal and Cleanup of Abandoned Personal Property on State Tax Forfeited land.—59068

Kevin Gray, County Administrator, submitting Board Letter No. 10-127, Resolution of Support for Pioneer Mine Complex Restoration Project – Ely, MN.—59069

Kevin Gray, County Administrator, submitting Board Letter No. 10-134, Amendment to Minn. Statute §271.01 – Property Tax Collection.—59070

Employee Development Training Contract between St. Louis County and Ted Schick for *Time Management*.—10-302

Supply Contract, Contract No. 4869, between the County of St. Louis and Anderson Lubricants, Inc., for Lubricating Oils, Greases, Coolants and Fluids.—10-303

Agreement for Professional Services between St. Louis County and North St. Louis Soil and Water Conservation District for Wetland Administration.—10-304

Agreement for Professional Services between St. Louis County and South St. Louis Soil and Water Conservation District for Wetland Administration.—10-305

Cooperative Agreement between the County of St. Louis and the Town of Fayal for MP 6705-99999, for Bituminous Surfacing of TR 6705 (Scout Camp Road).—10-306

Cooperative Agreement between the County of St. Louis and the City of Virginia for 2010 Maintenance Striping (MP 10025) as listed in the Schedule of Prices in the Proposal/Plan Package and Plan.—10-307

Agreement for Fiscal Services 2010 between the County of St. Louis; Donald Dicklich, County Auditor; and the Arrowhead Regional Corrections Board.—10-308

Agreement for Property Management Services 2010 between the County of St. Louis and the Arrowhead Regional Corrections Board.—10-309

Lease Agreement between the County of St. Louis and the City of Duluth for the Impound Lot located at 2503 Rice Lake Road, Duluth, Minnesota.—10-310

Grant Approval Form for the State Boat & Water Safety Grant from the Minnesota Department of Natural Resources to the County Sheriff's Department.—10-311

Agreement for Professional Services between St. Louis County and Braun Intertec Corporation for a Geotechnical Exploration Program on County Bridge No. 516 (SAP

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 ST. LOUIS COUNTY, MINNESOTA

69-598-037, CP 83767) and County Bridge No. 642 (SAP 69-598-034, CP 1818).—10-312

Agreement for Professional Services between St. Louis County and LHB Corporation for Bridge Repair Design on County Bridge No. 808 on CSAH 7 (WO 98789).—10-313

Agreement for Safety and Risk Management Services 2010 between the County of St. Louis and the Arrowhead Regional Corrections Board for consulting and testing services, as well as workers compensation claims administration.—10-314

Agreement for Personnel and Training Services 2010 between the County of St. Louis through its Employee Relations Department and the Arrowhead Regional Corrections Board.—10-315

Service Contract, Contract No. 4866, between the County of St. Louis and Minnesota Elevator, Inc., for elevator maintenance services from April 1, 2010 to March 31, 2013, inclusive, with possible two (2) additional one-year extension.—10-316

Upon motion of Commissioner Sweeney, supported by Commissioner O’Neil, Resolutions No. 172 through 193, as submitted to this Board on the Consent Agenda, were unanimously adopted as follows:

BY COMMISSIONER SWEENEY:

WHEREAS, the St. Louis County Director of Purchasing solicited bids for ground applied application of herbicides on state tax forfeited lands for the year 2010; and
WHEREAS, Future Forests, Inc., of Askov, Minnesota, submitted the only bid in the amount of \$100,917.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board authorizes a contract with Future Forests, Inc., of Askov, Minnesota, for the chemical site preparation of 17 sites totaling 471.5 acres and the chemical release of 8 sites totaling 297 acres, in accordance with the specifications of Bid No. 4870, and subject to approval of the County Attorney, at its low specification bid price of \$100,917, payable from Fund 290, Agency 290001.

Adopted April 13, 2010. No. 172

WHEREAS, certain parcels forfeited to the State of Minnesota on December 14, 2009, 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 ‘nonconservation’ as required by Minn. Stat. § 282.01, Subd. 1; and

WHEREAS, the Land 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 peculiar 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 parcels are 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, classification of the parcels will be deemed approved if the County Board does not receive notice of the municipality’s disapproval within 60 days of the date on which this resolution is delivered to the clerk of the town in which the parcel is located.

NOW, THEREFORE, BE IT RESOLVED, the state tax forfeited parcels described in

County Board File No. 59065, shall be classified as conservation, and notice of the classification shall be transmitted by the Land Department to the clerk of the municipalities in which the parcels are located.

Adopted April 13, 2010. No. 173

WHEREAS, certain parcels forfeited to the State of Minnesota on December 14, 2009, 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 Department has recommended that certain parcels be classified as non-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 peculiar 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, classification of the 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 state tax forfeited parcels described in County Board File No. 59066 are classified as non-conservation and a notice of the classification shall be transmitted by the Land Department to the clerks of the municipalities or towns in which the parcels are located.

Adopted April 13, 2010. No. 174

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 or reclassified as conservation or non-conservation as required by Minn. Stat. § 282.01, Subd. 1; and

WHEREAS, certain parcels forfeited to the State of Minnesota for nonpayment of real estate taxes and were previously classified as conservation; and

WHEREAS, the Land Department has recommended that the parcels be reclassified as non-conservation and approved for sale after considering, 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 their peculiar suitability or desirability for particular uses; and

WHEREAS, the parcels of land may be located inside the boundaries of a municipality or town and Minn. Stat. § 282.01 provides that classification or reclassification and sale of lands 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 the parcels 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 of any parcel within 60 days of the date on which this resolution is delivered to the clerk of the municipality or town in which the parcels are located.

NOW, THEREFORE, BE IT RESOLVED, the State tax forfeited parcels described in County Board File No. 59067 shall be reclassified as non-conservation and offered for sale and the request for approval of the reclassification shall be transmitted by the St. Louis County Land Department to the clerk of the municipality or town in which the parcels are located.

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ST. LOUIS COUNTY, MINNESOTA

Adopted April 13, 2010. No. 175

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, interest and costs; and

WHEREAS, the applicants, Gary & Edna R Albertson, Jay & Patricia Anderson, Gwendolyn Carroll, and Forrest Norgaard have applied to repurchase State tax forfeited land; and

WHEREAS, the applicants were the owners of record at the time of forfeiture and are eligible to repurchase the properties; and

WHEREAS, approving the repurchases 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 Gary & Edna R Albertson, on file in County Board File No. 59058, subject to payments including total taxes and assessments of \$6,310.24, service fee of \$114, deed tax of \$17.44, deed fee of \$25, and recording fee of \$46, for a total of \$6,512.68, to be deposited into Fund 240 (Forfeited Tax Fund).

RESOLVED FURTHER, that the St Louis County Board approves the repurchase application by Jay & Patricia Anderson, on file in County Board File No. 59058, subject to payments including total taxes and assessments of \$6,741.99, service fee of \$114, deed tax of \$22.25, deed fee of \$25, and recording fee of \$46, for a total of \$6,949.24, to be deposited into Fund 240 (Forfeited Tax Fund).

RESOLVED FURTHER, that the St Louis County Board approves the repurchase application by Gwendolyn Carroll, on file in County Board File No. 59058, subject to payments including total taxes and assessments of \$8,411.33, service fee of \$114, deed tax of \$27.35, deed fee of \$25, and recording fee of \$46, for a total of \$8,623.68, to be deposited into Fund 240 (Forfeited Tax Fund).

RESOLVED FURTHER, that the St Louis County Board approves the repurchase application of Forrest Norgaard, on file in County Board File No. 59058, subject to payment including total taxes and assessments of \$3,132.49, service fee of \$114, deed tax of \$8.44, deed fee of \$25, and recording fee of \$46, for a total of \$3,325.93, to be deposited into Fund 240 (Forfeited Tax Fund).

Adopted April 13, 2010. No. 176

WHEREAS, the St. Louis County Land Department requests authorization to dispose of abandoned personal property on certain state tax forfeited parcels; and

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

WHEREAS, the previous owners of the property were properly notified by posting of property or by mail.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board authorizes the County Auditor to dispose of abandoned personal property on state tax forfeited parcels as described in County Board File No. 59068.

Adopted April 13, 2010. No. 177

WHEREAS, certain state tax forfeited parcels are currently dedicated as Memorial Forest; and

WHEREAS, pursuant to Minn. Stat. § 459.06, Subd. 3, state tax forfeited land which has been included in an established Memorial Forest and found more suitable for other purposes may, by resolution of the County Board, be withdrawn from the forest for disposal if the Commissioner of Natural Resources approves the sale of such land; and

WHEREAS, the state tax forfeited parcels described herein are more suitable for purposes other than forest management.

NOW, THEREFORE, BE IT RESOLVED, the state tax forfeited parcels described in

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ST. LOUIS COUNTY, MINNESOTA

County Board File No. 59022 shall be withdrawn from Memorial Forest, and approval for the sale of said parcels shall be requested from the Commissioner of Natural Resources.

Adopted April 13, 2010. No. 178

WHEREAS, the St. Louis County Board is requested to accept funds donated by Mickman Brothers, Inc., Ham Lake, Minnesota, for planting of seedlings to reinvest in reforestation; and

WHEREAS, the donation would cover 10 acres of the planting site located in Section 17, Township 54 North, Range 12 West, known as the First Strike planting site under Land Department categorization, as follows: Red Pine cost \$1,151; Planting cost \$338; Sign \$150; for a total of \$1,639.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the acceptance of \$1,639 from Mickman Brothers, Inc., Ham Lake, Minnesota, for the purpose of reinvesting in sustainable forestry for 10 acres on the First Strike planting site, to be deposited in Fund 290, 290001 (Memorial Forest).

Adopted April 13, 2010. No. 179

WHEREAS, Thomas Anderson, President, Northern Lights Rev, LLC, has agreed that the contract for the purchase of state tax forfeited lands should be cancelled; and

WHEREAS, the purchaser voluntarily agreed to admission of service and waiver of time to cure default to the State of Minnesota.

NOW, THEREFORE, BE IT RESOLVED, that the St Louis County Board approves the cancellation of contract for purchase of the state tax forfeited lands by Thomas Anderson, President, Northern Lights Rev, LLC, listed in County Board File No. 59038, 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.

Adopted April 13, 2010. No. 180

WHEREAS, the St. Louis County Public Works Department plans to reconstruct a portion of County State Aid Highway No. 56 (Morris Thomas Rd), in the City of Hermantown, beginning at the intersection of Midway Road and Morris Thomas Road, and continue west for approximately 0.50 miles, County Project 8291; and

WHEREAS, the improvement consists of widening and reconstructing the roadway as determined necessary to provide for the safety and convenience of the traveling public; and

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

NOW, 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, payable from Fund 220, Agency 203001.

RESOLVED FURTHER, that pursuant to Minn. Stat. § 282.04, Subdivision 4, the St. Louis County Board authorizes the County Auditor to grant the necessary permanent highway easements across tax forfeited lands and temporary construction easements for the project.

Adopted April 13, 2010. No. 181

WHEREAS, the St. Louis County Public Works Department plans to reconstruct a portion of County Road No. 3 (Becks Road), in Midway Township, beginning just north of the Canadian National Railroad Bridge, continuing north to a completion point approximately 400 feet south of Halie Road, County Project 8175; and

WHEREAS, the improvement consists of widening and reconstructing the roadway as determined necessary to provide for the safety and convenience of the traveling public;

and

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

NOW, 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, payable from Fund 220, Agency 220168.

RESOLVED FURTHER, the St. Louis County Board authorizes the Public Works Department to prepare a right of way plat for the reconstruction of a portion of County Road No. 3 (Becks Road), as described above, plat to be named "St. Louis County Highway Right of Way Plat No. 31", and record the plat for future reference.

RESOLVED FURTHER, that pursuant to Minn. Stat. § 282.04, Subdivision 4, the St. Louis County Board authorizes the County Auditor to grant the necessary highway easements across tax forfeited lands and temporary construction easements for the project.

Adopted April 13, 2010. No. 182

RESOLVED, that the St. Louis County Board authorizes an agreement with the Duluth, Winnipeg, and Pacific Railway Company for improvements to the above grade railroad crossing on County State Aid Highway No. 56 (Morris Thomas Road) in Solway Township, MN. The work will be the responsibility of the Railway, including any roadway repair work that may be needed as a result of the improvements. The county will review the improvements and terms of the agreement with no direct cost to the county.

Adopted April 13, 2010. No. 183

WHEREAS, a request to purchase county fee land was submitted by Mr. Mark McShane and Mr. James Stebe representing Fish Lake Enterprises, Inc., and the St. Louis County Property Acquisition Team deems the property to be non-conforming surplus property described as follows:

All that part of the Southwest Quarter of Northwest Quarter (SW ¼ of NW ¼), Section Twenty-two (22), Township Fifty-two (52) North, Range Fifteen (15) West, EXCEPT the Easterly 417 feet thereof, lying southerly of a line lying 65.00 feet to the left (southerly) of the following described line 1; and lying southeasterly and southerly of a line 45.00 feet to the left (southeast) of following described line 2.

Line 1: Commencing at the Southeast corner of the SW ¼ of NW ¼, Section 22, Township 52 North, Range 15 West, thence westerly, along the South line of said SW ¼ of NW ¼, a distance of 500.93 feet; thence westerly along a tangential curve concave to the North, having a radius of 818.51 feet and a central angle of 21 degrees 08 minutes 47 seconds, a distance of 302.09 feet to the POINT OF BEGINNING of the line to be described; thence continuing westerly and northwesterly along the last described curve concave to north, having a radius of 818.51 feet and a central angle of 29 degrees 45 minutes 00 seconds, a distance of 425.00 feet and said line there terminating.

Line 2: Beginning at the point of termination of Line 1 described above; thence South 51 degrees 10 minutes 44 seconds West a distance of 74.78 feet; thence continuing southwesterly along a tangential curve concave to the southeast, having a radius of 318.31 feet and a central angle of 50 degrees 31 minutes 47 seconds, a distance of 280.67 feet; thence continuing South 00 degrees 39 minutes 24 seconds West a distance of 9.81 feet to a point on the south line of said SW ¼ of NW ¼ of Section 22, Township 52 North, Range 15 West and said line there

terminating.

Said parcel contains 1.14 acres.

WHEREAS, an appraisal was performed with a resulting property value of \$2,275; and WHEREAS, Fish Lake Enterprises, Inc., submitted a bid amount of \$2,275, which covers 100% of the appraised value and Fish Lake Enterprises, Inc., is responsible for all property transaction recording fees and associated filing fees.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the requirements and procedures of Minn. Stat. § 373.01, Subdivision (h), the Chair of the County Board and County Auditor are authorized to execute and deliver a quit claim deed, conveying the above listed property to Fish Lake Enterprises, Inc., for the appraised value of \$2,275.

RESOLVED FURTHER, the Chair of the County Board and County Auditor are authorized to execute an easement for in place Electric Utility Lines to Lake Country Power over the following described property as listed below.

Legal Description:

All that part of the Southwest Quarter of Northwest Quarter (SW ¼ of NW ¼), Section Twenty-two (22), Township Fifty-two (52) North, Range Fifteen (15) West, EXCEPT the Easterly 417 feet thereof, lying southerly and southwesterly of the following described line. Commencing at the Southeast corner of the SW ¼ of NW ¼, Section 22, Township 52 North, Range 15 West, thence Westerly, along the South line of said SW ¼ of NW ¼, a distance of 500.93 feet; thence westerly along a tangential curve concave to the North, having a radius of 818.51 feet and a central angle of 21 degrees 08 minutes 47 seconds, a distance of 302.09 feet to the POINT OF BEGINNING of the line to be described; thence continuing westerly and northwesterly along the last described curve concave to north, having a radius of 818.51 feet and a central angle of 29 degrees 45 minutes 00 seconds, a distance of 425.00 feet; thence South 51 degrees 10 minutes 44 seconds West a distance of 74.78 feet; thence continuing southwesterly along a tangential curve concave to the southeast, having a radius of 318.31 feet and a central angle of 50 degrees 31 minutes 47 seconds, a distance of 280.67 feet; thence continuing South 00 degrees 39 minutes 24 seconds West a distance of 9.81 feet to a point on the south line of said SW ¼ of NW ¼ of Section 22, Township 52 North, Range 15 West and said line there terminating.

Easement Description:

A 30.00 foot wide easement for overhead utilities over and across the above described property being over the northerly 30.00 feet of the southerly 80.00 feet of the above described property.

Adopted April 13, 2010. No. 184

WHEREAS, representatives of Ely Greenstone have begun a restoration project at the old Pioneer Mine Complex, including a Miners Memorial proposal to erect a sculpture which would recognize the many men who had died in the iron ore mines of Ely, Minnesota; and

WHEREAS, restoration plans for the old mine are designed to utilize space in the facility with minimal impact to the present structure, and enhance the significance of the historical property for the community; and

WHEREAS, representatives for the project have requested that the St. Louis County Board pass a resolution of support for the project.

NOW, THEREFORE BE IT RESOLVED, the St. Louis County Board is in full support

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 ST. LOUIS COUNTY, MINNESOTA

of the restoration project currently underway at the old Pioneer Mine Complex in Ely, including erection of a statue to recognize the men who gave their lives while working in the iron ore mines of Ely, Minnesota.

Adopted April 13, 2010. No. 185

RESOLVED, that the St. Louis County Board authorizes the appropriate county officials to apply for and accept the 2010 State of Minnesota, Emergency Management Performance Grant in the amount of \$81,734, to be accounted for in Fund 100, Agency 132999, Grant 13203, Year 2010.

Adopted April 13, 2010. No. 186

WHEREAS, it is the policy of the State of Minnesota to promote safe and useable waterways within the state; and

WHEREAS, the state provides grants for services to carry out this policy; and

WHEREAS, the St. Louis County Sheriff's Office provides boat and water safety in the county.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the application and acceptance of the Minnesota Department of Natural Resources 2010 Boat and Water Safety Grant in the amount of \$85,947 for the period January 1, 2010 through June 30, 2011, to be accounted for in Fund 100, Agency 130999, Grant 13001, Year 2010.

Adopted April 13, 2010. No. 187

WHEREAS, the Federal Emergency Management Agency (FEMA) has made available a disaster mitigation grant to provide wildfire sprinkler systems; and

WHEREAS, Arrowhead Regional Development Commission has managed a similar program and has the experience and capacity to manage this project; and

WHEREAS, funding is available in the grant to pay for this service.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the Sheriff's Office to enter into a professional services agreement with Arrowhead Regional Development Commission to manage the wildfire sprinkler project as part of the 2009 FEMA Disaster Mitigation Grant.

Adopted April 13, 2010. No. 188

WHEREAS, the St. Louis County Board of Commissioners supports the goals of sharing criminal justice information and communication systems throughout the region; and

WHEREAS, the North East Minnesota Enforcement and Safety Information System (NEMESIS) has been created in support of these goals; and

WHEREAS, adapter enhancements and new adapters are needed between local information management systems and the Minnesota Bureau of Criminal Apprehension (BCA); and

WHEREAS, the BCA, through a Joint Powers Agreement with St. Louis County, is willing to provide \$61,000 to fund the project.

NOW, THEREFORE, BE IT RESOLVED, that the appropriate county officials are authorized to enter into an agreement with Courtview Justice Solutions, Inc., in the amount of \$61,000 to enhance existing adapters from the Damion Prosecutor, Shield RMS applications to the Minnesota Bureau of Criminal Apprehension's eCharging and Name and Event Index Service, Comprehensive Incident Based Reporting System, and to provide statutory services adapters for these applications, payable from NEMESIS, Fund 150, Agency 150001, Project 60201004, contingent upon the county entering into a joint powers agreement with the State of Minnesota to receive \$61,000 in funding for this project, to be deposited in NEMESIS, Fund 150, Agency 150001, Project 60201004.

RESOLVED FURTHER, that the St. Louis County Sheriff is authorized to enter into other non-financial agreements necessary to facilitate this project.

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS 124
ST. LOUIS COUNTY, MINNESOTA

Adopted April 13, 2010. No. 189

WHEREAS, the Purchasing Department solicited bids for the purchase of bituminous materials for use throughout St. Louis County; and

WHEREAS, the Purchasing Department received bids which met specifications from four vendors; and

WHEREAS, bituminous materials are purchased from the vendor with the lowest net cost for the product required to each project site; the lowest net cost includes price per ton, proximity to the project and transportation costs.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board authorizes the appropriate County officials to enter into contracts for the purchase of bituminous materials from Ulland Brothers, Inc., of Cloquet, MN; Mesabi Bituminous, Inc., of Gilbert, MN; Monarch Paving Company of Turtle Lake, WI; and Northland Constructors of Duluth, LLC, of Duluth, MN, at the prices submitted on Bid 4874, payable from Fund 200, Agencies 201004, 201005, 201006, 201007, and 201013, Object 651100.

Adopted April 13, 2010. No. 190

WHEREAS, the Public Safety Building was designed as a 911 dispatch center and a law enforcement facility and the original engineering was designed around owner provided dispatch consoles, computer and communication equipment, crime lab equipment, and operational parameters; and

WHEREAS, from the design phase to the actual building phase the Sheriff's Office Emergency Communications staff and Management Information System staff researched and ordered vastly improved energy efficient equipment; and

WHEREAS, this project will improve indoor air quality and occupant comfort, create redundancy/reliability for the HVAC systems, and result in significantly lower operating costs; and

WHEREAS, three (3) bids were received by Property Management as follows:

A. G. O'Brien - Hermantown, MN	\$78,387.00
The Jamar Company - Duluth, MN	\$83,246.00
Belknap Plumbing & Heating - Superior, WI	\$98,342.00

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board awards the project to A. G. O'Brien, 4907 Lightning Drive, Hermantown, Minnesota, for an amount of \$78,387.00, payable from Fund 400, Agency 400015.

Adopted April 13, 2010. No. 191

RESOLVED, that the recommendations of the Finance Committee for payment of claims and bills against the County of St. Louis, on file in the office of the County Auditor, identified as County Board File No. 59024, are hereby approved and the County Auditor shall issue checks in the following amounts:

FEBRUARY 2010		<u>TOTAL</u>
<u>FUND</u>		
100	General Fund	\$4,846,958.38
149	Personnel Service Fund	1,024.75
150	Sheriff's Nemesis Fund Group	116,666.04
160	MN Trail Assistance	61,021.78
166	Attorney's Forfeitures	72.83
168	Sheriff's State Forfeitures	1,315.50
170	Boundary Waters-Forfeiture	3,291.93
173	Emergency Shelter Grant	27,862.52

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ST. LOUIS COUNTY, MINNESOTA

179	Enhanced 9-1-1	18,687.72
180	Law Library	14,370.31
183	City/County Communications	514.92
184	Extension Service	32,555.45
200	Public Works	2,170,255.15
210	Road Maint – Unorg Townships	2,736.02
220	State Road Aid	231,869.47
230	Public Health & Human Services	5,769,294.18
240	Forfeited Tax	358,811.23
250	St. Louis County HRA	30,312.87
260	CDBG Grant	547,687.36
261	CDBG Program Income	2,909.76
270	Home Grant	179,190.85
400	County Facility	41,987.11
421	Northland Office Bldg Improv.	2,027.77
438	2008 Capital Improvement Bond	460.00
500	Shoreline Sales	8,995.00
600	Environmental Services	411,240.76
616	On-Site Waste Water Division	40,920.76
625	Chris Jensen Health & Rehab	159,476.79
670	Supervised Living	17,594.19
700	Printing	10,441.39
705	Postage Office Supplies	3,888.98
715	County Garage	88,440.42
720	Property Casualty Liability	9,083.62
730	Workers Compensation	401,264.11
750	Management Info Systems	269,704.39
760	Telecommunications	65,281.18
770	Retired Employees Health Ins	865.09
826	Taconite Production Tax	5,500,270.00
900	State of Minnesota	704,434.62
902	Courts	285,743.78
904	Beer License	2,215.00
908	City and Towns Taxes	248,448.66
909	Tax Refunds	87,233.97
925	Arrowhead Regional Corrections	1,575,754.13
955	Community Health Board	239,888.11
985	Collective Local Collaborative	15,942.02
989	Regional Railroad Authority	346,454.09
990	Northern Cities Land Use	214.89
998	MPL-DUL Train Alliance	49,185.81
		<u>\$25,004,865.66</u>
		=====

Adopted April 13, 2010. No. 192

RESOLVED, that pursuant to the provisions of Minnesota Statutes, 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. 59021;

FURTHER RESOLVED, that said license is approved contingent upon license holder paying real estate or personal property taxes when due;

FURTHER RESOLVED, license is approved contingent upon license holder complying in all respects with the controlling liquor, health, environmental and sanitary laws, rules

and regulations for the liquor license;

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

FURTHER RESOLVED, that said license shall be effective through June 30, 2010:

Vermilion Ventures, LLC, d/b/a Bayview Lodge, Greenwood Township, On-Sale Intoxicating Liquor License No. CMB10132 and Sunday On-Sale Intoxicating Liquor License No. SUN10132, new.

Adopted April 13, 2010. No. 193

BY COMMISSIONER NELSON:

RESOLVED, that pursuant to Minn. Stat. § 349.213, Subd. 2, the St. Louis County Board approves the following Lawful Gambling License Application (Pull-tabs) on file in the office of the County Auditor, identified as County Board File No. 59051 for the following organization:

Community Charities of Minnesota to operate out of Trails End Resort, Portage Township, 6310 Crane Lake Road, Buyck, MN, 55771.

Yeas – Commissioners O’Neil, Dahlberg, Forsman, Sweeney, Nelson, and Chair Raukar – 6

Nays – Commissioner Fink – 1

Adopted April 13, 2010. No. 194

BY COMMISSIONER SWEENEY:

WHEREAS, Minn. Stat. § 279.01, Subd. 1, raises the tax amount on a parcel that provides for a second-half installment of real property taxes from \$50 to \$250; and

WHEREAS, this includes the provision allowing counties, by resolution, to permit owners with total taxes from multiple parcels exceeding this threshold to make the two installment payments.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board will permit any property owner who has multiple tracts or parcels with aggregate taxes exceeding \$250, to continue to make installment payments as allowed by Minn. Stat. § 279.01, Subd. 1.

RESOLVED FURTHER, that the St. Louis County Board authorizes the County Auditor to abate any penalty, at his discretion, for property owners not aware of the change in installment payments as per this statute.

Unanimously adopted April 13, 2010. No. 195

At 10:28 a.m., April 13, 2010, Commissioner Fink, supported by Commissioner Nelson, moved to adjourn the meeting; seven yeas, zero nays.

Steve Raukar, 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 APRIL 27, 2010**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 27th day of April, 2010, at 9:36 a.m., in the Fayal Town Hall, 4375 Shady Lane, Eveleth, Minnesota, with the following members present: Commissioners Dennis Fink, Steve O'Neil, Chris Dahlberg, Mike Forsman, Peg Sweeney, Keith Nelson, and Chair Steve Raukar – 7. Absent: None.

Chair Raukar asked for a moment of silence to honor U.S. troops serving throughout the world and their families at home as well as all persons whose lives are adversely affected by war.

Commissioner Nelson, inspired by today's meeting held in a township hall, dedicated his words of wisdom to family and the work of St. Louis County to help build community.

Chair Raukar 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; seven yeas, zero nays.

Chair Raukar recognized the creativity in the words of wisdom and asked if commissioners had anything else to report. Commissioner Fink noted the Public Oral Timber Auction Brochure distributed in today's packet. Commissioner Sweeney discussed a handout from a recent Arrowhead Regional Development Commission (ARDC) Meeting. Chair Raukar noted the census deadline passed which triggers the door knocking campaign, and said St. Louis County is leading the nation in census response.

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

St. Louis County Union Depot Passenger Rail Terminal Study Executive Summary presented at the April 13, 2010, Committee of the Whole meeting.—59071

Commissioner Sweeney submitting a handout from the April 15, 2010, Arrowhead Regional Development Commission meeting regarding the increase in State sales tax to benefit the arts and outdoors. Public input sessions are scheduled for May 27, 2010, 7:00 p.m. at the Minnesota Interagency Fire Center, Grand Rapids, MN, and June 3, 2010, 7:00 p.m. at the Depot in Duluth.—59072

Grant Agreement between the State of Minnesota - Board of Water & Soil Resources and St. Louis County for the FY 2010 Natural Resources Block Grant.—10-317

Addendum to Purchase Agreement, Contract No. 14474B, between the St. Louis County Board of Commissioners and Life House for Assertive Community Treatment Team South Services.—10-318

Addendum to Purchase Agreement, Contract No. 14475B, between the St. Louis County Board of Commissioners and Human Development Center for Assertive Community Treatment Team South Services.—10-319

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Home and Community-Based Waiver Services Contract, Contract No. 14804, between the St. Louis County Board of Commissioners and A-1 Fence Company.—[10-320](#)

Cooperative Agreement between St. Louis County and the City of Eveleth for 2010 Maintenance Striping (MP 10025).—[10-321](#)

Cooperative Agreement between St. Louis County and Duluth, Winnipeg, and Pacific Railway for construction and improvements at County State Aid Highway 56 (Morris Thomas Road) and Rainy Subdivision Main Track, M.P. 17.3.—[10-322](#)

Safety & Risk Management Training Contract between St. Louis County and Schick Corporate Learning for *Conflict Management*.—[10-323](#)

Agreement for Professional Services between the County of St. Louis and Architectural Resources, Inc., for Emergency Air Conditioning Unit Replacement – Hibbing Courthouse.—[10-324](#)

Agreement for Professional Services between the County of St. Louis and Head of the Lakes Counseling Resources to provide an Employee/Family Stress Based Program for the period of January 1, 2010, and terminating December 31, 2011.—[10-325](#)

Service Contract between the County of St. Louis and Northern Minnesota Recycling for Recyclable Materials Haulage and Processing for the period of April 1, 2010 through September 30, 2011.—[10-326](#)

Amendment No. 1 to Contract #2009-5243, St. Louis County Regional Landfill Leachate Spray Irrigation System Upgrade, between the County of St. Louis and Kangas Excavating, Inc., extending the original completion date through May 31, 2010.—[10-327](#)

Contract for County-State Aid Highway Project between the County of St. Louis and Ulland Brothers, for Culvert Replacement, Mill Bituminous Surface, Bituminous Pavement Reclamation, Plant Mixed Bituminous Surface, and Plant Mixed Bituminous Shoulders on County State Aid Highway (CSAH) 5 near Chisholm, Minnesota, (MP 5-1304).—[10-328](#)

Contract for County-State Aid Highway Project between the County of St. Louis and KGM Contractors, Inc., for Bituminous Pavement Reclamation, Mill Bituminous Surface, and Plant Mixed Bituminous Surface on CSAH 110 in Aurora and Hoyt Lakes, Minnesota, (MP 110-9315).—[10-329](#)

Contract for County-State Aid Highway Project between the County of St. Louis and Hardrives, Inc., for Mill Bituminous Surface, Curb & Gutter Maintenance, Storm Sewer Maintenance, Plant Mixed Bituminous Surface, and Aggregate Shouldering on CSAH 57 from CASH 16 to Hematite Street in Hibbing, Minnesota.—[10-330](#)

Cooperative Agreement between the County of St. Louis and the St. Louis and Lake Counties Regional Railroad Authority (RRA) for construction of the Fayal to Eveleth Segment of Mesabi Trail (SP 69-090-024, CP 3721).—[10-331](#)

Cooperative Agreement between the County of St. Louis and the City of Cook for River Street Streetscape (SP 69-724-004, CP 9322).—[10-332](#)

Cooperative Agreement between the County of St. Louis and the St. Louis and Lake

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Counties Regional Railroad Authority (RRA) for the McKinley to Biwabik Segment of Mesabi Trail (SP 69-090-018, CP 3623).—[10-333](#)

Municipal Cooperative Agreement between the County of St. Louis, Midway Township, and the City of Proctor, for reconstruction of the Sanitary Sewer and Water Main at portions of County Road 284 and CSAH No. 11 (Stark and Ugstad Roads), (SAP 69-611-016, CP 8282).—[10-334](#)

Minnesota Department of Public Safety, Homeland Security and Emergency Management Grant for interoperable communications planning and equipment for the seven county Northern Boarder Region.—[10-335](#)

Purchase of Service Agreement, Contract No. 14756, between the St. Louis County Board of Commissioners and Duluth Bethel Society for Consolidated Chemical Dependency Treatment.—[10-336](#)

Purchase of Service Agreement, Contract No. 14803, between the St. Louis County Board of Commissioners and Bois Forte Reservation for Family Outreach Services.—[10-337](#)

Purchase of Service Agreement, Contract No. 14774, between the St. Louis County Board of Commissioners and Minnesota Teen Challenge, Inc., d/b/a Minnesota Teen Challenge Northland Campus for Chemical Dependence Treatment.—[10-338](#)

Grant Agreement, Contract No. 20902, between the St. Louis County Board of Commissioners and Lutheran Social Services (Self/One Program).—[10-339](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14545A, between the St. Louis County Public Health and Human Services Department and Range Regional Health Services d/b/a HealthLine HomeCare.—[10-340](#)

Home and Community-Based Waiver Services Contract, Contract No. 14773, between the St. Louis County Board of Commissioners and Range Regional Health Services d/b/a HealthLine Medical Supply.—[10-341](#)

Addendum to Purchase Agreement, Contract No. 14112A, between the St. Louis County Board of Commissioners and Range Mental Health Center, Inc., Arrowhead Center, Inc., and Occupational Development Center, Inc., for Assertive Community Treatment Team North Services.—[10-342](#)

Purchase of Services Contract, Contract No. 20877, between the St. Louis County and The Salvation Army for the purchase of social services.—[10-343](#)

Grant Agreement, Contract No. 20896, between the St. Louis County Board of Commissioners and the Minnesota Chippewa Tribe (MCT) for Minnesota Family Investment Program (MFIP) Disparities Innovation Funds.—[10-344](#)

Purchase of Service Agreement, Contract No. 14770, between the St. Louis County Board of Commissioners and Minnesota Indian Primary Residential Treatment Center, Inc. for Chemical Dependency Treatment.—[10-345](#)

Home and Community-Based Waiver Services Contract, Contract No. 14779, between the St. Louis County Board of Commissioners and Wendigo Pines Assisted Living of Chisholm, Inc.—[10-346](#)

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Group Residential Housing Rate Agreement, Contract No. 50804, between the St. Louis County Board of Commissioners and Wendigo Pines Assisted Living of Chisholm.—10-347

Home and Community-Based Waiver Services Contract, Contract No. 14777, between the St. Louis County Board of Commissioners and New Mellenium Health Care.—10-348

Grant Agreement, Contract No. 20898, between the St. Louis County Board of Commissioners and the City of Duluth for Statewide Minnesota Family Investment Program (MFIP) Employment Services and Diversionary Work Program Services (DWP).—10-349

Grant Agreement, Contract No. 20903, between the St. Louis County Board of Commissioners and Arrowhead Regional Corrections.—10-350

Home and Community-Based Waiver Services Contract, Contract No. 14543, between the St. Louis County Board of Commissioners and Benedictine Health Center.—10-351

Home and Community-Based Waiver Services Contract, Contract No. 14780, between the St. Louis County Board of Commissioners and Mary S. Atwood.—10-352

Home and Community-Based Waiver Services Contract, Contract No. 14554, between the St. Louis County Board of Commissioners and Ely-Bloomenson Community Hospital d/b/a Ely Bloomenson Hospital HHA.—10-353

Home and Community-Based Waiver Services Contract, Contract No. 14634, between the St. Louis County Board of Commissioners and Empowerment Services of MN, Inc.—10-354

Addendum to Purchase Agreement, Contract No. 13340I, between the St. Louis County Board of Commissioners and Empowerment Services of Minnesota, Inc. (ESI), extending the termination date to June 30, 2010.—10-355

Home and Community-Based Waiver Services Contract, Contract No. 14585, between the St. Louis County Board of Commissioners and Bethesda Adult Foster Home. —10-356

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14665A, between St. Louis County Public Health and Human Services Department and Lakeside Manor, Inc. —10-357

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14674A, between St. Louis County Public Health and Human Services Department and St. Francis Health Services of Morris, Inc., d/b/a Home Care Services Options of Duluth. —10-358

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14679A, between St. Louis County Public Health and Human Services Department and Fairview Range Regional Health Services d/b/a Greenview Residence. —10-359

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14669A, between St. Louis County Public Health and Human Services Department and

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Range Development Company of Chisholm, MN. —[10-360](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14570A, between St. Louis County Public Health and Human Services Department and Wesley Residence, Inc. —[10-361](#)

Amendment to Professional Services Agreement, Contract No. 2007-003694, between the County of St. Louis and Architectural Resources, Inc., for the Duluth Courthouse HVAC Phase III project. —[10-362](#)

Group Residential Housing Rate Agreement, Contract No. 50827, between the St. Louis County Board of Commissioners and REM Arrowhead, Inc., (Bristol Place). —[10-363](#)

Group Residential Housing Rate Agreement, Contract No. 50803, between the St. Louis County Board of Commissioners and TBI Residential and Community Services - #38. —[10-364](#)

Group Residential Housing Rate Agreement, Contract No. 50828, between the St. Louis County Board of Commissioners and Trillium Services, Inc., (Decker Road). —[10-365](#)

Group Residential Housing Rate Agreement, Contract No. 50829, between the St. Louis County Board of Commissioners and Shane Clemens (AFC). —[10-366](#)

Agreement for Professional Services between St. Louis County and R. W. Beck, Inc., for a feasibility study for Landfill Gas Management Options Evaluation for the St. Louis County Regional Landfill in Virginia, MN. —[10-367](#)

Service Agreement between the County of St. Louis and Liberty Tire Recycling, LLC, for Collection and Proper Disposal of Tires. —[10-368](#)

Project Contract, Contract No. 4870, between the County of St. Louis and Future Forests, Inc., for Broadcast Application of Herbicides for Tree Plantation Site Preparation and Release of Existing Conifer Plantations. —[10-369](#)

S.J. Kniefel, Right of Way Agent, Public Works Department, submitting two (2) Highway Easements on Tax Forfeited Land in Toivola Township, County Project 3726, replacement of County Bridge 232 on the Hingeley Road. —[10-370](#)

Upon motion of Commissioner O'Neil, supported by Commissioner Sweeney, Resolutions No. 196 through 211, as submitted to this Board on the Consent Agenda, were unanimously adopted as follows:

BY COMMISSIONER O'NEIL:

RESOLVED, that the St. Louis County Board of Commissioners authorizes the appropriate county officials to enter into an agreement with the Town of Toivola, and any amendments approved by the County Attorney's office, whereby the Town of Toivola would accept a revocation/reversion of 1.5 miles of County Road 965 provided a replacement structure for the existing Bridge 232 (State Bridge 7815) can be funded and built within two years of the date of revocation and other provisions as detailed in the agreement.

RESOLVED FURTHER, that, pursuant to Minn. Stats. §163.11, Subdivision 5a, the St. Louis County Board schedules a hearing, concurrent with the meeting of the Toivola Township Board of Supervisors, to consider the revocation/reversion at 7:00 p.m. on Wednesday, May 12, 2010, at the Toivola Township Hall located at 9066 Highway 5,

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ST. LOUIS COUNTY, MINNESOTA

Toivola Township, MN, and directs the Public Works Department to represent the county at the hearing and report back to the County Board.
Adopted April 27, 2010. No. 196

WHEREAS, the Public Works Department purchases corrugated metal culverts on an annual basis; and
WHEREAS, the State of Minnesota has contracted with Johnston Fargo Culvert, Inc., of St. Paul, MN, and Contech Construction Products of Alexandria, MN; and
WHEREAS, the State of Minnesota contracts have firm pricing for a two year period commencing March 1, 2010.
NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board authorizes the purchase of corrugated metal culverts from Johnston Fargo Culvert, Inc., of St. Paul, MN, and Contech Construction Products of Alexandria, MN, for the two year period commencing March 1, 2010, payable from Fund 200, Agency 207001, Object 650900.
Adopted April 27, 2010. No. 197

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:

- Authorize use of fund balance that is designated for parking to pay for major repairs to the parking ramps (\$44,317.20).
- Use of Hibbing Raceway Fund Balance for eligible repair expenses by Property Management (\$1,598.00).
- Budget entry to record the pass thru money received and paid for voting machines (Auditor's Office – Elections, \$35,781.78).
- Increase Radio Maintenance budget to represent revenues received and associated expense budget for work done for the State of MN in both St. Louis and Lake Counties (\$15,508.86).
- Increase revenue and expense budget to appropriately record Meth-related overtime paid for by Chisholm, Hibbing and Virginia (\$12,622.59).
- Increase revenue and expense budget in the Sheriff's Office to reflect additional State training grant cost reimbursements for eligible expenses (\$3,148.00).
- Authorize transfer of funds from Administration to cover higher than budgeted actual costs associated with public defender expert witness fees (MN Statute 611.21) (\$507.87).
- Increase the designation for Nursing Homes to cover anticipated cash shortfall in 2010 (\$150,000).
- Create Designation for Central Client Intake from ARRA funds received in 2009 by Public Health and Human Services (\$979,350.00).
- Increase revenue and expense budget to account for additional client expenses reimbursed by Medical Assistance (MA) transportation funds (\$30,000).
- Increase revenue and expense budget to account for additional cost-effective health insurance premiums paid, full cost is reimbursed by the State (\$5,635.00).
- Increase revenue and expense budget to account for additional client expenses reimbursed by GAMC (General Assistance Medical Care) transportation funds (\$1,052.00).
- Increase designated for Unreserved for Emergency Contingency account in Public Works fund balance to \$500,000.

Emergency Response Team, and Emergency Management.

RESOLVED FURTHER, that the application is authorized for a total project cost amount of no more than \$727,750, and that the required 25% cash match of \$181,937 shall come from MIS Telecommunications, Fund 760, Agency 760001, Object 697600 (Transfer Out) and in Motor Pool, Fund 715, Agency 715001, Object 697600 (Transfer Out) to the General Fund, Sheriff's Grants 129999, Object 590100 (Transfer In).

BUDGET ENTRY

760-760001-697600 Transfer Out
760-999999-311500 Use of Fund Balance
715-715001-697600 Transfer Out
715-999999-311500 Use of Fund Balance
100-129999-590100-12938-99999999-2008 Transfer In

100-129999-665900-12938-99999999-2008 Expense Budget
100-129999-666300-12938-99999999-2008 Expense Budget

ACTUAL ENTRY

760-760001-697600 Transfer Out
715-715001-697600 Transfer Out
100-129999-590100-12938-99999999-2008 Transfer In
Adopted April 27, 2010. No. 200

RESOLVED, that a public hearing will be held at 9:35 a.m. on May 11, 2010, in the St. Louis County Courthouse, Duluth, Minnesota, for the purpose of considering an Off-Sale Intoxicating Liquor License to Vermilion Ventures, LLC, d/b/a Bayview Lodge, Greenwood Township.
Adopted April 27, 2010. No. 201

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

MP 127-97028 (low) located on CSAH 127 (Merritt Ave.) from CR 452 to CSAH 7, in Iron, MN and,
MP 452-1275 located on CR 452 (Iron Jct. Rd.) from CSAH 137 (Spirit Lake Rd.) to CSAH 7 in Iron, MN.

WHEREAS, bids were opened in the County Board Room at 10:00 a.m., April 12, 2010, and the lowest responsible bidder determined.

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

<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
KGM Contractors, Inc.	P.O. Box 7 Angora, MN 55703	\$927,954.91

RESOLVED FURTHER, that the appropriate county officials are authorized to approve the Contractor's Performance Bonds and to execute the bonds and contract for the above listed project payable from:

MP 127-97028 (low): Fund 200, Agency 203220, Object 652800 \$798,082.90
MP 452-1275: Fund 200, Agency 203089, Object 652800 \$129,872.01
Adopted April 27, 2010. No. 202

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

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MP 3782 located at the St. Louis County Public Works Facility in Meadowlands, MN, and Cole Ave.

WHEREAS, bids were opened in the County Board Room at 10:00 a.m., April 12, 2010, and the lowest responsible bidder determined.

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

<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
Northland Constructors of Duluth, LLC	4843 Rice Lake Rd. Duluth, MN 55803	\$219,842.40

RESOLVED FURTHER, that the appropriate county officials are authorized to approve the Contractor's Performance Bonds and to execute the bonds and contract for the above listed project payable from:

Fund 438, Agency 438009, Object 660600 – SLC portion	\$210,113.40
Fund 200, Agency 203223, Object 652800 – Meadowlands	\$ 9,729.00

With additional revenue budgeted for expense:

City of Meadowlands Fund 200, Agency 203223, Object 551571	\$ 9,729.00
Adopted April 27, 2010. <u>No. 203</u>	

RESOLVED, that the recommendations of the Finance Committee for payment of claims and bills against the County of St. Louis, on file in the office of the County Auditor, identified as County Board File No. 59024, are hereby approved and the County Auditor shall issue checks in the following amounts:

<u>FUND</u>		<u>TOTAL</u>
100	General Fund	\$5,450,457.95
149	Personnel Service Fund	60.00
150	Sheriff's Nemesis Fund Group	26,626.00
160	MN Trail Assistance	19,744.97
166	Attorney's Forfeitures	305.89
168	Sheriff's State Forfeitures	14,986.61
171	Controlled Substance	10,675.86
173	Emergency Shelter Grant	33,765.98
176	Revolving Loan Fund	250,000.00
179	Enhanced 9-1-1	17,295.37
180	Law Library	28,488.18
183	City/County Communications	387.79
184	Extension Service	37,324.84
200	Public Works	2,328,198.84
220	State Road Aid	206,976.19
230	Public Health & Human Services	5,593,715.56
240	Forfeited Tax	403,394.51
250	St. Louis County HRA	151,085.00
260	CDBG Grant	172,339.42
270	Home Grant	162,434.02
290	Forest Resources	4,108.45
302	Hibbing PW Facility 1997	80,027.20
400	County Facility	73,723.92
407	Road & Bridge-Equipment	54,418.77

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS 136
ST. LOUIS COUNTY, MINNESOTA

421	Northland Office Bldg Improv.	5,940.00
433	Dul CH – Begin Phase III HVAC	2,828.29
437	2008 Cap Equip Note	185,999.10
438	2008 Capital Improvement Bond	437,311.82
500	Shoreline Sales	19,510.00
600	Environmental Services	382,758.47
616	On-Site Waste Water Division	38,400.91
625	Chris Jensen Health & Rehab	387,687.36
700	Printing	10,438.33
705	Postage Office Supplies	13,068.60
715	County Garage	223,592.27
720	Property Casualty Liability	12,545.66
730	Workers Compensation	486,315.76
750	Management Info Systems	312,645.23
760	Telecommunications	184,995.94
770	Retired Employees Health Ins.	597.00
826	Taconite Production Tax	1,509,613.00
900	State of Minnesota	1,263,085.17
902	Courts	287,559.56
908	City and Towns Taxes	522.98
909	Tax Refunds	153,179.64
911	Taxes and Penalties	2,262.05
925	Arrowhead Regional Corrections	1,607,013.88
955	Community Health Board	184,098.51
985	Collective Local Collaborative	37,576.78
989	Regional Railroad Authority	277,062.43
990	Northern Cities Land Use	2,001.37
992	Permits to Carry-Firearms	100.00
994	Sheriff Forfeits/Evidence	495.39
998	MPL-DUL Train Alliance	245,571.98
		\$23,395,318.80

Adopted April 27, 2010. No. 204

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, dated April 9, 2010, on file in the office of the County Auditor, identified as County Board File No. 59016, is hereby received and ratified as payable from Fund 730, Agency 730001.

Adopted April 27, 2010. No. 205

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of April 6, 2010, are hereby approved.

Adopted April 27, 2010. No. 206

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of April 13, 2010, are hereby approved.

Adopted April 27, 2010. No. 207

RESOLVED, that pursuant to Ordinance No. 28, Section 11, Subdivision 11.06, authorization is hereby approved for the following applications to sell/serve outside the designated serving area of the County Liquor License, as per application on file in the office of the County Auditor, identified as County Board File No. 59021.

137 **PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS
ST. LOUIS COUNTY, MINNESOTA**

Ash-Ka-Nam Resort & Lodge, LLC, d/b/a Ash-Ka-Nam, Unorganized Township 68-19, May 1, 2010;

Ash-Ka-Nam Resort & Lodge, LLC, d/b/a Ash-Ka-Nam, Unorganized Township 68-19, May 13, 2010;

Ash-Ka-Nam Resort & Lodge, LLC, d/b/a Ash-Ka-Nam, Unorganized Township 68-19, August 28, 2010.

Adopted April 27, 2010. No. 208

RESOLVED, that pursuant to the provisions of Minnesota Statutes, 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. 59021;

FURTHER RESOLVED, that said license is approved contingent upon license holder paying real estate or personal property taxes when due;

FURTHER RESOLVED, that said license is approved contingent on Auditor's Office receiving proof of liquor liability and workers' compensation insurance;

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

FURTHER RESOLVED, that said license shall be effective through June 30, 2010:

Adam Riesland d/b/a Porky's, Gnesen Township, Combination On/Off-Sale Intoxicating Liquor License No. ON1040 and Sunday On-Sale Intoxicating Liquor License No. ONS1040.

Adopted April 27, 2010. No. 209

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. 59015, is hereby approved and the County Auditor is authorized to issue the license as follows;

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:

Vermilion Ventures, LLC, d/b/a Bayview Lodge, Greenwood Township, Tobacco Products License No. T10251, new.

Adopted April 27, 2010. No. 210

RESOLVED, that the appraisal reports for the sale of timber to be offered at PUBLIC ORAL TIMBER AUCTION, Tracts 1 through 40 (totaling \$905,002.24), as submitted by the Land Commissioner, on file in the office of the County Auditor, identified as County Board File No. 59017, are approved and the County Auditor is authorized to carry out the recommendations as listed in said appraisal reports.

Adopted April 27, 2010. No. 211

At 9:42 a.m., April 27, 2010, Commissioner Nelson, supported by Commissioner Fink, moved to adjourn the meeting; seven yeas, zero nays.

Steve Raukar, 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)