

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

MAY, 2010

OFFICIAL PROCEEDINGS OF THE MEETING
OF THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF ST. LOUIS, MINNESOTA,
HELD ON MAY 4, 2010

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 4th day of May, 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 O'Neil said there are many ways to present Words of Wisdom and he chose to have Duluth poet Ellie Schoenfeld read a poem she wrote entitled "Jesus Rising," about a statue of Jesus located on the 4th Street side of the Damiano Center in Duluth.

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

Kevin Gray, County Administrator, said the lack of items on the regular board agenda are not an indication of a lack of work by Commissioners but more a reflection of the hard work done at Committee of the Whole where consensus was reached. Administrator Gray also thanked Deputy Administrator Gary Eckenberg for coordinating recent technological updates to the Boardroom.

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

City of Buhl Wellhead Protection Program Part 1.—59073

Commissioner O'Neil submitting a poem written and recited by Duluth poet Ellie Schoenfeld entitled "Jesus Rising" along with photos of the statue for which the poem was written.—59074

County Auditor submitting 3.2 non-intoxicating malt liquor license applications (Beer) for the year 2010.—59075

Cooperative Agreement between the County of St. Louis and the Town of Gnesen for Various Paved Township Streets and County Highways (MP 10022).—10-371

Cooperative Agreement between the County of St. Louis and the City of Chisholm for Various Paved City Streets and County Highways (MP 10022).—10-372

Agreement for Professional Services between St. Louis County and South St. Louis Soil and Water Conservation District for Wetlands Conservation Act Administration.—10-373

Amendment No. 1 to Agreement for Professional Services (DAMION #2009-5430) between St. Louis

County and Tim Goodman & Associates extending the term of the original agreement through December 31, 2010.—[10-374](#)

Annual Boat and Water Safety Grant Agreement between the State of Minnesota Department of Natural Resources and the St. Louis County Sheriff's Department for the period of January 1, 2010 through June 30, 2011.—[10-375](#)

Grant Contract between the State of Minnesota, Department of Public Safety, Emergency Communications Networks Division, and St. Louis County for the Allied Radio Matrix for Emergency Response (ARMER) radio system.—[10-376](#)

Joint Powers Agreement, CFMS Contract No. B41315, between the State of Minnesota, Department of Public Safety, Bureau of Criminal Apprehension (BCA), CriMNet Office and the County of St. Louis, Sheriff's Office, for adapter enhancements from the Damion Prosecutor, Shield RMS applications to the BCA's eCharging and Name and Event Index Service, Comprehensive Incident Based Reporting System.—[10-377](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14611A, between the Public Health and Human Services Department and Transitional Housing.—[10-378](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14649A, between the Public Health and Human Services Department and Range Respite Project, Inc.—[10-379](#)

Upon motion of Commissioner Nelson, supported by Commissioner O'Neil, Resolutions No. 212 through 234 were unanimously adopted as follows:

BY COMMISSIONER NELSON:

WHEREAS, the contracts with Mark Jacobs of Duluth, MN, and Danielle Duclos, of Uriah, CA, for the purchase of state tax forfeited land are in default for nonpayment of taxes and/or installments; and WHEREAS, the purchasers were properly served with Notice of Cancellation of Contract by civil process and/or publication and have failed to cure the default for these lands; 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 will be notified by posting of property or by mail.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the cancellation of contracts C22050058 and C22050143 for the purchase of state tax forfeited land, 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, legally described as:

Mark Jacobs CITY OF DULUTH
 LOT 0003 BLOCK 071
 WEST DULUTH 6TH DIVISION
 Parcel Code: 10-4520-9510
 C22050058

Danielle Duclos CITY OF AURORA
 LOT 0001 BLOCK 001
 HOLLAND ADDITION C OF AURORA
 Parcel Code: 100-42-10
 C22050143

RESOLVED FURTHER, the St. Louis County Board authorizes the County Auditor to dispose of abandoned personal property from the above described state tax forfeited property.

Adopted May 4, 2010. [No. 212](#)

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 applicant, Mark Mehle, Jr., has applied to repurchase state tax forfeited land; and

WHEREAS, the applicant was the owner of record at the time of forfeiture, and is eligible to repurchase the property; and

WHEREAS, approving the repurchase will correct undue hardship and promote the use of lands that will best serve the public interest.

NOW, THEREFORE, BE IT RESOLVED, that the St Louis County Board approves the repurchase application of Mark Mehle, Jr., on file in County Board File No. 59058, subject to payments including total taxes and assessments of \$551.85, service fee of \$114, a deed tax of \$1.82, a deed fee of \$25, and a recording fee of \$46; for a total of \$738.67 to be deposited into Fund 240 (Forfeited Tax Fund).

Adopted May 4, 2010. No. 213

WHEREAS, pursuant to Laws of Minnesota 2008, Chapter 368, Article 1, Section 56, St. Louis County may sell to the State of Minnesota the following described state tax forfeited land for the purpose of public water access to Little Grand Lake:

Lot 7, Klimeks Addition to Grand Lake, Section 31, Township 51 North, Range 16 West

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

WHEREAS, the parcel of land has not been withdrawn from sale pursuant to Minn. Stat. §§ 85.012, 92.461, 282.01, Subd. 8, and 282.018, and other statutes that require the withholding of state tax forfeited lands from sale.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board approves the sale of the state tax forfeited lands described as Lot 7, Klimeks Addition to Grand Lake, Section 31, Township 51 North, Range 16 West, to the State of Minnesota for the appraised value of \$45,650 plus a 3% assurance fee of \$1,369.50, for a total of \$47,019.50 to be deposited into Fund 240 (Forfeited Tax Fund).

RESOLVED FURTHER, St. Louis County Board Resolution No. 08-670, dated December 23, 2008, is hereby rescinded.

Adopted May 4, 2010. No. 214

WHEREAS, the St. Louis County Board desires to offer for sale, as recommended by the Land Commissioner, certain parcels of land that have forfeited to the State of Minnesota for non-payment of taxes; and

WHEREAS, the parcels of land as described in County Board File No. 59022 have been classified as non-conservation land as provided for in Minn. Stat. Chapter 282.01; and

WHEREAS, these parcels of land are not withdrawn from sale pursuant to Minn. Stat. §§ 85.012, 92.461, 282.01, Subd. 8, and 282.018, and other statutes that require the withholding of State tax forfeited lands from sale; and

WHEREAS, Tract #12 is a combination of state tax forfeited and county fee land and buyer has an option to purchase on a contract for deed under the same terms as outlined in Minn. Stat. Chapter 282; and

WHEREAS, the Commissioner of Natural Resources has approved the sale of these lands, as required by Minn. Stat. Chapter 282.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board authorizes the County Auditor to offer these lands at public sale at not less than the basic sale price in accordance with terms set forth in the Land Department policy, and in a manner provided for by law on Thursday, June 10, 2010, at 10:00 a.m. at the Depot, 506 W. Michigan Street, Duluth, MN. Funds from the land sale are to be deposited into Fund 240 (Forfeited Tax Fund) or into Fund 100, Agency 128014 (County Fee Land Sales Cost).

Adopted May 4, 2010. No. 215

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

WHEREAS, the Public Works Department 2010 budget includes funds for the purchase of Global Positioning System (GPS) equipment through the State of Minnesota Contract to replace aging instruments in the Engineering Division.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the purchase of a Trimble GPS Unit and related equipment from Frontier Precision, Inc., of Bloomington, MN, in the amount of \$55,221.90 from Fund 200, Agency 200008, Object 664800, as identified in quote No. STL01-022310.

Adopted May 4, 2010. No. 216

WHEREAS, the Public Works Department's 2010 equipment budget includes replacement of one (1) wheel loader, Unit A5415, a 2004 Case 921C; and

WHEREAS, the Public Works Department presented specifications to the Purchasing Department for a request of State of Minnesota contract pricing from two area vendors selling wheel loaders acceptable to the Department; and

WHEREAS, Ziegler, Inc., of Duluth and Minneapolis, MN, had the lowest cost "with trade-in" price to purchase one Caterpillar 950H wheel loader.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board authorizes, in accordance with "The Request for State Contract Pricing, Specifications for 4 Cu. Yd. Wheel Loaders Contract # 4881", the purchase of one Caterpillar 950H wheel loader from Ziegler, Inc., of Duluth and Minneapolis, MN, at the State of Minnesota contract "with trade-in" price of \$99,634.00 plus sales tax for a total cost of \$106,483.84, payable from Fund 437, Agency 437001, Object 666400.

Adopted May 4, 2010. No. 217

WHEREAS, Northshore Mining Company has developed plans to expand its taconite mining operations on property owned in the NE ¼ of the SE ¼ of Section 9 and the SW ¼ of the SW ¼ of Section 10, both in Township 60 North, Range 12 West (City of Babbitt, MN); and

WHEREAS, these mining plans necessitate the closure and abandonment of a segment of County Road 623 currently located on the property; and

WHEREAS, pursuant to an easement deed entered into by and between the United States Department of Agriculture and St. Louis County dated October 6, 1967, St. Louis County is the successor-in-interest to the grantee named in a Corporate Right of Way Deed dated September 1, 1936, filed in the office of the County Recorder in Book 655 of Deeds, Page 471; and

WHEREAS, as successors-in-interest to Mesabi Iron Company, Northshore Mining, has given notice to St. Louis County to abandon a portion of the highway easement as stipulated in the deeds; and

WHEREAS, the St. Louis County Public Works Department and Northshore Mining Company have jointly identified and agreed to a new location replacing the segment of highway to be abandoned.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the appropriate county officials to enter into an agreement with Northshore Mining Company and Cliffs Erie LLC, whereby St. Louis County agrees to the vacation of the existing County Road 623 and Northshore Mining agrees to grant a replacement easement upon which the highway will be relocated.

RESOLVED FURTHER, 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 authorizes the County Auditor to grant the necessary right of way easements for highway purposes over, under, and across the following Tax Forfeited parcel:

Parcel 8 - Southwest Quarter of the Northwest Quarter (SW ¼ of NW ¼), Section 10, Township 60 North, Range 12 West of the Fourth Principal Meridian. (P.I.N. # 105-0060-01510).

Adopted May 4, 2010. No. 218

RESOLVED, that pursuant to Minn. Stat. § 349.213, Subd. 2, the St. Louis County Board approves

the following Lawful Gambling License Application (Pull-tabs with dispensing device) on file in the office of the County Auditor, identified as County Board File No. 59051, for the following organization:

Ely Igloo Snowmobile Club to operate out of Junction Bar & Grill, Unorganized Township
 61-13, 2667 County Road 70, Babbitt, MN, 55706, new.

Adopted May 4, 2010. No. 219

WHEREAS, the 2010-2014 Consolidated Plan and FY 2010 Action Plan were submitted on March 15, 2010, to the U.S. Department of Housing and Urban Development for the FY 2010 Emergency Shelter Grant (ESG), HOME Investment Partnerships (HOME), and Community Development Block Grant (CDBG) programs; and

WHEREAS, the U.S. Department of Housing and Urban Development has approved the St. Louis County 2010-2014 Consolidated Plan and FY 2109 Action Plan and provided program allocations to St. Louis County of \$106,536 for the ESG program; \$724,659 for the HOME program; and \$2,652,206 for the CDBG program; and

WHEREAS, the St. Louis County Board approved the FY 2010 CDBG program awards to 30 communities and agencies totaling approximately \$2.2 million by Board Resolution No. 10-111 on March 2, 2010, which included an additional \$75,000 in program income and \$222,011 in reprogrammed funds to assist communities and agencies; and

WHEREAS, additional CDBG formula allocation of \$222,011 is awarded to the recommended second tier projects totaling \$180,374 and the balance of \$39,637 to program administration resulting in a total allocation of **\$2,949,217** for administration and eligible projects; and

WHEREAS, the advisory committee for the ESG program recommends FY 2010 funding of **\$106,536** for administration and five nonprofit organizations to support essential services, homeless prevention activities, and emergency shelter and transitional housing operations; and

WHEREAS, \$75,000 of program income and \$66,621 in reallocated Housing Development set aside funds are included in the HOME program 2010 budget and the advisory committee for the Northeast Minnesota HOME Consortium recommends HOME funding of **\$866,280** for administration and priority housing activities identified in the Consolidated Plan in the five-county region.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board accepts the FY 2010 HUD grants and authorizes the St. Louis County Planning and Development Director to execute the grant agreements on behalf of St. Louis County, along with all the necessary forms, attachments, addendums, certifications, and subsequent forms to implement the program and complete the agreements between St. Louis County and the U.S. Department of Housing and Urban Development; and

RESOLVED FURTHER, grant funds will be allocated as follows:

\$ 2,652,206	Community Development Block Grant to Fund 260
\$ 106,536	Emergency Shelter Grant to Fund 173
\$ 724,659	HOME Investment Partnerships Grant to Fund 270

RESOLVED FURTHER, the St. Louis County Board allocates FY 2010 projects and authorizes the Planning and Development Director and a representative of the County Attorney to execute agreements for approved projects and that disbursements related to the CDBG subrecipient agreements be made from CDBG Fund 260, ESG agreements from ESG Fund 173, and HOME agreements from HOME Fund 270 as follows:

<u>Agency - ESG Fund 173</u>	<u>Amount</u>
Arrowhead Economic Opportunity Agency (Bill's House)	\$ 43,575
Legal Aid Service of NE Minnesota	12,166
Range Transitional Housing	25,888
Salvation Army - Hibbing	9,897
Salvation Army - Virginia	<u>9,897</u>
<i>Subtotal</i>	<i>\$101,423</i>

144 **PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS**
ST. LOUIS COUNTY, MINNESOTA

Administration		<u>5,113</u>
	Total	\$106,536
 <u>Agency – HOME Fund 270</u>		<u>Amount</u>
 <u>Arrowhead Economic Opportunity Agency</u>		
Home Ownership Assistance		\$ 278,621
CHDO Operating		<u>11,112</u>
<i>Subtotal</i>		\$ 289,733
 <u>KOOTASCA Community Action, Inc.</u>		
Home Ownership Assistance		\$ 245,000
CHDO Operating		<u>12,842</u>
<i>Subtotal</i>		\$ 257,842
 <u>Northern Communities Land Trust</u>		
CHDO Set Aside Activities		\$ 234,250
CHDO Operating		<u>12,278</u>
<i>Subtotal</i>		\$ 246,528
Administration		<u>\$ 72,177</u>
	Total	<u>\$ 866,280</u>

Agency – CDBG, Fund 260

Contract No.	Project	Amount
Housing		
201003	Accessible Space, Inc.	36,000
201004	AEOA Single Family Housing Rehab	400,000
201005	North St. Louis County Habitat for Humanity	154,000
201006	Northern Communities Land Trust	110,000
Subtotal		\$700,000
Economic Development		
201001	NE Entrepreneur Micro-enterprise	75,000
201002	UMD Small Business Development Centers	25,000
Subtotal		\$100,000
Physical Improvement		
Public Infrastructure		
201009	Cook Lift Station Replacement (2 nd Tier Priority Project)	50,000
201010	Ely Central Avenue Utilities	275,000
201011	Ely EDA Commercial Rehab Loan Program (2 nd Tier Priority)	50,000
201012	Eveleth Sanitary Sewer Replacement	275,000
201013	Floodwood Pump House Improvements	60,000
201016	Hibbing Public Utilities Infrastructure (2 nd Tier additional funds)	104,000
201017	Hibbing Sanitary & Storm Sewer Rehabilitation	50,000
201018	Leonidas 2 nd Avenue Improvements	75,000
201019	Tower North Area Infrastructure	50,000
ADA Improvements		
201007	Apple Tree Learning Center ADA Improvements (2 nd Tier Project)	42,000
201008	Biwabik Township Fire Hall	16,000
201014	Floodwood Services and Training	42,000
201015	Grand Lake Community Center	50,000
Neighborhood Revitalization		
201031	SLC Neighborhood Revitalization	200,000
Subtotal		\$1,339,000
Public Service		
201020	AEOA Homeless Shelter	45,000
201021	AEOA Homeless Youth Services	12,000
201022	AEOA Homeownership Assistance Program	17,000
201023	AEOA Raising Our Children's Kids (ROCK)	8,000
201024	Hibbing Salvation Army Melting Pot Meals Program	16,500
201025	Legal Aid Service of NE MN Housing Counseling	43,500
201026	Range Transitional Housing	42,000
201027	Range Women's Advocates Children's Program	26,000
201028	Sexual Assault Youth Outreach Services	27,000
201029	SOAR Career Solutions	30,000
201030	Virginia Salvation Army Supper Club	16,500
Subtotal		\$283,500
Administration		
Administration		\$526,717
Subtotal		\$526,717
Grand Total		\$2,949,217

Adopted May 4, 2010. No. 220

RESOLVED, that the St. Louis County Board approves the applications for abatements, correction of assessed valuations and taxes plus penalty and interest, and any additional accrual, identified in County Board File No. 59036.

Adopted May 4, 2010. No. 221

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

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:

- Reduce the expense and revenue budget in Employee Relations to reflect the reduction of 1.0 FTE (position code 0879-002), eliminated through the lease of Chris Jensen. Further, position code 0879-002 is abolished, resulting in a net decrease of 1.0 FTE in Employee Relations (\$83,069.80).
- Position codes 0590-002 and 0586-007 are abolished, resulting in a net decrease of 2.0 FTE in Administration – Community Foods.
- Authorize an increase in revenue and expense budgets for State Courts to account for its portion of courier charges payable to St. Louis County (\$500.00).
- Authorize an increase in revenue and expense budgets to account for additional Federal ACT (Assertive Community Treatment) program dollars, which are used to work with Mental Health Clients on case management services. This represents funds received and budgeted to be spent in addition to the adopted budget of \$2,700,000 (\$142,815.00).
- Increase revenue and expense budget in sheriff's office for vehicle purchased through transfer in from Fund 715 County Garage (\$20,000.00).
- Adjust the "Grow Your Own" County Extension workshop (3/20/2010) to reflect actual revenue received and related expenses (\$2,500.00).
- Increase unorganized township levy expense budget for 2010 to \$393,000, per County Board Resolution No. 09-434 (\$168,000.00).
- Authorize use of Recorder Technology Fund balance to fund allowable projects (total \$136,000.00).
- Use of Public Works fund balance accumulated through 2009 gas and diesel savings to fund future equipment purchases (\$1,599,316.90).
- Authorize use of Fund 640 Plat Books retained earnings for North Plat books reprinting (\$12,000.00).
- Increase revenue and expense budget in Property Management to account for sale of surplus county equipment from Chris Jensen (\$3,255.00).
- Authorize use of designated Nursing Home Fund Balance (approved as part of the 4th quarter 2009 budget adjustments) to cover 2010 expenses related to Chris Jensen (\$649,760.00).
- Approve use of Fund Balance Designated for Parking for engineering services to analyze downtown parking ramp/lots (\$21,543.00).
- Approve use of Extension Program fund balance to continue IRYA school advisor program in 2010 (\$6,000.00).
- Approve reclassification of an Information Specialist III in the Sheriff's Office to an Information Specialist II and adjust the budget for the estimated difference through the remainder of the year (\$3,872.00).

PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS 147
ST. LOUIS COUNTY, MINNESOTA

FUND AGENCY		Expense Budget	Transfer	Accumulation of OutFund Balance	Revenue Budget	Transfers	Use of Fund In Balance	Total
1st Quarter								
1	100	123001 610000	\$ (83,069.80)					
	100	999999 311200		83,069.80				
Reduce Employee Relations FTE count by 1.00 FTE position 0879-002								
2	The salaries for these positions were not budgeted for in 2010. Reduce the FTE count of Admn by 2 FTE's in Community Foods 0590-002 and 0586-007							
3	100	111001 620500	\$ 500.00					
	100	111001 552506			\$ (500.00)			
4	230	232003 629900	\$ 131,715.00					
	230	232003 609600	\$ 11,100.00					
	230	232003 527500			\$ 142,815.00			
5	100	129001 666100	\$ 20,000.00					
	100	129001 590100			\$ (20,000.00)			
6	184	185024 552506			\$ (2,500.00)			
	184	185024 620200	\$ 500.00					
	184	185024 623100	\$ 500.00					
	184	185024 627800	\$ 500.00					
	184	185024 629900	\$ 500.00					
	184	185024 634900	\$ 200.00					
	184	185024 641100	\$ 300.00					
7	210	210001 500100			\$ (168,000.00)			
	210	210001 652800	\$ 168,000.00					
8	100	121002 665300	\$ 56,000.00					
	100	121002 623900	\$ 80,000.00					
							\$ (136,000.00)	
9	200	999999 311202					(1,599,316.90)	
	200	207001 697600		1,599,316.90				
	407	407001 590100				(1,599,316.90)		
	407	407001 665900	\$ 1,599,316.90					
10	640	999999 311500					\$ (12,000.00)	
	640	640001 640800	\$ 12,000.00					
11	100	128015 583210			\$ (3,255.00)			
	100	128015 630900	\$ 3,255.00					
12	100	100001 697600	\$ 649,760.00					
	100	999999 311128					\$ (649,760.00)	
	625	625019 590100			\$ (649,760.00)			
	625	999999 629900	\$ 649,760.00					
13	100	128010 626600	\$ 21,543.00					
	100	999999 311105					\$ (21,543.00)	
14	184	186001 629900	\$ 6,000.00					
	184	999999 311016					\$ (6,000.00)	
15	100	129004 610000	\$ (3,872.00)					
	100	999999 311200		\$ 3,872.00				

Adopted May 4, 2010. No. 222

RESOLVED, that the St. Louis County Board approves the purchase of services agreements with the following six (6) Iron Range school districts participating in the Iron Range Youth in Action program (IRYA) for the provision of IRYA school advisors: Virginia, Chisholm, Mt. Iron-Buhl, Eveleth-Gilbert, Ely, and Mesabi East, and approves a transfer of up to \$6,000 from the County Extension Service fund balance, Fund 184, Agency 186001, Object 629900, for services provided during the 2009-2010 school year.

Adopted May 4, 2010. No. 223

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

WHEREAS, County Board Resolution No. 09-186 dated June 9, 2009, accepted a \$467,000 American Recovery and Reinvestment Act (ARRA) Energy Efficiency and Conservation Block Grant (EECBG), of which the majority of proceeds (approximately \$400,000) will be used for the replacement of the 30 year old windows in the Duluth Courthouse; and

WHEREAS, the grant requires the county to perform and implement several programs and activities as part of the qualification criteria; and

WHEREAS, the project implemented by this agreement will complete the Technical Consultant Services portion of the grant requirements by consolidating investigations, research, and analysis done by the county to date in a new asset management system; and

WHEREAS, this project will create a single database in line with the county's comprehensive Energy Efficiency and Conservation Strategy plan that will allow the county to analyze and plan for the most efficient and sustainable use of county resources.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board authorizes the appropriate county officials to execute an agreement with Short, Elliot, Hendrickson, Incorporated, of Duluth, MN, for an amount of up to \$47,800. Funds are available from Fund 100, Agency 104999 (Administration – Grants), Object 629900.

Adopted May 4, 2010. No. 224

WHEREAS, the State of Minnesota Department of Public Safety through the Homeland Security and Emergency Management Division (HSEM) has made available an additional \$125,000 in funding from the Law Enforcement Terrorism Prevention Program for Interoperable Communications Equipment for St. Louis County; and

WHEREAS, HSEM has agreed to extend the termination date of the grant from March 30, 2010 to June 30, 2010 so there is time for St. Louis County to purchase needed interoperable communications equipment.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the appropriate county officials to accept the additional \$125,000 in funding from the Law Enforcement Terrorism Prevention Program as part of the 2007 Northern Border grant, and to amend the grant contract end date from March 30, 2010 to June 30, 2010.

RESOLVED FURTHER, that the St. Louis County Board authorizes purchase of the interoperable communications equipment identified in the grant to expedite the fulfillment of the grant contract within the short time frame.

RESOLVED FURTHER, that the expenditure and revenue budgets of the existing grant will be increased to reflect the additional funding, which is accounted for in Fund 100, Agency 129999, Grant 12940, Year 2007.

Adopted May 4, 2010. No. 225

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

MP 536-1285 (Low) located on CR 536 (Scout Camp Rd.) from TR 6705 to CSAH 95 in Fayal Township, MN, and,

MP 6705-99999 located on TR 6705 from 0.25 mi. W of CR 536 to CR 536 in Fayal Township, MN.

WHEREAS, bids were opened in the County Board Room at 10:00 a.m., April 19, 2010, and the low responsible bid 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>
Ulland Brothers, Inc. Cloquet, MN 55720	P.O. Box 340	\$176,114.99

PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS 149
ST. LOUIS COUNTY, MINNESOTA

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 536-1285 (Low): Fund 200, Agency 203103, Object 652800 \$150,296.59
MP 6705-99999: Fund 200, Agency 203224, Object 652800 \$ 25,818.40

With additional revenue budgeted for expense:

Town of Foyal Fund 200, Agency 203224, Object 551537 \$ 25,818.40
Adopted May 4, 2010. No. 226

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

MP 10022 Crack Sealing 2010 located at various locations in St. Louis County.

WHEREAS, bids were opened in the County Board Room at 10:00 a.m., April 19, 2010, and the low responsible bid 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>
Fahrner Asphalt Sealers, LLC Eau Claire, WI 54702-0659	PO Box 659	\$209,095.30

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 201062, Object 653300.

With additional revenue budgeted for expense:

City of Chisholm Fund 200, Agency 201062, Object 551530 \$ 4,730.40
Township of Gnesen Fund 200, Agency 201062, Object 551551 \$ 3,650.00
Adopted May 4, 2010. No. 227

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

SP 69-070-005, CP 92759 Edgeline Rumble Stripes located on various County State Aid Highways within St. Louis County.

WHEREAS, said bids were opened in the County Board Room at 10:00 a.m., April 26, 2010, and the St. Louis County Board has, with the County Highway Engineer, determined the lowest responsible bidder.

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>
Swanston Equipment Co. Fargo, ND 58103	3450 Main Ave.	\$248,884.11

RESOLVED FURTHER, that the appropriate county officials are authorized to approve the Contractor's Performance Bonds and to execute the bonds and contract with the Contractor for the above listed project payable from Fund 220, Agency 220243, Object 652700.

Adopted May 4, 2010. No. 228

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

MP 10025, Maintenance Striping located at various locations in St. Louis County, Lake County, City of Eveleth, and City of Virginia.

WHEREAS, said bids were opened in the County Board Room at 10:00 a.m., April 26, 2010, and the St. Louis County Board has, with the County Highway Engineer, determined the lowest responsible bidder.

150 **PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS**
ST. LOUIS COUNTY, MINNESOTA

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>
Traffic Marking Services, Inc.	621 Division St. E. Maple Lake, MN 55358	\$469,147.90

RESOLVED FURTHER, that the appropriate county officials are authorized to approve the Contractor's Performance Bonds and to execute the bonds and contract with the Contractor for the above listed project payable from Fund 200, Agency 207001, Object 651800.

With additional revenue budgeted for expense:

Lake County	Fund 200, Agency 207001, Object 551508	\$ 96,978.60
City of Eveleth	Fund 200, Agency 207001, Object 551519	\$ 748.80
City of Virginia	Fund 200, Agency 207001, Object 551505	\$ 4,275.90

Adopted May 4, 2010. No. 229

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

MP 10023, North Crushing 2010 located in various locations in Northern St. Louis County.

WHEREAS, said bids were opened in the County Board Room at 10:00 a.m., April 26, 2010, and the St. Louis County Board has, with the County Highway Engineer, determined the lowest responsible bidder.

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>
Hammerlund Construction, Inc.	3201 W. Hwy. 2 Grand Rapids, MN 55744	\$287,000.00

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

Fund 200, Agency 201063, Object 650200	\$ 253,000.00
Fund 210, Agency 210030, Object 650200	\$ 34,000.00

With additional revenue budgeted for expense:

City of Hibbing	Fund 200, Agency 201063, Object 551504	\$ 21,500.00
City of Ely	Fund 200, Agency 201063, Object 551538	\$ 17,850.00
Town of Morse	Fund 200, Agency 201063, Object 551572	\$ 5,100.00

Adopted May 4, 2010. No. 230

RESOLVED, the St. Louis County Board appoints Patrick Layman of Aurora, Minnesota, to the Arrowhead Library System Governing Board for a three year term expiring June 30, 2013.

Adopted May 4, 2010. No. 231

WHEREAS, Minn. Stat. § 274.13 requires that the County Commissioners constitute a County Board of Appeal and Equalization each year to hear complaints of taxpayers and review assessments of real and personal property throughout the county; and

WHEREAS, the statute empowers the County Board of Appeal and Equalization to appoint a Special Board of Appeal and Equalization to which it may delegate all powers and duties of the County Board of Appeal and Equalization; and

WHEREAS, the St. Louis County Board, having reviewed the matter, determines it is in the public interest to appoint said Special Board.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board appoints the following individuals to serve as the Special Board of Appeal and Equalization for Assessment Year 2010:

John Vigen, Duluth	Commissioner District #1
Lee Conradi, Duluth	Commissioner District #2
Kevin Doyle, Duluth	Commissioner District #3
Leonard Cersine, Ely	Commissioner District #4
William Clements, Town of Rice Lake	Commissioner District #5
Dawn Cole, Town of Fayal	Commissioner District #6
Frank Bigelow, City of Hibbing	Commissioner District #7

RESOLVED FURTHER, that the Special Board of Appeal and Equalization is:

- Delegated all powers and duties of the County Board of Appeal and Equalization.
- To report the results of their deliberations back to the St. Louis County Board in the form of minutes kept by the Clerk of the County Board.
- Directed to hold at least one meeting day in the Duluth Court House and one day at the Community Center in Mountain Iron.
- To be compensated at the rate of \$200 per meeting day (payable from Assessor's Department Object #635300 - Non-employee fees) and be reimbursed for mileage and expenses at the current county rate (from Assessor's Department Object #635500 - Non-employee travel).
- Directed to convene at 10:00 a.m., June 15, 2010, in the Commissioners Conference Room, St. Louis County Courthouse, Duluth, MN.

Adopted May 4, 2010. No. 232

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 3.2 percent malt liquor license is hereby approved, on file in the office of the County Auditor, identified as County Board File No. 59075;

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

FURTHER RESOLVED, that if named license holder sells the 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 fee to the license holder;

FURTHER RESOLVED, that said license shall be effective through June 30, 2011:

Ely Golf Club, Inc., d/b/a Ely Golf Club, Inc., Morse Township, On/Off-Sale 3.2 Percent Malt Liquor License No. B1193, change of officers.

Adopted May 4, 2010. No. 233

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, dated April 23, 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 May 4, 2010. No. 234

At 9:45 a.m., May 4, 2010, Commissioner Sweeney, supported by Commissioner Fink, moved to adjourn the County Board 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

152 **PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS**
ST. LOUIS COUNTY, MINNESOTA

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 MAY 11, 2010**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 11th day of May, 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, Keith Nelson, and Chair Steve Raukar – 6. Absent: Commissioner Sweeney - 1

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 Dahlberg presented the words of wisdom by quoting a passage from Meditations of Marcus Aurelius and reading a Robert Frost poem entitled *The Road Not Taken*.

At 9:40 a.m., a public hearing was convened pursuant to County Board Resolution No. 201, adopted April 27, 2010, to consider granting an off-sale intoxicating liquor license to Vermillion Venture, LLC, d/b/a Bayview Lodge, Greenwood Township.

County Attorney Melanie Ford advised the Board that: all required county departments reviewed the application and recommended approval; the Liquor Licensing Committee met with the applicant and after discussing the location and propriety of the establishment recommended approval; the Town of Greenwood reviewed the application and recommended approval; all required notice was given; and real estate taxes are up to date. Commissioner Fink asked if granting the license would be contingent on proof of insurance. Wendy Johnson, County Auditor's office, responding to a question from Commissioner Nelson, said proof of insurance is a licensing requirement. In response to a question from Commissioner Forsman, Erik Leitz, representative from Bayview Lodge, said he understands the law and would abide by the provisions of the liquor license ordinance. No one else chose to address the issue.

At 9:45 a.m., Commissioner Nelson, supported by Commissioner O'Neil, move to close the public hearing; six yeas, zero nays.

Commissioner Forsman, supported by Commissioner Nelson, moved to approve the liquor license contingent upon proof of insurance. County Attorney Ford said the resolution already contains contingencies, which would include proof of insurance. Commissioner Fink questioned if the Board should make it a practice to include specific contingencies. After further discussion, the off-sale license was granted; six yeas, zero nays. Resolution No. 250.

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

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.

At 9:55 a.m., the County Board recessed until 11:00 a.m.

At 11:12 a.m., the County Board reconvened in the County Board Conference Room, 2nd

Floor, Courthouse, Duluth, with all commissioners present except Commissioner Sweeney. Commissioner Fink, supported by Commissioner Dahlberg, moved to approve the second consent agenda, consisting of all items passed unanimously at the Committee of the Whole; six yeas, zero nays.

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

Gilbert Wellhead Protection Plan for the City of Gilbert, MN, Part 2.—[59076D](#)

Commissioner Dahlberg's "Words of Wisdom" presentation of a quote from Meditations of Marcus Aurelius and a reading of Robert Frost's poem *The Road Not Taken*.—[59077](#)

Documentation received regarding the public hearing for an Off Sale Intoxicating Liquor License for Vermilion Ventures, LLC d/b/a Bayview Lodge.—[59078](#)

Supply Contract, Contract No. 4874-1, between the County of St. Louis and Ulland Brothers, Inc., for Bituminous Materials.—[10-380](#)

Supply Contract, Contract No. 4874-2, between the County of St. Louis and Mesabi Bituminous, Inc., for Bituminous Materials.—[10-381](#)

Supply Contract, Contract No. 4874-3, between the County of St. Louis and Monarch Paving Company, for Bituminous Materials.—[10-382](#)

Supply Contract, Contract No. 4874-4, between the County of St. Louis and Northland Contractors of Duluth, LLC, for Bituminous Materials.—[10-383](#)

Agreement for Professional Services between the County of St. Louis and Scalzo Architects, Ltd., for Duluth Motor Pool Final Remodeling Phase.—[10-384](#)

2009-2010 Recycling and Waste Reduction Grant Agreement between the County of St. Louis and the City of Gilbert.—[10-385](#)

Agreement for Professional Services between the County of St. Louis and Northland Consulting Engineers, LLP, for Downtown Duluth Flat Surface Parking Lot Repairs and Upgrades – GSC Parking Lot Retaining Walls.—[10-386](#)

Agreement for Professional Services between the County of St. Louis and Foster, Jacobs & Johnson, Inc., for Government Services Center Data Center Relocation.—[10-387](#)

Addendum to Agreement No. 09-FAV-0012 between St. Louis County and Computer Sciences Corporation for a RISKMASTER General Claims Module.—[10-388](#)

Amendment to North HEAT Grant, Grant Contract 5000-6173, from the Minnesota Department of Public Safety to the St. Louis County Sheriff's Department.—[10-389](#)

Federal Boating Safety Supplement Grant from the State of Minnesota, Department of Natural Resources.—[10-390](#)

Agreement for Professional Services between the County of St. Louis and SAI Global, Inc., d/b/a QMI SAI Global, for third party certification of the International Standards of Organization (ISO) 14001 and the Sustainable Forestry Initiative (SFI) program.—[10-](#)

391

Telecommunications Lease, Lease No. L51090001, between the St. Louis County Land Commissioner and T-Mobile Central, LLC, for cell tower lease in the SW ¼ of SW ¼, Section 31, Township 50, Range 14 West.—10-392

Upon motion of Commissioner O'Neil, supported by Commissioner Dahlberg, Resolutions No. 235 through 249, as submitted to this Board on the Consent Agenda, were unanimously adopted as follows:

BY COMMISSIONER O'NEIL:

WHEREAS, the St. Louis County Planning Commission held public hearings regarding the preliminary plat of Fish Lakes Sunset Ridge on February 10, 1994, and May 19, 1994, and granted preliminary approval for the plat; and

WHEREAS, the final prints have been submitted and conform with the requirements set forth by the Planning Commission.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board grants final approval to the plat of Fish Lakes Sunset Ridge, located in Sections 28 and 33, Township 52 North, Range 15 West (Fredenberg).

Adopted May 11, 2010. No. 235

WHEREAS, the Director of Purchasing solicited quotes for Mechanical Site Scarification by Disc Trench on state tax forfeited lands for the year 2010; and

WHEREAS, Future Forests, Inc., of Askov, Minnesota, submitted the only quote in the amount of \$51,716; and

WHEREAS, the quote submitted is considered reasonable by Land Department staff.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the appropriate county officials to execute a contract with Future Forests, Inc., of Askov, Minnesota, for Mechanical Site Scarification by Disc Trench on state tax forfeited lands during the summer of 2010, in accordance with the specifications of Bid No. 4884, and subject to approval of the County Attorney, at its low specification quote of \$51,716, payable from Fund 290, Agency 290001.

Adopted May 11, 2010. No. 236

WHEREAS, the Public Works Department establishes weight restrictions on county roads during the spring thaw in order to prevent road damage; and

WHEREAS, the Sheriff's Office provides the enforcement of these road weight restrictions; and

WHEREAS, the Public Work Department benefits from this enforcement which helps protect county roads from damage.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board authorizes an agreement between the Public Works Department and the Sheriff's Office whereby Public Works reimburses the Sheriff's Office \$10,000 per year for years 2011 – 2015 (5 years) as its share of the equipment and operation costs associated with enforcing county road weight restrictions.

RESOLVED FURTHER, that this reimbursement will be paid from Public Works Fund 200, Agency 200001, Object 627700 to the Sheriff's Department Fund 100, Agency 129001, Revenue 583101.

Adopted May 11, 2010. No. 237

WHEREAS, the St. Louis County Public Works Department plans to replace County Bridge 642 and to reconstruct approximately 1,380 feet of the adjacent County Road 492 (Anton Road) located approximately 3/4 mile west of Trunk Highway 73 in Sturgeon Township (Township 61 North, Range 20 West), County Project 1818, State Aid Project

69-598-034; and

WHEREAS, these improvements consist of bridge replacement and realignment, widening and reconstruction of the roadway 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.

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 203001, Objects 636500 and 636600.

Adopted May 11, 2010. No. 238

WHEREAS, the State of Minnesota Department of Public Safety, through the Homeland Security and Emergency Management Division, has again made available an Operation Stonegarden grant to enhance the security of the international border and ports of entry between St. Louis County and Canada.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes application and acceptance of the 2009 Homeland Security Operation Stonegarden grant, not to exceed \$143,486, and that St. Louis County act as coordinator and fiscal agent for the grant through the Sheriff's Office.

RESOLVED FURTHER, that the appropriate county officials are authorized to execute all agreements and contracts necessary to fulfill the application and acceptance of the 2009 Homeland Security Operation Stonegarden grant as approved by the St. Louis County Attorney.

RESOLVED FURTHER, that grant funds will be made payable to and expenditures paid from Fund 100, Agency 129999, Grant 12931, Year 2009.

Adopted May 11, 2010. No. 239

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

SAP 69-621-032, CP 9327, located on CSAH No. 21 from Ahola Rd. to TH 169 in Ely, MN.

WHEREAS, bids were opened in the County Board Room at 10:00 a.m., May 3, 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>
Wagner Construction, Inc.	P.O. Box B	\$2,566,080.25
International Falls, MN 56679		

RESOLVED FURTHER, that the County Board Chair, County Auditor, and County Attorney are authorized to approve the Contractor's Performance Bonds and to execute the bonds and contract for the above listed project payable from Fund 220, Agency 220238, Object 652700.

With additional revenue budgeted for expense:

City of Ely Fund 220, Agency 220238, Object 551538 \$1,005,478.36

Adopted May 11, 2010. No. 240

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

SP 69-661-015, MN Project TEAX 6910(190), CP 10272, located at Buchanan Wayside on CSAH 61 between Stoney Point Drive and CR 290, northeast of Duluth, MN.

PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS 157
ST. LOUIS COUNTY, MINNESOTA

WHEREAS, bids were opened in the County Board Room at 10:00 a.m., May 3, 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>
Environmental Associates, Inc.	770 N. Bus. Hwy. 71 Willmar, MN 56201	\$376,344.00

RESOLVED FURTHER, that the County Board Chair, County Auditor, and County Attorney are authorized to approve the Contractor's Performance Bonds and to execute the bonds and contract for the above listed project payable from Fund 220, Agency 220244, Object 652700.
Adopted May 11, 2010. No. 241

WHEREAS, bids have been received by the County Auditor for the following project:
MP 10026, Central Crushing 2010 located at various locations in central St. Louis County.

WHEREAS, bids were opened in the County Board Room at 10:00 a.m., May 3, 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 Drive Rogers, MN 55374-9461	\$229,335.00

RESOLVED FURTHER, that the County Board Chair, County Auditor, and County Attorney are authorized to approve the Contractor's Performance Bonds and to execute the bonds and contract for the above listed project payable from:

Fund 200, Agency 201064, Object 650200	\$190,335.00
Fund 210, Agency 210034, Object 650200	\$ 39,000.00

With additional revenue budgeted for expense:
Toivola Township Fund 200, Agency 201064, Object 551573 \$ 2,730.00
Ellsburg Township Fund 200, Agency 201064, Object 551574 \$ 2,925.00
Cedar Valley Township Fund 200, Agency 201064, Object 551568 \$ 37,980.00
Adopted May 11, 2010. No. 242

RESOLVED, that the St. Louis County Board approves the applications for abatements, correction of assessed valuations and taxes plus penalty and interest, and any additional accrual, identified in County Board File No. 59036.
Adopted May 11, 2010. No. 243

WHEREAS, effective services to victims of crime is an essential component of public safety as well as fairness and justice in the system; and
WHEREAS, the increased Criminal and PHHS Division case loads in the County Attorney's office requires an additional 0.3 FTE in the Duluth area to ensure that adequate services are provided to victims of crimes; and
WHEREAS, The Victim Fund authorized by Minn. Stat. § 609.101 comes from fees collected by the court from criminal defendants, and by law is to be used to provide programs for victims of crime and there is sufficient money in the Victim Fund 169 to fund the additional .3 FTE.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes an additional .3 FTE in the County Attorney's personnel complement (100-113001), with the additional expense to be paid from Fund 169, Fund Balance.
Adopted May 11, 2010. No. 244

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of April 27, 2010, are hereby approved.
Adopted May 11, 2010. No. 245

RESOLVED, that pursuant to Ordinance No. 28, Section 11, Subdivision 11.06, authorization is hereby granted to Riverside Inn of Side Lake, Inc., d/b/a Riverside Inn of Side Lake, Inc., French Township, to sell/serve outside the designated serving area of the County Liquor License for the date of July 4, 2010, as per application on file in the office of the County Auditor, identified as County Board File No. 59021.
Adopted May 11, 2010. No. 246

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 a temporary on-sale intoxicating liquor license is hereby approved, on file in the office of the County Auditor, identified as County Board File No. 59021:
Lake Superior Brewing Company, LLC, Temporary On-Sale Intoxicating Liquor License No. TL1011, for June 12 and 13, 2010. Event is Old World Renaissance Faire, Grand Lake Township, north end of McGregor Road, off Hwy. 7, Twig (Kenneth Harnell property).
Adopted May 11, 2010. No. 247

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:
Tim & Jesse, Inc., d/b/a Rudy's Bar, City of Aurora, Tobacco Products
License No. T10183.
Adopted May 11, 2010. No. 248

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:

April 2010		
100	General Fund	\$5,051,094.92
147	Namakan Basin Sewer System	46,940.00
149	Personnel Service Fund	611.93
150	Sheriff's Nemesis Fund Group	139,101.15
160	MN Trail Assistance	16,555.99
167	Attorney's Forfeitures	326.78
168	Sheriff's State Forfeitures	3,500.25
173	Emergency Shelter Grant	51,039.24
179	Enhanced 9-1-1	2,523.32

180	Law Library	15,429.35
183	City/County Communications	394.55
184	Extension Service	114,659.97
200	Public Works	1,935,445.37
210	Road Maint - Unorg Townships	6,584.90
220	State Road Aid	204,334.69
230	Public Health & Human Services	6,804,661.89
240	Forfeited Tax	380,973.36
250	St. Louis County HRA	19,694.29
260	CDBG Grant	44,987.17
270	Home Grant	5,544.77
280	Federal Septic Loan - EPA Fund	11,245.00
290	Forest Resources	16,992.00
302	Hibbing PW Facility 1997	660.00
400	County Facility	62,824.22
407	Public Works - Equipment	32,428.92
433	Dul CH - Begin Phase III HVAC	3,727.00
437	2008A Capital Equipment Note	164,454.25
438	2008B Capital Improvement Bond	355,842.02
600	Environmental Services	377,831.55
616	On-Site Waste Water Division	39,109.44
625	Chris Jensen Health & Rehab	194,643.71
640	Plat Books	32.00
700	Printing	10,438.32
705	Postage Office Supplies	131,659.56
715	County Garage	165,204.94
720	Property Casualty Liability	8,051.14
730	Workers Compensation	399,163.59
750	Management Info Systems	382,359.36
760	Telecommunications	166,769.14
770	Retired Employees Health Ins.	2,269.37
826	Taconite Production Tax	178,788.00
900	State of Minnesota	1,095,518.66
902	Courts	287,595.30
908	Cities and Towns Taxes	162,910.30
909	Tax Refunds	140,366.08
910	School Districts Taxes	764,160.21
925	Arrowhead Regional Corrections	1,471,370.83
955	Community Health Board	228,324.90
985	Collective Local Collaborative	16,490.89
989	Regional Railroad Authority	85,866.64
990	Northern Cities Land Use	976.60
992	Permits to Carry-Firearms	1,915.00
994	Sheriff Forfeits/Evidence	1,776.93
998	MPL-DUL Train Alliance	<u>376,252.69</u>
		\$22,182,422.45

Adopted May 11, 2010. No. 249

BY COMMISSIONER FORSMAN:

WHEREAS, Vermilion Ventures, LLC, d/b/a Bayview Lodge, Greenwood Township, St. Louis County, Minnesota, has applied for an off-sale intoxicating liquor license; and
 WHEREAS, Minn. Stat. § 340A.405, Subdivision 2(d), requires that a public hearing be held prior to the issuance of an off-sale intoxicating liquor license; and

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

WHEREAS, a public hearing was held on May 11, 2010, at or about 9:35 a.m., in the St. Louis County Courthouse, Duluth, Minnesota, for the purpose of considering the granting of the off-sale intoxicating liquor license; and

WHEREAS, with regard to the application, Bayview Lodge has complied in all respects with the requirements of Minnesota Law and St. Louis County Ordinance No. 28; and

WHEREAS, the Liquor Licensing Committee of the St. Louis County Board has considered the nature of the business to be conducted and the propriety of the location and has recommended approval of the application.

NOW, THEREFORE, BE IT RESOLVED, that Off-Sale Intoxicating Liquor License (License Number CMB10132) shall be issued to Vermilion Ventures, LLC, d/b/a Bayview Lodge, Greenwood Township, located in Area 3, for an annual fee of \$150.

RESOLVED FURTHER, that the liquor license shall be effective through June 30, 2010; RESOLVED FURTHER, that the license is approved contingent upon payment of real estate taxes when due;

RESOLVED FURTHER, that the license is approved contingent upon applicant complying in all respects with the controlling liquor, health, environmental and sanitary laws, rules and regulations for the liquor license.

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

Unanimously adopted May 11, 2010. No. 250

Upon motion of Commissioner Fink, supported by Commissioner Dahlberg, Resolutions No. 251 through 262, which were approved at the Committee of the Whole meeting this date, were brought forth to this meeting as a second Consent Agenda and were unanimously adopted as follows:

BY COMMISSIONER FINK:

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

WHEREAS, the applicant, Donna Linna Young, has applied to repurchase state tax forfeited land; and

WHEREAS, the applicant was the owner of record at the time of forfeiture, and is eligible to repurchase the property; and

WHEREAS, approving the repurchase will correct undue hardship and promote the use of lands that will best serve the public interest.

NOW, THEREFORE, BE IT RESOLVED, that the St Louis County Board approves the repurchase application by Donna Linna Young on file in County Board File No. 59058, subject to payments including total taxes and assessments of \$3,542.89, service fee of \$114, deed tax of \$11.69, deed fee of \$25, and recording fee of \$46; for a total of \$3,739.58 to be deposited into Fund 240 (Forfeited Tax Fund).

Adopted May 11, 2010. No. 251

WHEREAS, Karen Kapalin 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 state tax forfeited lands by Karen Kapalin listed on file 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.

PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS 161
ST. LOUIS COUNTY, MINNESOTA

Adopted May 11, 2010. No. 252

WHEREAS, contracts with Budget Battery/J. C. Olsen of Duluth, MN, Travis Stejskal of Duluth, MN, Charles Burdick of Chisholm, MN, Terry and Mary Johnson of Aurora, MN, and Jack Priley of Duluth, MN, for the purchase/repurchase of State tax forfeited land are in default for nonpayment of taxes and/or installments; and

WHEREAS, the purchasers were properly served with Notice of Cancellation of Contract by civil process and have failed to cure the default for lands legally described as:

Budget Battery/J. C. Olsen

CITY OF DULUTH

N 100 FT SUBJECT TO INCREMENT FINANCING EX COMM AT A PT WHERE THE COMMON LINE BETWEEN LOTS 20 & 21 INTERSECT THE SLY LINE OF SUPERIOR STR THENCE NELY ALONG SLY LINE OF STR 0.55 FT TO PT OF BEG THENCE SWLY ALONG SLY LINE OF STR 0.55 FT TO A PT ON COMMON LINE BETWEEN LOTS 20 & 21 THENCE SELY ALONG COMMON LINE 100 FT THENCE NELY PARALLEL TO SLY LINE OF SUPERIOR ST 0.70 FT THENCE NWLY ALONG A STRAIGHT LINE TO PT OF BEG, PART OF DULUTH FORMERLY PORTLAND

Parcel Code: 10-3820-1340

C22060201

Travis Stejskal

CITY OF DULUTH

E 1/2 EX HWY RT OF WA

LOT 333 BLOCK 144

DULUTH PROPER SECOND DIVISION

Parcel Code: 10-1220-230

C22080067

Charles Burdick

CITY OF HIBBING

LOTS 1 AND 2, BLOCK 1

BROOKLYN C OF HIBBING

Parcel Code: 140-50-10

C22080334

Terry and Mary Johnson

CITY OF VIRGINIA

LOT 19 BLOCK 5

VIRGINIA/RAINY LAKE COS ADDN TO VIRGINIA

Parcel Code: 90-160-830

C22080333

Jack Priley

CITY OF DULUTH

NLY 395.85 Ft of LOT 10, BLOCK 3,

GREYSOLON FARMS 1ST DIVISION OF DULUTH

Parcel Code: 10-2010-675

C22030108

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 will be notified by posting of property or by mail.

NOW, THEREFORE, BE IT RESOLVED, that the St Louis County Board approves the cancellation of contracts for the purchase/repurchase of state tax forfeited land described above, according to the provisions of Minn. Stat. § 282.01, Subd. 5, and Minn. Stat. § 282.40, and according to the procedures of Minn. Stat. § 559.21.

RESOLVED FURTHER, the County Auditor is authorized to dispose of abandoned personal property from the above described State tax forfeited property.

Adopted May 11, 2010. No. 253

WHEREAS, Duluth Independent School District No. 709 has requested to purchase the following described state tax forfeited land for the appraised value of \$26,000, plus fees, for the purpose of the Grant school improvement project:

Legal: Lot 13 also Lot 14 Inc Pt of Vac St. Adj. also Lots 15 and 16 Nly 45 Ft Inc Pt of Vac St. Adj also Lots 15 and 16 Nly 50 ft of Sly 95 Ft

Block 26, Lakeview Division

City of Duluth

Parcel Codes: 10-2790-2470, 2480, 2490, 2500, 2510, 2520

0.68 Acres

LDKEYS: 30582, 30583, 30584, 30585, 30586, 30587

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

WHEREAS, 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, the reclassification and sale of said 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 within 60 days of the date on which this resolution is delivered to the clerk; and

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

WHEREAS, the parcels of land have not been withdrawn from sale pursuant to Minn. Stat. §§ 85.012, 92.461, 282.01, Subd. 8; and 282.018, and other statutes that require the withholding of state tax forfeited lands from sale.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the reclassification and sale of the state tax forfeited land, as described above, to Duluth Independent School District (ISD) No. 709 for the appraised value of \$26,000 plus the following fees: 3% assurance fee of \$780, deed fee of \$25, deed tax of \$85.80, recording fee of \$46 and appraisal fee of \$800, for a total of \$27,736.80 to be deposited into Fund 240 (Forfeited Tax Fund).

RESOLVED FURTHER, that the St. Louis County Auditor shall offer for sale at public auction the state tax forfeited land described herein if Duluth ISD No. 709 does not purchase the land by September 30, 2010.

Adopted May 11, 2010. No. 254

WHEREAS, the St. Louis County Public Works Department plans to reconstruct 4.14 miles of County State Aid Highway (CSAH) No. 4 (County Project 9282, SP 69-604-60) in Colvin Township; and

WHEREAS, it is necessary for the county to obtain additional highway right of way to perform the road reconstruction between CSAH No. 108 and 0.7 mile north of County Road 340; and

WHEREAS, St. Louis County Highway Plat No. 30, as authorized by County Board Resolution No. 175 adopted April 1, 2008, has been prepared and recorded in the office of the St. Louis County Recorder; and

WHEREAS, the following numbered parcels of said Highway Right of Way Plat have not been acquired by negotiation and direct purchase:

<u>Parcel</u>	<u>Owners</u>
12	Ronald Matthews Jr. and Patricia Matthews Husband and wife
17	Gene Auel and Clarissa Porter Joint Tenants
31 & 32	George John Rogich and Delores Joy Rogich Husband and wife (Both Deceased)
46, 47, & 48	Karen M. McDonald and Duane M. McDonald Wife and husband (1/4 undivided interest)

As more completely described in attached Exhibit A:

Exhibit A

CSAH 4, County Project 9282, SP 69-604-60

Parcels not acquired by negotiation and direct purchase (5 May 2010):

Parcel 12 – Matthews

Property Description – That part of the SW ¼ of NE ¼, Section 27, Township 56 North of Range 15 West of the Fourth Principal Meridian, according to the United States Government Survey thereof described as follows:

Beginning at the Northwest corner of the SW ¼ of NE ¼, thence East along the North line of said SW ¼ of NE ¼ a distance of 590 feet to the southwesterly right-of-way line of County Highway 4; thence Southeasterly along said Southwesterly right-of-way line for a distance of 500 feet to the point of beginning; thence due west a distance of 400 feet to a point; thence South for a distance of 200 feet to a point; thence East a distance of 600 feet, more or less to the southwesterly line of said County Highway No. 4; thence northwesterly along southwesterly boundary line of said County Highway No. 4, a distance of 300 feet, more or less, to the point of beginning. Containing 2 ½ acres, more or less.

Interest to be Acquired – A PERMANENT EASEMENT for highway purposes over, under, and across that part of the above described property shown as Parcel 12 on the plat designated as St. Louis County Highway Plat No. 30, on file and on record in the Office of the County Recorder in and for the County of St. Louis, Minnesota.

Said Permanent easement contains approximately 0.0 acre of existing highway right of way and 0.19 acre of additional highway right of way.

Together with a TEMPORARY EASEMENT for highway purposes over, under and across that part of the above described property shown as TEMPORARY EASEMENT on Parcel 12 on the plat designated as St. Louis County Highway Right of Way Plat No. 30, on file and on record in the Office of the County Recorder in and for the County of St. Louis, Minnesota.

Said temporary easement contains approximately 0.17 acre and shall expire December

31, 2015.

Parcel 17 – Auel & Porter

Property Description – All that part of the Northeast quarter of the Northwest quarter (NE ¼ of NW ¼), Section Twenty-seven (27), Township Fifty-six (56), Range Fifteen (15), lying southwest of the center line of State Highway No. 4 as laid out and travelled on July 26, 1970, and northwest of a line perpendicular to the line of State Highway No. 4 and from a point southeast along the southerly line of said highway 450 feet from the intersection of said southerly line of said highway and the northerly line of said NE ¼ of NW ¼.

Interest to be Acquired – A PERMANENT EASEMENT for highway purposes over, under, and across that part of the above described property shown as Parcel 17 on the plat designated as St. Louis County Highway Plat No. 30, on file and on record in the Office of the County Recorder in and for the County of St. Louis, Minnesota.

Said Permanent easement contains approximately 0.57 acre of existing highway right of way and 0.86 acre of additional highway right of way.

Together with a TEMPORARY EASEMENT for highway purposes over, under and across that part of the above described property shown as TEMPORARY EASEMENT on Parcel 17 on the plat designated as St. Louis County Highway Right of Way Plat No. 30, on file and of record in the Office of the County Recorder in and for the County of St. Louis, Minnesota.

Said temporary easement contains approximately 0.14 acre and shall expire December 31, 2015.

Parcel 31 – Rogich (estate)

Property Description – The Northerly 550 feet of that part of the Northwest Quarter of Northwest Quarter (NW ¼ of NW ¼), lying westerly of the centerline of County Highway 4, Section Twenty-Two (22), Township Fifty-Six (56), North of Range Fifteen (15), West of the Fourth Principal Meridian, according to the United States Government survey thereof, on file and on record in the office of the Register of Deeds in and for St. Louis County, Minnesota.

Interest to be Acquired – A PERMANENT EASEMENT for highway purposes over, under, and across that part of the above described property shown as Parcel 31 on the plat designated as St. Louis County Highway Plat No. 30, on file and on record in the Office of the County Recorder in and for the County of St. Louis, Minnesota.

Said Permanent easement contains approximately 0.42 acre of existing highway right of way and 0.30 acre of additional highway right of way.

Together with a TEMPORARY EASEMENT for highway purposes over, under and across that part of the above described property shown as TEMPORARY EASEMENT on Parcel 31 on the plat designated as St. Louis County Highway Right of Way Plat No. 30, on file and on record in the Office of the County Recorder in and for the County of St. Louis, Minnesota.

Said temporary easement contains approximately 0.02 acre and shall expire December 31, 2015.

Parcel 32 – Rogich (estate)

Property Description – All that part of the Northeast Quarter of the Northeast Quarter (NE ¼ of NE ¼), Section Twenty-one (21), Township Fifty-six (56) North, Range Fifteen (15) West of the Fourth Principal Meridian, according to the United States Government Survey thereof, described as follows:

Commencing at the Northeast corner of said NE ¼ of NE ¼ as the place of beginning, thence West along the North line of said NE ¼ of NE ¼ for a distance of 500 feet, thence South parallel with the West line of said NE ¼ of NE ¼ for a distance of 550 feet to a point; thence East on a line parallel with the North line of said NE ¼ of NE ¼ for a distance of 500 feet to the East line of said NE ¼ of NE ¼, thence North along said East line to the point of beginning.

Interest to be Acquired – A PERMANENT EASEMENT for highway purposes over, under, and across that part of the above described property shown as Parcel 32 on the plat designated as St. Louis County Highway Plat No. 30, on file and on record in the Office of the County Recorder in and for the County of St. Louis, Minnesota.

Said Permanent easement contains approximately 0.00 acres of existing highway right of way and 0.14 acre of additional highway right of way.

Together with a TEMPORARY EASEMENT for highway purposes over, under and across that part of the above described property shown as TEMPORARY EASEMENT on Parcel 32 on the plat designated as St. Louis County Highway Right of Way Plat No. 30, on file and on record in the Office of the County Recorder in and for the County of St. Louis, Minnesota.

Said temporary easement contains approximately 0.08 acre and shall expire December 15, 2015.

Parcel 46 – McDonald (1/4 undivided interest)

Property Description – Southwest Quarter of Southeast Quarter (SW ¼ of SE ¼), Section Nine (9), Township Fifty-six (56) North, Range Fifteen (15) West of the Fourth Principal Meridian.

Interest to be Acquired – A PERMANENT EASEMENT for highway purposes over, under and across that part of the above described property shown as Parcel 46 on the plat designated as St. Louis County Highway Plat No. 30, on file and on record in the Office of the County Recorder in and for the County of St. Louis, Minnesota.

Said Permanent easement contains approximately 1.70 acre of existing highway right of way and 1.29 acre of additional highway right of way.

Together with a TEMPORARY EASEMENT for highway purposes over, under and across that part of the above described property shown as TEMPORARY EASEMENT on Parcel 46 on the plat designated as St. Louis County Highway Right of Way Plat No. 30, on file and on record in the Office of the County Recorder in and for the County of St. Louis, Minnesota.

Said temporary easement contains approximately 0.10 acre and shall expire December 31, 2015.

Parcel 47 – McDonald (1/4 undivided interest)

Property Description – Northwest Quarter of the Southeast Quarter (NW ¼ of SE ¼), Section Nine (9), Township Fifty-six (56) North, Range Fifteen (15) West of the

Fourth Principal Meridian.

Interest to be Acquired – A PERMANENT EASEMENT for highway purposes over, under, and across that part of the above described property shown as Parcel 47 on the plat designated as St. Louis County Highway Plat No. 30, on file and on record in the Office of the County Recorder in and for the County of St. Louis, Minnesota.

Said Permanent easement contains approximately 2.51 acres of existing highway right of way and 2.42 acres of additional highway right of way.

Together with a TEMPORARY EASEMENT for highway purposes over, under and across that part of the above described property shown as TEMPORARY EASEMENT on Parcel 47 on the plat designated as St. Louis County Highway Right of Way Plat No. 30, on file and on record in the Office of the County Recorder in and for the County of St. Louis, Minnesota.

Said temporary easement contains approximately 0.38 acre and shall expire December 31, 2015.

Parcel 48 – McDonald (1/4 undivided interest)

Property Description – Northeast Quarter of Southwest Quarter (NE ¼ of SW ¼), Section Nine (9), Township Fifty-Six (56) North, Range Fifteen (15) West of the Fourth Principal Meridian.

Interest to be Acquired – A PERMANENT EASEMENT for highway purposes over, under, and across that part of the above described property shown as Parcel 48 on the plat designated as St. Louis County Highway Plat No. 30, on file and on record in the Office of the County Recorder in and for the County of St. Louis, Minnesota.

Said Permanent easement contains approximately 0.15 acre of existing highway right of way and 0.12 acre of additional highway right of way.

Together with a TEMPORARY EASEMENT for highway purposes over, under and across that part of the above described property shown as TEMPORARY EASEMENT on Parcel 48 on the plat designated as St. Louis County Highway Right of Way Plat No. 30, on file and on record in the office of the County Recorder in and for the County of St. Louis, Minnesota.

Said temporary easement contains approximately 0.19 acre and shall expire December 31, 2015.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board, pursuant to Minn. Stat. Chapter 163.02 et al, authorizes the County Attorney to proceed under Minn. Stat. Chapter 117.02 et al, to acquire the necessary highway right of way by condemnation proceedings, payable from Fund 220, Agency 220173, Objects 636500 and 636600.

Adopted May 11, 2010. No. 255

WHEREAS, under Minn. Stat. § 174.02, Subdivision 6, the Commissioner of Transportation may enter into agreements with other governmental or nongovernmental entities for sharing facilities that promote efficiencies in providing governmental services for the benefit of the citizens of Minnesota; and

WHEREAS, the state and the county are responsible for maintaining roads in their

respective jurisdictions and have similar needs for storing sand and salt for snow and ice removal; and

WHEREAS, the state and county are willing to jointly construct a salt and sand storage building to protect against run off on state property for use by both MNDOT and St. Louis County, and the county is willing to share in the cost of the salt and sand shed construction; and

WHEREAS, each party is willing to supply and pay for its portion of sand and salt stored at the site.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes an agreement with the State of Minnesota to build a shared salt and sand storage building at MNDOT's Nopeming facility and to authorize payment to the Minnesota Department of Transportation, Commissioner of Transportation, in the amount of \$170,680.00 payable from Public Works Building Construction Fund 405, Agency 405038, Object 661100, with the funds transferred from the Public Works Fund Balance, Fund 200, Object 311200.

Adopted May 11, 2010. No. 256

WHEREAS, bids have been received by the Purchasing Department for the following project:

Bid 4889, Furnish and Apply 415,800 gallons of 38% Calcium Chloride; and

WHEREAS, bids were opened in the Purchasing Department at 2:00 p.m., April 29, 2010, and the County Highway Engineer and Purchasing Director determined the low bidder.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the award of contract for the application of calcium chloride for dust control to the low bidder:

<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
Univar, Inc., USA	St. Paul, MN	\$325,987.20

Bid - \$0.784/gal. for 415,800 gallons = \$325,897.20 on both material and application cost which includes sales tax, payable from Fund 200, Agency 207001, Object 653400 (Dust Control).

RESOLVED FURTHER, that the Public Works Director is hereby authorized, at his discretion, to expend up to the budgeted amount (\$349,500.00) for additional calcium chloride.

Adopted May 11, 2010. No. 257

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

SAP 69-742-002, CP 67044 located on CSAH 142 (Grant Ave.) from Fayal Rd. to TH 53 in Eveleth, MN.

WHEREAS, bids were opened in the County Board Room at 10:00 a.m., May 10, 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>
Hammerlund Construction, Inc.	3201 W. Hwy. 2 Grand Rapids, MN 55744	\$2,868,000.00

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 220207, Object 652700.

With additional revenue budgeted for expense:

City of Eveleth, Fund 220, Agency 220207, Object 551519 \$ 609,302.02
Adopted May 11, 2010. No. 258

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

SAP 69-664-003 (Low), CP 10028 located on CSAH 64 (Pennsylvania Ave.)
from CSAH 125 to TH 169 in Buhl, MN.
MP 453-97030 located on CR 453 from CR 642 to TH 169 south of Buhl, MN.

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

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

<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
Hardrives, Inc.	14475 Quiram Dr. Rogers, MN 55374	\$423,369.00

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:

SAP 69-664-003 (Low): Fund 220, Agency 220242, Object 652700 \$223,948.62
MP 453-97030: Fund 200, Agency 203221, Object 652800 \$199,420.38
Adopted May 11, 2010. No. 259

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

MP 10029, South Crushing located at various locations in southern St. Louis County.

WHEREAS, bids were opened in the County Board Room at 10:00 a.m., May 10, 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>
Hammerlund Construction, Inc.	3201 W. Hwy. 2 Grand Rapids, MN 55744	\$225,000.00

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 201065, Object 650200 \$ 216,300.00
Fund 210, Agency 210035, Object 650200 \$ 8,700.00

With additional revenue budgeted for expense:

Brevator Township, Fund 200, Agency 201065, Object 551556 \$ 3,480.00
Town of Floodwood, Fund 200, Agency 201065, Object 551553 \$ 2,610.00
Town of Fine Lakes, Fund 200, Agency 201065, Object 551575 \$ 2,436.00
Van Buren Township, Fund 200, Agency 201065, Object 551557 \$ 2,436.00
Town of Halden, Fund 200, Agency 201065, Object 551569 \$ 870.00
SLC Land and Timber, Fund 200, Agency 201065, Object 553022 \$11,900.00
Adopted May 11, 2010. No. 260

RESOLVED, that St. Louis County is hereby authorized to enter into an agreement with the United States Forest Service to provide for payment to St. Louis County for construction of three culverts on County Road 644 near Burntside Lake, north of Ely, MN, which will be funded using American Recovery and Reinvestment Act funds, whereby the county will provide a 20% match through contributions of labor by the St. Louis County Public Works Department.

RESOLVED FURTHER, that the appropriate county officials are authorized to sign the agreement and any amendments approved by the County Attorney's office for MP 644-106398, with additional revenue budgeted for expense from American Recovery and Reinvestment Act Funds for Fund 220, Agency 220245, Object 540605, \$90,000.00.

Adopted May 11, 2010. No. 261

WHEREAS, the Hibbing Courthouse 2nd floor currently provides no security measures to protect staff or the public, and there is no restroom to facilitate drug testing for the Arrowhead Regional Corrections Probation Office; and

WHEREAS, bids (#4872) were opened on March 25, 2010, with Max Gray Construction, Incorporated, Hibbing, MN, as the lowest bidder.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board authorizes the appropriate county officials to execute an agreement with Max Gray Construction, Incorporated, of Hibbing, MN, for an amount of \$84,380 for the remodeling of the 2nd floor – north wing of the Hibbing Courthouse, payable from Fund 400, Agency 400008.

Adopted May 11, 2010. No. 262

At 11:20 a.m., May 11, 2010, Commissioner Dahlberg, supported by Commissioner O'Neil, moved to adjourn the meeting; six 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 MAY 25, 2010**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 25th day of May, 2010, at 9:40 a.m., in the Hibbing City Council Chambers, Hibbing, Minnesota, with the following members present: Commissioners Steve O'Neil, Peg Sweeney, Keith Nelson, and Chair Steve Raukar – 4. Absent: Commissioners Dennis Fink, Chris Dahlberg, and Mike Forsman – 3.

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 presented words of wisdom, inspired by two American leaders: President Thomas Jefferson and President Barack Obama.

Commissioner Dahlberg arrived at 9:47 a.m.

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.

Bob Tammen, Soudan, MN, recognized veterans of foreign wars and noted the civilians who have suffered during times of war.

Vivian S. Arseneaux, Hibbing, MN, shared her life stories and gave insight to the value of life experiences and learning. Chair Raukar said he would give Ms. Arseneaux an opportunity to finish her story after committee of the whole so the board could complete their agenda.

At 10:20 a.m., Chair Raukar called a five minute recess.

At 10:24 a.m., the County Board reconvened in the Hibbing City Council Chambers with all commissioners present except Commissioners Fink and Forsman.

Commissioner O'Neil, supported by Commissioner Dahlberg, move to approve the consent agenda; five yeas, zero nays.

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

Kevin Gray, County Administrator, submitting Board Letter No. 10-142, Appointments to the Arrowhead Library System Governing Board, from the May 5, 2010, County Board meeting.—59079

Chair Raukar submitting quotes of President Thomas Jefferson and President Barack Obama, which he presented for his *Words of Wisdom* at the County Board meeting of May 25, 2010.—59080

Grant Agreement, Contract No. 20891, between the St. Louis County Board of Commissioners and Fond du Lac Reservation Business Committee, for Adolescent Services Grant, "Strong Families Program", Family-Based Services (BRASS 462x).—10-393

PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS 171
ST. LOUIS COUNTY, MINNESOTA

Home and Community-Based Waiver Services Contract, Contract No. 14805, between the St. Louis County Board of Commissioners and Shane Clemens Adult Foster Home.—[10-394](#)

Home and Community-Based Waiver Services Contract, Contract No. 14776, between the St. Louis County Board of Commissioners and Northern Access Transportation, Inc.—[10-395](#)

Home and Community-Based Waiver Services Contract, Contract No. 14778, between the St. Louis County Board of Commissioners and Mountain Home Medical, Inc., d/b/a Northstar Home Medical, Inc.—[10-396](#)

Family Homeless Prevention and Assistance Program (FHPAP) Grant, Contract No. 20851, between the St. Louis County Board of Commissioners and the Legal Aid Service of Northeastern Minnesota.—[10-397](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14555A, between the St. Louis County Public Health and Human Services Department and Spectrum Community Health, Inc.—[10-398](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14643A, between the St. Louis County Public Health and Human Services Department and Rural Living Environments, Inc.—[10-399](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14667A, between the St. Louis County Public Health and Human Services Department and KC Companies of Tower, Inc., d/b/a Golden Horizons.—[10-400](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14675A, between the St. Louis County Public Health and Human Services Department and Hughes Homes, Inc., d/b/a The Pointe Estates.—[10-401](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14691A, between the St. Louis County Public Health and Human Services Department and September House.—[10-402](#)

Purchase of Service Agreement, Contract No. 14801, between the St. Louis County Board of Commissioners and Fond du Lac Reservation for Families First Family-Based Crisis Services.—[10-403](#)

Grant Agreement, Contract No. 20901, between the St. Louis County Board of Commissioners and Community Action Duluth (CAD) for Minnesota Family Investment Program (MFIP) Disparities Innovation Funds.—[10-404](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14643B, between the St. Louis County Public Health and Human Services Department and Rural Living Environments, Inc.—[10-405](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14682A, between the St. Louis County Public Health and Human Services Department and Northland Foundation d/b/a Northland Village.—[10-406](#)

Grant Agreement, Contract No. 20895, between the St. Louis County Board of Commissioners and the City of Duluth for Minnesota Innovation Fund 2010

Transportation and Short-term Training.—10-407

Group Residential Housing Rate Agreement, Contract No. 50830, between the St. Louis County Board of Commissioners and Rural Living Environments, Inc., (Aspen Home).—10-408

2009-2010 Recycling and Waste Reduction Grant Agreement between the County of St. Louis and the Town of Pike.—10-409

2009-2010 Recycling and Waste Reduction Grant Agreement between the County of St. Louis and the City of Virginia.—10-410

Agreement for Professional Services between St. Louis County and Karissa L. Metzger for Information Specialist duties for Juvenile Detention Alternative Initiative.—10-411

Agreement between St. Louis County and Minnesota Department of Transportation for Shared Sale Shed at Nopeming Truck Station.—10-412

Agreement for Professional Services between St. Louis County and Constellation Justice Systems, Inc., for a joint powers agreement to modify the Records Management System and BCA adaptors.—10-413

Agreement for Professional Services between the County of St. Louis and Ayres Associates to prepare Required Documentation for New Sewer Line to Old Jail.—10-414

Recovery Act Participating Agreement, No. 10-PA-11094419-071, between St. Louis County and U.S. Forest Service Superior National Forest, for Aquatic Organism Passage Improvement project constructing three culverts on County Road 644 north of Ely, MN.—10-415

Minnesota Department of Public Safety Homeland Security and Emergency Management Division Grant increasing the grant amount by an additional \$125,000 and extending the expiration date to June 30, 2010.—10-416

Agreement between St. Louis County and Lake County for 2010 Maintenance Striping, MP 10025.—10-417

Agreement for Professional Services between the County of St. Louis and North St. Louis Soil and Water Conservation District (SWCD) for Wetland Conservation Act oversight and enforcement.—10-418

Upon motion of Commissioner O'Neil, supported by Commissioner Dahlberg, Resolutions No. 263 through 273 were unanimously adopted as follows:

BY COMMISSIONER O'NEIL:

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of May 4, 2010, are hereby approved.
Adopted May 25, 2010. No. 263

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of May 11, 2010, are hereby approved.
Adopted May 25, 2010. No. 264

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, dated May 7, 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 May 25, 2010. No. 265

RESOLVED, that pursuant to Ordinance No. 28, Section 11, Subdivision 11.06, authorization is hereby granted to Buffalo Valley, Inc. d/b/a Buffalo House, Midway Township, to sell/serve outside the designated serving area of the County Liquor License for the dates of August 20 and 21, 2010, as per application on file in the office of the County Auditor, identified as County Board File No. 59021.

Adopted May 25, 2010. No. 266

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 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, 2011:

Smith Dam Company, LLC d/b/a Pequaywan Inn, Unorganized Township 54-13, Combination On/Off-Sale Intoxicating Liquor License No. CMB11113 and Sunday On-Sale Intoxicating Liquor License No. SUN11113, corporate name change and renewal.

Adopted May 25, 2010. No. 267

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 3.2 percent malt liquor license is hereby approved, on file in the office of the County Auditor, identified as County Board File No. 59075;

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

FURTHER RESOLVED, that if named license holder sells the 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 fee to the license holder;

FURTHER RESOLVED, that said license shall be effective through June 30, 2011:

Grumpy's Gas & Bait, LLC d/b/a Grumpy's Gas & Bait, LLC, Unorganized Township 63-19, Off-Sale 3.2 Percent Malt Liquor License No. B1094, transfer.

Adopted May 25, 2010. No. 268

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 3.2 percent malt liquor license is hereby approved, on file in the office of the County Auditor, identified as County Board File No. 59075;

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

FURTHER RESOLVED, that if named license holder sells the 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 fee to the license holder;

FURTHER RESOLVED, that said license shall be effective through June 30, 2011:

Back Country Bar, Inc. d/b/a Hugo's, Ault Township, On/Off-Sale 3.2 Percent

Malt Liquor License No. B1195, change of officers, renewal.

Adopted May 25, 2010. No. 269

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 permit authorizing the consumption and display of intoxicating liquors is hereby approved, on file in the office of the County Auditor, identified as County Board File No. 59049;

Back Country Bar, Inc., d/b/a Hugo's, Ault Township, Permit No. S1122,
change of officers.

Adopted May 25, 2010. No. 270

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:

Back Country Bar, Inc. d/b/a Hugo's, Ault Township, Tobacco Products
License No. T10252, change of officers.

Adopted May 25, 2010. No. 271

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 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, 2011:

Eshquaguma Club, Inc. d/b/a Eshquaguma Club, Biwabik Township, Club

On-Sale Intoxicating Liquor License No. CL113 and Sunday Club On-Sale

Intoxicating Liquor License No. CLS113, change of officers.

Adopted May 25, 2010. No. 272

RESOLVED, that the application for a Temporary On-Sale 3.2 Percent Malt Liquor License, on file in the office of the County Auditor, identified as County Board File No. 59075 is hereby approved and the County Auditor is authorized to issue the license to the applicant:

Lake 14 – Leander Club, Town of Unorganized 60-19, Temporary On-Sale

3.2 Percent Malt Liquor License No. TB1037, for July 3, 2010 (rain date July 4, 2010).

Adopted May 25, 2010. No. 273

PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS 175
ST. LOUIS COUNTY, MINNESOTA

At 10:25 a.m., May 25, 2010, Commissioner Nelson, supported by Commissioner Dahlberg, moved to adjourn the meeting; five 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)