

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

FEBRUARY, 2011

OFFICIAL PROCEEDINGS OF THE MEETING
OF THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF ST. LOUIS, MINNESOTA,
HELD ON FEBRUARY 1, 2011

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 1st day of February, 2011, at 9:37 a.m., in the County Board Room, Duluth, Minnesota, with the following members present: Commissioners Frank Jewell, Chris Dahlberg, Mike Forsman, Peg Sweeney, Keith Nelson, Steve Raukar, and Chair Steve O'Neil – 7. Absent: None.

Chair O'Neil asked for a moment of silence to honor U.S. troops serving throughout the world and their families as well as all persons adversely affected by war.

Commissioner O'Neil recognized Alberta Marana for excellence in the arts and sciences. Chair O'Neil displayed a collection of Ms. Marana's pastels of Northland scenes. Ms. Marana thanked the board for the recognition.

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

Henry Banks of Duluth announced some upcoming events including: a fundraiser at the Rainbow Center, an event with Kerry Gauthier, a people of color film festival, and a radio talk show he will be hosting on 91.03 FM at UWS on Saturday mornings.

Keith Nelson, Eveleth, addressed the board as a citizen and discussed bullying and distributed a Duluth News Tribune article from December 22, 1996. Mr. Nelson said the article praised the county board, as opposed to the current editorial board.

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

Commissioner Raukar, supported by Commissioner Nelson, moved to a closed session pursuant to MN Statutes, Section 13D.05 for litigation purposes; seven yeas, zero nays. Resolution No. 59.

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

Kevin Gray, County Administrator, and James Foldesi, Public Works Director, submitting Board Letter 11-22, Request for Easement Sponsorship across State of Minnesota School Trust Land (Section 20, T62N, R21W).—59207

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Changes, Additions & Abolishment of Job Classifications for 2011.—59208

Kevin Gray, County Administrator, and Ross Litman, Sheriff, submitting Board Letter 11-27, Amendment to the 2010 Boundary Waters Drug Task Force Grant.—59209

Commissioner Steve O'Neil submitting a biography and resume of his "Science and Arts Recognition" person, visual artist Alberta Marana, of Duluth, Minnesota.—59210

Keith Nelson, Eveleth, Minnesota, submitting an article from the Duluth News Tribune dated Dec. 22, 1996, and a hand-out of 2010 Elected Officials Motor Pool Usage.—59211

Agreement for Professional Services between the County of St. Louis and Twin Ports Testing, Inc., for contaminated soil testing, abandoned fuel tank & soil disposal documentation & Minnesota Petrofund reimbursement application for the County for the Downtown Duluth Lower Green Lot Renovation project.—11-90

Agreement for Professional Services between the County of St. Louis and Foster Jacobs & Johnson, Inc., to perform final domestic water system analysis, prepare bid specs and documents, and perform project administration for the Jail Energy Conservation Project – Phase I – Federal Stimulus Grant.—11-91

Agreement for Professional Services between the County of St. Louis and LHB Engineers & Architects for Structural Assessment and Project Administration for Phase One (I) Depot Train Museum roof repair project.—11-92

Agreement for Professional Services between the County of St. Louis and Foster, Jacobs & Johnson, Inc., to perform supplemental engineering and code official coordination for the Government Services Center (GSC) Elevator Upgrades.—11-93

Agreement for Professional Services between St. Louis County and Fredrikson & Byron, P.A., for State Government Relation Services (lobbying).—11-94

Agreement for Professional Services between St. Louis County and the Human Development Center for On-call Psychiatric Services at the St. Louis County Jail.—11-95

Traffic Signal System Agreement between the County of St. Louis and the City of Duluth for SAP 69-604-065 (CP 8294)/SAP 118-160-22 (City Project No. 0662TR), for the installation of traffic signals with street lights, signing, traffic control interconnection, and roadway improvements on CSAH 4 (Rice Lake Road).—11-96

Amendment #1 to Mn/DOT Grant Agreement #94577, Capital Assistance to States-Intercity Passenger Rail Service Program, between St. Louis County and MN Department of Transportation extending the expiration date from March 31, 2011 to December 31, 2011.—11-97

Birch Point Community Septic System Grant Agreement between the County of St. Louis and the Town of Grand Lake.—11-98

Agreement for Professional Services between the County of St. Louis and Lockridge, Grindal, Nauen, P.L.L.P., for federal legislative consultant services during 2011.—11-99

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Employee Development Training Contract between St. Louis County and Advance! Training and Consulting, LLC, for *Word Compare & Track Changes 2003, Access Tables, Word Compare and Track Changes 2007, Access Consultant, Word Envelopes, Labels and Shortcuts 2003*, and *Word Envelopes, Labels and Shortcuts 2007*.—11-100

Employee Development Training Contract between St. Louis County and Ann Harrington for *Respectful Workplace*.—11-101

Grant Agreement, Contract No. 20792, between the St. Louis County Board of Commissioners and Human Development Center for Adult Mental Health Integrated Fund Services.—11-102

Upon motion of Commissioner Nelson, supported by Commissioner Sweeney, resolutions numbered 52 through 58 were approved, as submitted to this Board on the Consent Agenda, were unanimously adopted as follows:

BY COMMISSIONER NELSON:

WHEREAS, the St. Louis County Public Works Department has been approached by Thomas O. Roach and Melissa L. Roach, owners of property described as the South ½ of the Northeast ¼ of the Southwest ¼ AND the South ½ of the Northwest ¼ of the Southeast ¼, both in Section 20, Township 62 North, Range 21 West, to apply to the State of Minnesota for a roadway right of way easement over State School Trust Land; and

WHEREAS, the easement is needed to provide road access into their homestead located at 1544 Highway 5, Cook, MN; and

WHEREAS, the State of Minnesota can only grant easements over school trust land to governmental entities; and

WHEREAS, Mr. and Mrs. Thomas Roach, and/or their successors in title, will be solely responsible for the road construction, improvements, and ongoing maintenance necessary to conform to Minnesota Department of Natural Resources Standards as contained in the Right of Way Easement to be issued by the State of Minnesota.

NOW, THEREFORE, BE IT RESOLVED, that the State of Minnesota Department of Natural Resources is requested to provide St. Louis County with easement across the following described property:

A thirty-three foot wide permanent easement for public roadway purposes over, under, and across the most southerly 33 feet of the Northwest Quarter of the Southwest Quarter (NW ¼ of SW ¼) of Section Twenty (20), Township Sixty-two (62) North, Range Twenty-One (21) West of the Fourth Principal Meridian.

Said Permanent Easement area contains 1.0 acre more or less.

RESOLVED FURTHER, that the St. Louis County Board authorizes the appropriate county officials to execute an agreement with Thomas O. Roach and Melissa L. Roach for future improvement and maintenance expenses of the road and for payment in the estimated amount of \$4,000 to the Department of Natural Resources for this Permanent Road Easement.

Adopted February 1, 2011. No. 52

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. 59185.

Adopted February 1, 2011. No. 53

RESOLVED, the St. Louis County Board makes the following appointments to the Civil

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Service Commission:

Julie A. Waltenburg, as a full member, for a term ending December 22, 2012; and
Olaf Clemenson, as an alternate member, for a three-year term ending December 31, 2013.
Adopted February 1, 2011. No. 54

RESOLVED, that the following St. Louis County job classes are abolished:

Accountant - Highway Department	Accounting Systems Auditor
Board & Lodging Care Assistant	Computer Operator II
Cook I	Cook II
Deputy County Administrator	Director of Business Management I
Employee Development Coordinator	Food Service Helper
Land Department Surveyor	Laundry Worker II
Medical Billing Specialist	Public Information Officer
Purchasing Agent	Registered Nurse Supervisor
Social Services Supervisor II	Supervising Dietician

Adopted February 1, 2011. No. 55

WHEREAS, Minn. Stat. § 471.59 allows two or more governmental units, by agreement entered into through action of their governing bodies, to jointly exercise any power common to the contracting governmental units; and

WHEREAS, counties are empowered to conduct a residential survey within their geographic boundaries for the purpose of gathering objective information regarding residents perceptions of the quality of life, the quality of government services being provided, their satisfaction with county government, their priorities for community planning and their expectations for allocation of county resources; and

WHEREAS, St. Louis, Dakota, and Scott Counties wish to jointly engage in the conduct of a residential survey for the mutual benefit of all parties.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the appropriate county officials to enter into a Joint Powers Agreement with Dakota and Scott Counties for the purpose of a scientifically valid residential survey. RESOLVED FURTHER, that funding for the survey expense is from Fund 100, Agency 104001, Object 629900.

Adopted February 1, 2011. No. 56

WHEREAS, the St. Louis County Sheriff's Office is a member of the Boundary Waters Drug Task Force, and the county serves as its fiscal agent; and

WHEREAS, the Minnesota Department of Public Safety, Office of Justice Programs, is offering an amended 2010 Boundary Waters Drug Task Force grant which increases the grant amount by \$49,500 and extends the term of the grant to December 31, 2011.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes an amendment to the 2010 Boundary Waters Drug Task Force Grant increasing the amount by \$49,500 and extending the term of the grant to December 31, 2011, to be accounted for in Fund 100, Agency 129999, Grant 12901, Year 2011.

Adopted February 1, 2011. No. 57

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RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of January 11, 2011, are hereby approved.
Adopted February 1, 2011. No. 58

BY COMMISSIONER RAUKAR:

WHEREAS, St. Louis County is a defendant in a pending lawsuit brought by Chester Cullen and Robin Cullen; and

WHEREAS, St. Louis County has received a settlement proposal from plaintiffs through their attorney, Kenneth Butler; and

WHEREAS, the St. Louis County Attorney's Office will provide legal advice to the St. Louis County Board with respect to the evaluation of this case and potential litigation strategy in these matters; and

WHEREAS, the Assistant County Attorney handling the case requires a candid and open discussion with the Board in this matter; and

WHEREAS, public discussion of potential settlements and litigation strategy would benefit the opposing parties and counsel to St. Louis County's detriment; and

WHEREAS, a closed session would benefit the public because potential financial liability in this matter could result in the expenditure of public funds; and

WHEREAS, pursuant to Minn. Stat § 13D.05, Subd. 3(b), the St. Louis County Board may close a meeting as permitted by the attorney/client privilege.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board hereby closes the meeting of February 1, 2011, to discuss this matter with counsel.

RESOLVED FURTHER, that no other pending public business will be discussed at this closed session.

Unanimously adopted February 1, 2011. No. 59

At 10:05 a.m., February 1, 2011, Commissioner Nelson, supported by Commissioner Raukar, moved to adjourn; seven yeas, zero nays.

Steve O'Neil, 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)

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**OFFICIAL PROCEEDINGS OF THE MEETING
OF THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF ST. LOUIS, MINNESOTA,
HELD ON FEBRUARY 8, 2011**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 8th day of February, 2011, at 9:35 a.m., in the County Board Room, Duluth, Minnesota, with the following members present: Commissioners Frank Jewell, Chris Dahlberg, Mike Forsman, Peg Sweeney, Keith Nelson, Steve Raukar, and Chair Steve O'Neil – 7. Absent: None.

Chair O'Neil asked for a moment of silence to honor U.S. troops serving throughout the world and their families as well as all persons adversely affected by war.

Commissioner Dahlberg recognized Jason Wussow, owner of Beaner's Central, for excellence in the arts and sciences. Commissioner Dahlberg said Jason Wussow plays the guitar and Beaner's Central hosts musical acts and local art displays. Mr. Wussow also has a series called Cooking on the Car. Mr. Wussow thanked the board and showed a video of one of his Cooking on the Car episodes, which can be viewed at www.cookingonthecar.com.

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

Samantha Cotten, Duluth, thanked the county board for supporting Life House and described how Life House helped her through a difficult time. Kim Crawford, Life House Executive Director, said 75-100 youth need shelter in the Duluth area, adding many of the children are from troubled families or have grown out of foster care. Director Crawford thanked the board for their support.

Commissioner Nelson, supported by Commissioner Sweeney, moved to approve the consent agenda. At the request of Commissioner Sweeney, item 4, purchase of air/ice boat for Sheriff's Office, was removed for separate consideration under Public Safety and Correction. The remainder of the consent was approved; seven yeas, zero nays.

Commissioner Jewell, supported by Commissioner Nelson, moved to approve free conveyance of tax forfeited property to Grand Lake Township for an emergency heliport. Duayne Anderson, Grand Lake Town Supervisor, said the heliport will serve the northern part of Grand Lake and Fredenberg Township and is to better serve the area for emergency services. After further discussion, the motion was approved; seven yeas, zero nays. Resolution No. 72.

Commissioner Raukar, supported by Commissioner Sweeney, moved to approve re-appointment of Doug Hoffbauer, Jan Dzwonkowski and Jennifer Lipke to the St. Louis County Cooperative Extension Committee for three-year terms expiring December 13, 2013; seven yeas, zero nays. Resolution No. 73.

The proposed closed session was removed from the agenda.

Commissioner Sweeney, supported by Commissioner Nelson, moved to approved item 4 from the consent agenda, purchase of air/ice boat for Sheriff's Office. Administrator Kevin Gray said the item was removed to correct a clerical error; seven yeas, zero nays. Resolution No. 63.

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

Kevin Gray, County Administrator, Mark Rubin, County Attorney, and Martin Buscombe, Information Technology Director, submitting Board Letter 11-35, Amendment No. 1 to Memorandum of Understanding between the State of Minnesota Judicial Branch and St. Louis County for a Voice over Internet Protocol phone system (VoIP).—[59212](#)

Kevin Gray, County Administrator, and Barbara Hayden, Planning and Development Director, submitting Board Letter 11-36, Committee Vacancy Appointments – Board of Adjustment.—[59213](#)

Request to sell/serve outside the designated area of the County Liquor license granted to Elephant Lake Lodge, Inc., d/b/a Melgeorge's Elephant Lake Lodge, Camp 5 Township, for the date of March 12, 2011, as submitted by the County Auditor.—[59214](#)

Kevin Gray, County Administrator, and Robert Krepps, Land Commissioners, submitting Board Letter 11-34, Free Conveyance of State Tax Forfeited Land to Grand Lake Township.—[59215](#)

Kevin Gray, County Administrator, and Don Dicklich, County Auditor, submitting Board Letter 11-37, Re-Appointments to the St. Louis County Cooperative Extension Committee.—[59216](#)

Purchase of Services Contract, Contract No. 20913, between St. Louis County and Indian Legal Assistance Program for public social services.—[11-103](#)

Purchase of Services Contract, Contract No. 20917, between St. Louis County and The Salvation Army for public social services.—[11-104](#)

Purchase of Services Contract, Contract No. 20926, between St. Louis County and Arrowhead Center for public social services.—[11-105](#)

Professional Services Agreement, Agreement No. 2011-006133, between the County of St. Louis and Braun Intertec Corporation for a Geotechnical Exploration Program for the replacement of County Bridge No. 465, MP 95-61843.—[11-106](#)

Minnesota Department of Public Safety, Homeland Security and Emergency Management Division, 2010 Minnesota Joint Analysis Center (MNJAC) Grant.—[11-107](#)

Agreement for Purchase of Services, Agreement No. 2010-6076, between St. Louis County and Animal Allies for animal shelter/humane society services.—[11-108](#)

Purchase of Services Contract, Contract No. 20919, between St. Louis County and the St. Louis County Council on Aging, for social, education, and recreational opportunities for the elderly.—[11-109](#)

Purchase of Services Contract, Contract No. 10921, between St. Louis County and Valley Youth Center to provide a positive, supervised, and safe place for youth to socially interact.—[11-110](#)

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Purchase of Services Contract, Contract No. 20920, between St. Louis County and United Way of Greater Duluth for 211 Information and Referral Activities.—11-111

Purchase of Services Contract, Contract No. 20924, between St. Louis County and Lutheran Social Service Bethany Crisis Nursery for safe care and early intervention for children at risk.—11-112

Purchase of Services Contract, Contract No. 20910, between St. Louis County and Elder Services Network for educational opportunities, information and assistance, advocacy and outreach, program development and coordination.—11-113

Purchase of Services Contract, Contract No. 20925, between St. Louis County and Lake Superior Community Health Center for sliding fee and free health care services to low-income, uninsured, and under-insured community members.—11-114

Purchase of Services Contract, Contract No. 20918, between St. Louis County and Sexual Assault Program of Northern St. Louis County for crisis intervention, medical and legal information and support, sexual assault protocol involvement, community education/professional training, child abuse prevention school programs, outreach, advocacy, support groups for children/adults, and play groups for children/parents.—11-115

Purchase of Services Contract, Contract No. 20916, between St. Louis County and Safe Haven Shelter for Battered Women for support/education groups, professional training to organizations, education to schools and community groups.—11-116

Purchase of Services Contract, Contract No. 20909, between St. Louis County and AEOA – Retired Senior Volunteer Program for engaging persons 55 or older in volunteer service.—11-117

Purchase of Services Contract, Contract No. 20922, between St. Louis County and Range Women’s Advocates for advocacy, safe homes, support groups, community education, abuser education classes and services for children in violent homes.—11-118

Service Contract, Contract No. 4937, between the County of St. Louis and Cleaning Specialists, Inc., for janitorial services for the County’s Northland Office Building, Virginia, MN.—11-119

2011 Memorandum of Agreement between the County of St. Louis and the University of Minnesota for providing Extension programs locally and employing Extension staff.—11-120

Memorandum of Intent between St. Louis County and University of Minnesota Extension Nutrition Education Program Federal Fiscal Year 2011.—11-121

Upon motion by Commissioner Forsman, supported by Commissioner Dahlberg, resolutions numbered 60 through 62 and 64 through 71, as submitted to this Board on the Consent Agenda, were unanimously adopted as follows:

BY COMMISSIONER FORSMAN:

WHEREAS, the federal government has made Public Health Emergency Response (PHER) funds available to state health departments to support and enhance the state and local public

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health infrastructure to plan for and respond to pandemic influenza; and
WHEREAS, the State of Minnesota has entered into a contractual agreement for specific public health emergency response functions and duties in accordance with the Center for Disease Control and the Minnesota Department of Health with the Carlton-Cook-Lake-St. Louis County Community Health Board (CHB); and
WHEREAS, the CHB is contracting with each of its member counties to provide funding to implement these activities at the county level; and
WHEREAS, funds will be used for Public Health Emergency Response Continuation outreach and education.
NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes an agreement with the Carlton-Cook-Lake-St. Louis County Community Health Board for Public Health Emergency Response Continuation outreach and education in the amount of \$95,698 for the period January 7, 2011 to July 30, 2011, with funds to be accounted for in Fund 230, Agency 233003, Grant 23307, Year 2011; and to revise the 2011 budget to reflect this revenue and expenditure.
Adopted February 8, 2011. No. 60

WHEREAS, Lake Bank has requested a non-exclusive roadway easement across state tax forfeited land to access private land; and
WHEREAS, there are no reasonable alternatives to obtain access to the property; and
WHEREAS, exercising the easement will not cause significant adverse environmental or natural resource management impacts; and
WHEREAS, Minn. Stat. § 282.04, Subd. 4(a), allows for the granting of private easements across state tax forfeited land for such purposes.
NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Auditor, pursuant to Minn. Stat. § 282.04, Subd. 4(a), is authorized to grant a non-exclusive roadway easement across state tax forfeited land to Lake Bank described as follows:
All that part of Government Lot 2, Section 27, Township 55 North, Range 12 West, St. Louis County, Minnesota, that lies within 16.5 feet on either side of the following described centerline:
Assuming the north line of said Government Lot 2 to have a bearing of N87°51'17"E and commencing at the North Quarter corner of said section 27; thence S38°30'47"E, a distance of 945.62 feet to the centerline of Stone Lake Bridge Road and the point of beginning; thence following the centerline of the existing driveway N6°20'55"E, a distance of 72.06 feet; thence N12°41'24"E, a distance of 30.96 feet; thence N24°00'35"E, a distance of 40.01 feet; thence N25°42'45"E, a distance of 72.77 feet to the southerly line of the northerly 560 feet of said Government Lot 2 and there terminating. Said easement is 215.80 feet long and contains 0.16 acres. The easterly and westerly right-of-way lines are extended to and truncated by the south line of said northerly 560 feet.
RESOLVED FURTHER, that the granting of this easement is conditioned upon payment of \$160 land use fee, \$1240 survey fee, \$125 administration fee and \$46 recording fee; for a total of \$1571, to be deposited into Fund 240 (Forfeited Tax Fund).
Adopted February 8, 2011. No. 61

WHEREAS, the Sheriff's Office has decommissioned a 1999 Polaris Indy snowmobile, which has been replaced by newer equipment; and
WHEREAS, the Grand Lake Volunteer Fire Department has need for a snowmobile for response to rural emergencies; and
WHEREAS, the Sheriff's Office wishes to transfer ownership of this vehicle to the Grand Lake Volunteer Fire Department to support its firefighting and first response to emergencies.
NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the

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Sheriff's Office to transfer the 1999 Polaris Indy snowmobile, VIN#T4XAET6AS2XC073046, to the Grand Lake Volunteer Fire Department at no cost except for any title transfer and registration expenses.
Adopted February 8, 2011. No. 62

RESOLVED, that a public hearing will be held at 9:40 a.m. on Tuesday, February 22, 2011, in the Hibbing City Council Chambers, Hibbing, Minnesota, for the purpose of considering the suspension/revocation of liquor licenses for failure to pay real estate or personal property taxes when due, pursuant to St. Louis County Ordinance No. 28.
Adopted February 8, 2011. No. 64

WHEREAS, the U.S. Department of Housing and Urban Development (HUD) requires a consolidated application process for entitlement funds under the following Community Planning and Development programs: Community Development Block Grant, HOME, and Emergency Shelter Grant; and

WHEREAS, the St. Louis County Board of Commissioners approved the 2010-2014 Consolidated Plan on March 2, 2010; and

WHEREAS, St. Louis County has prepared a draft FY 2011 Action Plan of the 2010-2014 Consolidated Plan required by HUD; and

WHEREAS, HUD requires that a public hearing be conducted to allow citizen input prior to submittal of these plans.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board will hold a public hearing on Tuesday, March 8, 2011, at 9:40 a.m., at the St. Louis County Courthouse in Duluth, Minnesota, for the purpose of receiving citizen comments on the established priorities and funding recommendations included in the FY 2011 Action Plan of the 2010-2014 Consolidated Plan.

Adopted February 8, 2011. No. 65

WHEREAS, pursuant to Minn. Stat. § 484.77, St. Louis County is required to provide suitable facilities for court purposes to the state and other optional services, as agreed upon; and

WHEREAS, a Memorandum of Understanding was negotiated and approved that included the optional purchase of miscellaneous county technology services by the state; and

WHEREAS, the State Sixth Judicial District requested the St. Louis County Information Technology Department to install a Voice over Internet Protocol phone system for their offices in St. Louis County; and

WHEREAS, the Sixth Judicial District will pay for the full cost of the build out and operation of the Voice over Internet Protocol system.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the appropriate county officials to execute Amendment No. 1 to the Memorandum of Understanding between the State of Minnesota Judicial Branch and St. Louis County, contained in County Board File 59212.

RESOLVED FURTHER, that the St. Louis County Board authorizes the Information Technology Department to purchase ShoreTel ShoreGear Voice over Internet Protocol equipment including phones, phone switches and software licenses totaling \$67,283.59 plus applicable Minnesota state sales taxes which will be reimbursed by the State of Minnesota Sixth Judicial District.

Adopted February 8, 2011. No. 66

RESOLVED, the St. Louis County Board appoints the following individuals to the St. Louis County Board of Adjustment for a three-year term expiring December 31, 2013:

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Kurt F. Johnson Town of Normanna
David Peterson Town of Midway

Adopted February 8, 2011. No. 67

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of January 25, 2011, are hereby approved.

Adopted February 8, 2011. No. 68

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, dated January 28, 2011, on file in the office of the County Auditor, identified as County Board File No. 59188, is hereby received and ratified as payable from Fund 730, Agency 730001.

Adopted February 8, 2011. No. 69

RESOLVED, that pursuant to Ordinance No. 28, Section 11, Subdivision 11.06 authorization is hereby granted to Elephant Lake Lodge, Inc. d/b/a Melgeorge's Elephant Lake Lodge, Camp 5 Township, to sell/serve outside the designated serving area of the County Liquor License for the date of March 12, 2011, as per application on file in the office of the County Auditor, identified as County Board File No. 59214.

RESOLVED FURTHER, that said license is contingent on Camp 5 Township approval, additional security plan approved by Sheriff's Office, the hiring of two (2) off-duty Sheriff deputies for security, and no liquor law violations before March 12, 2011.

Adopted February 8, 2011. No. 70

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. 59197, are hereby approved and the County Auditor shall issue checks in the following amounts:

January 2011

100	General Fund	\$5,912,651.50
148	Volunteer Fire Departments	205,369.55
149	Personnel Service Fund	185.50
150	Sheriff's Nemesis Fund Group	104,263.31
160	MN Trail Assistance	69,636.24
164	Tax Certification Assurance	2.50
166	Sheriff Fine Contingency	4,573.00
167	Attorney's Forfeitures	15,217.94
168	Sheriff's State Forfeitures	2,104.05
170	Boundary Waters-Forfeitures	200.00
173	Emergency Shelter Grant	41,671.12
180	Law Library	11,457.20
183	City/County Communications	538.06
184	Extension Service	29,976.36
200	Public Works	2,690,325.86
210	Road Maint – Unorg Townships	200.86
220	State Road Aid	765,384.58
230	Public Health & Human Services	6,108,018.12
240	Forfeited Tax	443,302.18
260	CDBG Grant	44,772.31
270	Home Grant	83,944.39
280	Federal Septic Loan – EPA Fund	16,332.44
290	Forest Resources	3,644.00

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400	County Facility	115,179.48
405	Public Works Building Const	80,580.04
407	Public Works – Equipment	1,129,725.72
421	Northland Office Bldg Improv.	15,302.43
437	2008A Capital Equipment Note	290,553.36
438	2008B Capital Improvement Bond	96,229.68
600	Environmental Services	470,334.10
616	On-Site Waste Water Division	42,789.06
626	Cap Exp/Operations Account	89,637.50
700	Printing	7,200.09
705	Postage Office Supplies	6,727.26
715	County Garage	201,742.74
720	Property Casualty Liability	6,089.48
730	Workers Compensation	339,713.86
750	Management Info Systems	176,576.03
760	Telecommunications	59,607.76
770	Retired Employees Health Ins	1,202.91
826	Taconite Production Tax	408,395.00
900	State of Minnesota	981,098.79
902	Courts	259,896.10
908	Cities and Towns Taxes	1,241,697.75
909	Tax Refunds	98,861.31
910	School Districts Taxes	1,095,547.10
911	Taxes and Penalties	270,900.99
925	Arrowhead Regional Corrections	1,764,185.70
955	Community Health Board	157,067.36
985	Collective Local Collaborative	82,239.02
989	Regional Railroad Authority	82,180.85
990	Northern Cities Land Use	800.20
992	Permits to Carry-Firearms	500.00
994	Sheriff Forfeits/Evidence	12.70
998	MPL-DUL Train Alliance	246,404.90
		<u>\$26,372,750.34</u>

Adopted February 8, 2011. No. 71

BY COMMISSIONER JEWELL:

WHEREAS, pursuant to Minn. Stat. § 282.01a, Subd. 1, upon recommendation of the County Board, the Commissioner of Revenue may convey state tax forfeited land to another governmental subdivision for an authorized public use; and

WHEREAS, Grand Lake Township has requested a free conveyance of state tax forfeited land to be used for a heliport described as:

PART OF NW1/4 OF SE1/4 LYING NLY OF CENTER LINE OF TAFT RD
CSAH NO 48 & ELY OF CENTER LINE OF MUNGER SHAW RD CSAH
NO 15, SECTION 14, TOWNSHIP 52 NORTH, RANGE 16 WEST

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, Minn. Stat. § 282.01 provides that the classification or reclassification of lands situated within a municipality or organized town must be approved by the governing body of the municipality or town; and

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WHEREAS, the reclassification and conveyance of said parcel will be deemed approved if the County Board does not receive notice of the municipality's or town's disapproval of the reclassification within 60 days of the date on which this resolution is delivered to the clerk; and

WHEREAS, the Land Commissioner recommends that said parcel be reclassified as non-conservation 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 parcel is currently included in an established Memorial Forest; however, it is more suitable for purposes other than forest management; and

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

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the release from Memorial Forest, reclassification to non-conservation and conveyance of the state tax forfeited parcel described above, and recommends that the Commissioner of Revenue convey the parcel to Grand Lake Township to be used for a heliport upon payment of an administrative fee of \$350, deed tax of \$1.65, and recording fee of \$46; for a total of \$397.65 to be deposited into Fund 240 (Forfeited Tax Fund).

RESOLVED FURTHER, that the approval for the conveyance of said parcel shall be requested from the Commissioner of Natural Resources.

RESOLVED FURTHER, that the request for approval of the reclassification will be transmitted by the St. Louis County Land Department to the Clerk of the Town of Grand Lake.

RESOLVED FURTHER, that St. Louis County Board Resolution No. 10-127, dated March 23, 2010, is rescinded.

Unanimously adopted February 8, 2011. No. 72

BY COMMISSIONER RAUKAR:

RESOLVED, that the St. Louis County Board re-appoints Doug Hoffbauer, Jan Dzwonkowski, and Jennifer Lipke to the St. Louis County Cooperative Extension Committee for three-year terms expiring December 31, 2013.

Unanimously adopted February 8, 2011. No. 73

BY COMMISSIONER SWEENEY:

WHEREAS, the St. Louis County Sheriff's Office desires to provide quality long term assets for search and rescue operations upon St. Louis County waters; and

WHEREAS, acquiring an airboat would fulfill a need for four-season response to water emergencies and ice rescue capability; and

WHEREAS, two comparable quotes were obtained for the purchase of an airboat as follows:

Lake Assault Boats, 1 Clough Avenue, Superior, WI 54880

19ft x 8ft Air/Ice Boat including trailer and sales tax: \$66,796.88

American Airboat Corp., 108 E. Lutcher Drive, Orange, TX 77632

18ft x 8ft Air Ranger including trailer and sales tax: \$72,381.10

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the purchase of a 19 foot x 8 foot Air/Ice boat from Lake Assault Boats, Superior, Wisconsin, in the amount of \$62,500, plus \$4,296.88 in applicable sales tax for a total of \$66,796.88, with funding to be provided from the Boat and Water Safety Grant (Resolution No. 10-187), Fund 100, Agency 130999, Grant 13001, Year 2010, as well as \$5,683.57 from Fund 100, Agency

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130002, Object 665900, with the remainder of the funds coming from the sale of a third unit in 2011 and/or the 2011 Boat and Water Grant.

RESOLVED FURTHER, that the revenue resulting from the sale of two watercraft in 2010 be allowed to close into fund balance, with the revenue budget in Fund 100, Agency 130002, Object 583211, and expense budget in Fund 100, Agency 130002, Object 665900 increased accordingly in 2011.

Unanimously adopted February 8, 2011. No. 63

At 10:08 a.m., February 8, 2011, Commissioner Dahlberg, supported by Commissioner Jewell, moved to adjourn; seven yeas, zero nays.

Steve O'Neil, 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)

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**OFFICIAL PROCEEDINGS OF THE MEETING
OF THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF ST. LOUIS, MINNESOTA,
HELD ON FEBRUARY 22, 2011**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 22nd day of February, 2011, at 9:32 a.m., in the Hibbing City Council Chambers, Hibbing, Minnesota, with the following members present: Commissioners Frank Jewell, Chris Dahlberg, Mike Forsman, Peg Sweeney, Keith Nelson, Steve Raukar, and Chair Steve O'Neil – 7. Absent: None.

Chair O'Neil asked for a moment of silence to honor U.S. troops serving throughout the world and their families as well as all persons adversely affected by war.

Commissioner Raukar recognized Art Hill, former Hibbing High School band director, for excellence in the arts and sciences. Commissioner Raukar read excerpts from an article printed in the Hibbing Daily Tribune honoring Mr. Hill and his many accomplishments as band director. Mr. Hill gave credit for his success to the students, parents of students, and faculty. Mr. Hill said that receiving this award was very humbling and thanked the Board for the honor. Commissioner Raukar then played a video that highlighted the many achievements of Mr. Hill.

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

James Medure expressed his concerns regarding waste disposal on his property and his frustrations with not receiving help from the local sheriff's department. Mr. Medure also presented the Board with a number of photos showing blight in surrounding properties. Commissioner O'Neil informed Mr. Medure that the allotted five minutes had passed, but offered to meet with him at the conclusion of the Board meeting to discuss further concerns. Commissioner Raukar stated that he already had a number of conversations with Mr. Medure but agreed that a meeting after the Board meeting might be helpful.

At 10:16 a.m. a public hearing convened pursuant to Resolution No. 64, adopted February 8, 2011, to consider the suspension/revocation of liquor licenses for failure to pay real estate or personal property taxes when due. County Attorney Mark Rubin presented the board with packets of information regarding The Blue Max and Island Lake Inn. Each packet contained the following items: an affidavit of publication of Public Hearing notice as per rule 13.02; a screen print of tax records showing 2010 taxes owing as per rule 4.15; a letter dated on February 8, 2011, to the license owner presenting a notice of hearing and affidavit of mailing sent to both home and business addresses as per rule 13.02; a letter dated on February 1, 2011, informing each license owner that they may be in violation of the Liquor Ordinance for non-payment of taxes; and the resolution of the County Board dated February 8, 2011, establishing the date of a public hearing on February 22, 2011. Commissioner O'Neil then asked if there were any representatives of either entity who would like to appear and give testimony of which there was no one present.

Commissioner Nelson asked Auditor Dicklich if this was the first time that Island Lake Inn had come before the Board regarding to failure to pay property taxes. Auditor Dicklich confirmed that this was the first time for Island Lake Inn to come before the Board for this type of matter and that, as of 9:20 a.m., neither The Blue Max nor Island Lake Inn had made

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payment of these taxes. Auditor Dicklich also stated that once the taxes were paid, the suspension would be lifted. Commissioner Sweeney said she wished the Board had an alternative way of performing these hearings regarding this issue and that small businesses cannot always pay due to financial difficulties. Commissioner Nelson thanked Commissioner Sweeney for her comments but stated that in fairness to the other liquor license owners in St. Louis County that the rules are in place and enforced the same for everyone. Commissioner Sweeney, supported by Commissioner Dahlberg, moved to close the hearing at 10:25 am; seven yeas, zero nays.

Commissioner Raukar, supported by Commissioner Forsman, moved to pass the resolution regarding the suspension of the liquor license for Blue Max, Inc., as of February 22, 2011. Commissioner Nelson asked for a friendly amendment to make the suspension effective as of February 23, 2011, as that February 21, 2011, was a non-banking day due to it being President's Day. The friendly amendment was accepted by both Commissioner Raukar and Commissioner Forsman and the resolution was passed; seven yeas, zero nays. Resolution No. 89.

Commissioner Nelson, supported by Commissioner Dahlberg, moved to pass the resolution regarding the suspension of the liquor license for the Island Lake Inn as of February 22, 2011. Commissioner Nelson moved the resolution with a friendly amendment to make the suspension effective as of February 23, 2011, as that February 21, 2011, was a non-banking day due to it being President's Day. The resolution was passed; seven yeas, zero nays. Resolution No. 90.

Commissioner Sweeney, supported by Commissioner Dahlberg, moved to approve the consent agenda. The consent was approved; seven 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, and Robert Krepps, Land Commissioner, submitting Land Sales and Withdrawals from Memorial Forest Status requests for the year 2011.—[59217](#)

Kevin Gray, County Administrator, and Robert Krepps, Land Commissioner, submitting Special Land Sale requests for the year 2011.—[59218](#)

Kevin Gray, County Administrator, and Donald Dicklich, County Auditor, submitting Lawful Gambling applications for the year 2011.—[59219](#)

Kevin Gray, County Administrator, and Donald Dicklich, County Auditor, submitting Board Letter No. 11-49, Public Hearing for Suspension of Liquor Licenses for Property Tax Non-Payment.—[59220](#)

Commissioner Steve Raukar submitting a copy of the Hibbing Daily Tribune containing an article about the County's recognition of former Hibbing High School Band Director Art Hill for the Excellence in Science and Arts award.—[59221](#)

Employee Development Training Contract between St. Louis County and Keenan Consulting, LLC, for *Respectful Workplace*.—[11-122](#)

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Employee Development Training Contract between St. Louis County and Rod Raymond Seminars for *The Power of the Mind*.—[11-123](#)

Employee Development Training Contract between St. Louis County and Siyanda Elizabeth for *Yoga for Relaxation*.—[11-124](#)

Memorandum of Amendment between the County of St. Louis and Pinnacle Towers, LLC, for cell tower site lease term extension from October 31, 2023, to October 31, 2043.—[11-125](#)

Professional Services Contract between St. Louis County and Minnesota State Colleges and Universities Fond du Lac Tribal and Community College for *The Speed of Trust*.—[11-126](#)

Agreement for Professional Services between the County of St. Louis and Oneida Realty Company for lease management, general services and cleaning services at the Depot.—[11-127](#)

Agreement for Services, Contract No. 14855, between the County of St. Louis and Lake Superior Community Health Center for STD testing and treatment services.—[11-128](#)

Home and Community-Based Waiver Services Contract, Contract No. 14842, between the St. Louis County Board of Commissioners and Heartwood Construction Inc.—[11-129](#)

Home and Community-Based Waiver Services Contract, Contract No. 14841, between the St. Louis County Board of Commissioners and Center for Independent Living of Northeastern Minnesota.—[11-130](#)

Home and Community-Based Waiver Services Contract, Contract No. 14829, between the St. Louis County Board of Commissioners and DRN Enterprises, Inc., d/b/a Arrow Lift Accessibility.—[11-131](#)

Purchase of Service Agreement, Contract No. 14833, between the St. Louis County Board of Commissioners and Ridgewood Recovery, Inc., d/b/a The Superior Treatment Center, for Chemical Dependency Treatment services.—[11-132](#)

Grant Agreement, Contract No. 20797, between the St. Louis County Board of Commissioners and Range Mental Health Center, Inc., for Sub-acute Detoxification and Hold services.—[11-133](#)

Purchase of Service Agreement, Contract No. 14830, between the St. Louis County Board of Commissioners and Minnesota Indian Primary Residential Treatment Center, Inc., for Chemical Dependency Treatment services.—[11-134](#)

Grant Agreement, Contract No. 20794, between the St. Louis County Board of Commissioners and Occupational Development Center, Inc., for Adult Mental Health Integrated Fund services.—[11-135](#)

Grant Agreement, Contract No. 20793, between the St. Louis County Board of Commissioners and Range Mental Health Center for Adult Mental Health Integrated Fund services.—[11-136](#)

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Grant Agreement, Contract No. 20795, between the St. Louis County Board of Commissioners and Mental Health Consumer/Survivor Network of Minnesota, Inc. for Adult Mental Health Integrated Fund services.—11-137

Purchase of Service Agreement, Contract No. 2011-006050, between the County of St. Louis and St. Louis County Promotional Bureau for Aid to Other Agencies funding.—11-138

Grant Agreement, Contract No. 2011-006167, between the County of St. Louis and South St. Louis County Fair Association for Aid to Other Agencies funding.—11-139

Grant Agreement, Contract No. 2011-006165, between the St. Louis County Board of Commissioners and Range Women's Advocates for Aid to Other Agencies funding.—11-140

Grant Approval Form from American Bar Association for Racial Justice Improvement Project.—11-141

Purchase of Services Agreement, Contract No. 2011-006164, between the County of St. Louis and Duluth Seaway Port Authority for Aid to Other Agencies funding.—11-142

Employee Safety & Development Training Contract between St. Louis County and Sister Michelle Meyers for *Sent to Serve: Seeking Treasures in Ourselves and Others*.—11-143

Employee Safety & Development Training Contract between St. Louis County and Sister Kay O'Neil for *Sent to Serve: Seeking Treasures in Ourselves and Others*.—11-144

Employee Development Training Contract between St. Louis County and Superior Design and Planning, Inc., for *How Can Anyone Think That Way: World Views and Conflict*.—11-145

Employee Development Training Contract between St. Louis County and Glenn Tobey for *Spring Forest Qigong*.—11-146

Employee Development Training Contract between St. Louis County and Ted Schick for *The Servant Leader and Time Management*.—11-147

Employee Development Training Contract between St. Louis County and Ann Harrington for *Communicating with Intention and Compassion*.—11-148

Employee Development Training Contract between St. Louis County and Ward Melenich for *Excel Lists 2003, Excel Lists 2007, Excel Functions 2003, and Excel Functions 2007*.—11-149

Employee Development Training Contract between St. Louis County and Clark Bennett for *Defensive Driving*.—11-150

Employee Development Training Contract between St. Louis County and ADR Services, Inc., for *Respectful Workplace*.—11-151

Memorandum of Understanding between St. Louis County and Minnesota Dental

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Foundation, Inc., for a loan forgiveness program for recruitment of dentists for the taconite tax area.—[11-152](#)

Agreement for Professional Services between the County of St. Louis and South St. Louis Soil and Water Conservation District (SWCD) for Wetland Administration.—[11-153](#)

Agreement for Purchase of Services, Contract No. 2011-006163, between the County of St. Louis and the St. Louis County Historical Society for Aid to Other Agencies funding.—[11-154](#)

Agreement for Professional Services, Damion No. 2011-6127, between the County of St. Louis and The Law Office of Amy E. Lukasavitz, LLC, to provide representation for parents in Children In Need of Protective Services (CHIPS), Termination of Parental Rights (TPR), or long term foster care placement matters (LTFC).—[11-155](#)

Agreement for Professional Services, Damion No. 2011-6141, between the County of St. Louis and Kimberly J. Corradi, Attorney at Law, to provide representation for parents in CHIPS, TPR, and LTFC matters.—[11-156](#)

Contract for County-State Aid Highway (CSAH) Projects between the County of St. Louis and Hawkinson Construction Co., for SAP 69-615-011, CP 1018, Centerline Culverts, Reclamation, Aggregate Base, PM Bituminous Surface, Aggregate Shouldering on CSAH 15 from Trunk Highway 53 to Township Road 5641 (Bachelor Rd.)—[11-157](#)

Safety & Risk Management Training Contract between St. Louis County and American Red Cross for *Adult CPR, AED Training, Infant and Child CPR, and First Aid*.—[11-158](#)

Purchase of Service Agreement, Contract No. 14832, between St. Louis County Board of Commissioners and Minnesota Teen Challenge, Inc., d/b/a Minnesota Teen Challenge Northland Campus for chemical dependency treatment services.—[11-159](#)

Purchase of Service Agreement, Contract No. 14834, between St. Louis County Board of Commissioners and Pioneer Recovery Center, LLC, for chemical dependency treatment services.—[11-160](#)

Purchase of Service Agreement, Contract No. 14836, between St. Louis County Board of Commissioners and Range Mental Health Center for chemical dependency treatment services.—[11-161](#)

Purchase of Service Agreement, Contract No. 14840, between St. Louis County Board of Commissioners and Duluth Bethel Society, d/b/a Bethel Work Release for court ordered drug testing services.—[11-162](#)

Purchase of Service Agreement, Contract No. 14837, between St. Louis County Board of Commissioners and SMDC Medical Center for chemical dependency treatment services.—[11-163](#)

Grant Agreement, Contract No. 20796, between the St. Louis County Board of Commissioners and Center for Alcohol and Drug Treatment, Inc., for sub-acute detoxification and hold services.—[11-164](#)

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Purchase of Service Agreement, Contract No. 14838, between the St. Louis County Board of Commissioners and Center for Alcohol and Drug Treatment, Inc., for chemical dependency treatment services.—11-165

Purchase of Service Agreement, Contract No. 14839, between the St. Louis County Board of Commissioners and Center for Alcohol and Drug Treatment, Inc., for detox transportation services.—11-166

Purchase of Service Agreement, Contract No. 14835, between the St. Louis County Board of Commissioners and Arrowhead Center, Inc., for chemical dependency treatment services.—11-167

Purchase of Service Agreement, Contract No. 14859, between the St. Louis County Board of Commissioners and Lutheran Social Service of Minnesota (Bethany Crisis Shelter) for group home residential service and diagnostic 25-day evaluation.—11-168

Upon motion of Commissioner Sweeney, supported by Commissioner Dahlberg, resolutions numbered 74 through 88, as submitted to this Board on the Consent Agenda, were unanimously adopted as follows:

BY COMMISSIONER SWEENEY:

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

WHEREAS, the state tax forfeited parcel described is more suitable for purposes other than forest management.

NOW, THEREFORE, BE IT RESOLVED, that the state tax forfeited parcel, currently included in an established Memorial Forest described below, shall be withdrawn from Pelican Lake Memorial Forest.

S1/2 OF NW1/4 OF NW1/4 EX N1/2 OF SW1/4, SECTION 32, T62N, R18W
Adopted February 22, 2011. No. 74

WHEREAS, St. Louis County desires to offer for sale a certain parcel of tax forfeited land described as:

LOT 2 EX THE FOLLOWING: COMM AT NW COR OF LOT 2 THENCE S 628.04 FT, THENCE ELY 33 FT TO PT OF BEG, THENCE AT AN ANGLE OF 102 DEG 19 MIN IN A SELY DIRECTION A DISTANCE OF 660 FT, THENCE SLY AT AN ANGLE OF 90 DEG A DISTANCE OF 12 FT TO SHORE OF STONE LAKE, THENCE SWLY ALONG LAKE SHORE TO W LINE OF LOT 2, THENCE NLY 177 FT, THENCE ELY 33 FT, THENCE NLY TO PT OF BEG, ALSO EX N 560 FT AND EX 1 AC AT SE CORNER; SECTION 27, TOWNSHIP 55 NORTH, RANGE 12 WEST

WHEREAS, the parcel is 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, the parcel of land cannot be improved because it is less than the minimum size required by the applicable zoning ordinance; and

WHEREAS, the County Auditor has determined that a non-public sale to adjacent property owners will encourage the return of the land to the tax rolls; and

WHEREAS, the parcel of land has been classified as non-conservation land pursuant to

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Minn. Stat. § 282.01.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the sale of the described parcel and the County Auditor is authorized to offer the parcel at private sale to the adjacent property owners to encourage return of the parcel to the tax rolls. Funds from the sales are to be deposited into Fund 240 (Forfeited Tax Fund).

RESOLVED FURTHER, that the Land Commissioner shall give at least 30 days notice of its sales to all adjoining owners.

Adopted February 22, 2011. No. 75

WHEREAS, Independent School District No. 709 has requested to purchase the following described state tax forfeited land for the appraised value of \$7,000, plus fees, for the purpose of assembling with the adjacent property:

Legal: Lots 25 Thru 28 also Lots 29 Thru 32 also Lots 33 Thru 38, Block 4,
Kensington Place Addition
City of Duluth
Parcel Code: 10-2620-1690, 1730, 1770
1.06 Acres
LDKEYS: 57219, 57220, 30008

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, these parcels of land may be located inside the boundaries of a municipality or town and Minn. Stat. § 282.01 provides that classification or reclassification and sale of lands situated within a municipality or town must be approved by the governing body of the municipality or town; and

WHEREAS, the reclassification and sale of these 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 these 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, these 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, to Independent School District No. 709 for the appraised value of \$7,000 plus the following fees: 3% assurance fee of \$210, deed fee of \$25, deed tax of \$23.10, recording fee of \$92, and administration fee of \$1,150; for a total of \$8,500.10, 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 here if Independent School District No. 709 does not purchase the land by June 1, 2011.

Adopted February 22, 2011. No. 76

WHEREAS, the State of Minnesota has requested to purchase the following described state

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tax forfeited parcels for the improvement of Trunk Highway 53:

1. That part of the Southwest Quarter of the Southwest Quarter of Section 29, Township 62 North, Range 18 West, beginning at a point on the South line of said forty 150 feet East of the center line of Highway No. 53; thence North 42 feet; thence East 95 feet; thence South 42 feet; thence West 95 feet to the point of beginning except part used for County Highway No. 528; containing .02 acres, more or less.
Parcel: 495-0010-03962
2. That part of the Southwest Quarter of the Northwest Quarter of Section 21, Township 61 North, Range 18 West, shown as Parcel 45 on Minnesota Department of Transportation Right of Way Plat Numbered 69-115 as the same is on file and of record in the office of the County Recorder in and for St. Louis County, Minnesota; containing 7.08 acres, more or less, of which 2.04 acres is encumbered by an existing highway easement.
Parcel: 215-0010-03611
3. That part of the Northwest Quarter of the Northwest Quarter of Section 32, Township 62 North, Range 18 West, shown as Parcel 96 on Minnesota Department of Transportation Right of Way Plat Numbered 69-125 as the same is on file and of record in the office of the County Recorder in and for St. Louis County, Minnesota; containing 0.25 acre, more or less, which is encumbered in its entirety by an existing highway easement.
Parcel: 495-0010-04435

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, the parcels of land have been classified as non-conservation land pursuant to Minn. Stat. § 282.01; 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 sale of the state tax forfeited parcels described above to the State of Minnesota for the appraised value of \$6,112.40 plus the following fees: administrative fee of \$100, 3% assurance fee of \$183.37, deed fee of \$25, deed tax of \$20.17, and recording fee of \$46; for a total of \$6,486.94, to be deposited into Fund 240 (Forfeited Tax Fund).

Adopted February 22, 2011. No. 77

WHEREAS, the Land Department has reviewed a request from the State of Minnesota for the following described easements across state tax forfeited land for the Trunk Highway 53 improvement project:

1. A drainage easement in perpetuity in the Northwest Quarter of the Northwest Quarter of Section 32, Township 62 North, Range 18 West, as shown on Minnesota Department of Transportation Right of Way Plat Numbered 69-125 as to said parcel 96 and designated as a drainage easement; containing 0.36 acre, more or less.
2. A temporary easement for highway purposes in the Northwest Quarter of the Northwest Quarter of Section 32, Township 62 North, Range 18 West, as shown on Minnesota Department of Transportation Right of Way Plat Numbered 69-125, as to said Parcel 96 by the temporary easement symbol, said easement shall cease on December 1, 2016, or on such earlier date upon which the Commissioner of Transportation determines by formal order that it is no longer

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- needed for highway purposes.
3. A temporary easement for highway purposes in the Southwest Quarter of the Northwest Quarter of Section 21, Township 61 North, Range 18 West, as shown on Minnesota Department of Transportation Right of Way Plat Numbered 69-115, as to said parcel 45 by the temporary easement symbol, said easement shall cease on December 1, 2016, or on such earlier date upon which the Commissioner of Transportation determines by formal order that it is no longer needed for highway purposes.

WHEREAS, exercising the easements will not conflict with public use of the land; and
WHEREAS, Minn. Stat. § 282.04, Subd. 4 allows for the granting of easements across state tax forfeited land for such purposes.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the County Auditor to grant permanent and temporary easements for highway purposes as described above to the State of Minnesota.

RESOLVED FURTHER, that the granting of these easements is conditioned upon payment of \$1,487.82 land use fee and \$46 recording fee; for a total of \$1,533.82, to be deposited into Fund 240 (Forfeited Tax Fund).

Adopted February 22, 2011. No. 78

RESOLVED, that pursuant to Minn. Stat. § 349.213, Subd. 2, the St. Louis County Board approves the following Lawful Gambling License Application (Pull-tabs, Pull-tabs with dispensing device) on file in the office of the County Auditor, identified as County Board File No. 59219, for the following organization:

Hermantown Amateur Hockey Association to operate out of Sunset
Lounge, Rice Lake Township, 4483 Martin Road, Duluth, Minnesota, 55803

Adopted February 22, 2011. No. 79

WHEREAS, St. Louis County is committed to a clean and healthy environment for its employees and customers; and

WHEREAS, the county requires the services of contractors with the proper qualifications to provide the garbage and recycling pick-up and disposal service; and

WHEREAS, bids were solicited for this service with award recommended to the lowest bid by site; and

WHEREAS, one vendor is unable to service every location.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the appropriate county officials to execute a four-year agreement, with two one-year extensions if desired, with various contractors at the listed locations throughout St. Louis County at a total cost of \$46,178.16 per year.

Location (A): Division 7 Toolhouse; 305 Railroad Street; Floodwood, MN 55736
Fund 200 Public Works, Agency 202002 Hibbing, Object 625500 Garbage Collection
Crist Garbage Service, Inc.....\$ 449.28/year

Location (B): Division 7 Toolhouse; 9967 Hwy 133; Meadowlands, MN 55765
Fund 200 Public Works, Agency 202002 Hibbing, Object 625500 Garbage Collection
NorLand Sanitary Service.....\$ 962.40/year

Location (C): Division 6 Toolhouse; 7628 Arkola Road; Cotton, MN 55724
Fund 200 Public Works, Agency 202002 Virginia, Object 625500 Garbage Collection
A-1 Disposal, Saginaw, MN.....\$ 930.72/year

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Location (D): NERCC; 6102 Abrahamson Rd; Saginaw, MN 55779
Fund 925 Admin N.R.C. Center, Agency 940001 Admin N.R.C. Center, Object 625500
Garbage Collection

A-1 Disposal, Saginaw, MN.....\$8,949.36/year

Location (E): Land Dept.; 5713 Old Miller Trunk Hwy; Duluth, MN 55811
Fund 240 Land Admin., Agency 241008 Pike Lake, Object 625500 Garbage Collection

A-1 Disposal, Saginaw, MN.....\$1,011.96/year

Location (F): Division 2 Toolhouse; 5595 Jean Duluth Road; Duluth, MN 55804
Fund 200 Public Works, Agency 202002 Jean Duluth, Object 625500 Garbage Collection
Waste Management, Duluth, MN.....\$1,868.04/year

Location (G): Division 2 Toolhouse; 5595 Jean Duluth Road; Duluth, MN 55804
Scenic C-SAH 61 (North Shore) April 10 to October 31, each year
Fund 200 Public Works, Agency 202002 Jean Duluth, Object 625500 Garbage Collection
North Shore Sanitary, Duluth, MN.....\$4,437.00/year

Location (H): Division 2 Toolhouse; 5595 Jean Duluth Road; Duluth, MN 55804
North End Van Road and East End Island Lake Bridge
Fund 200 Public Works, Agency 202002 Jean Duluth, Object 625500 Garbage Collection
Paul's Sanitary\$ 515.28/year

Location (I): Public Safety Building, 2030 North Arlington Avenue, Duluth, MN 55811
Fund 100 Emergency Management, Agency 135001 Emergency Management, Object
625500 Garbage Collection
A-1 Disposal, Saginaw, MN..... \$1,021.92/year

Location (J): Division 5 Toolhouse; 4739 Midway Road; Duluth, MN 55811
Fund 200 Public Works, Agency 202002 Pike Lake, Object 625500 Garbage Collection
A-1 Disposal, Saginaw, MN.....\$2,278.80/year

Location (K): Richard H. Hansen Transportation Complex, 4787 Midway Road, Duluth,
MN 55811
Fund 200 Public Works, Agency 202002 Pike Lake, Object 625500 Garbage Collection
Hartel's/DBJ Disposal Co., Proctor, MN.....\$3,048.00/year

Location (L): Division 5 Toolhouse; 4831 Hwy 31; Brookston, MN 55711
Fund 200 Public Works, Agency 202002 Pike Lake, Object 625500 Garbage Collection
A-1 Disposal, Saginaw, MN.....\$1,185.72/year

Location (M): County Jail; 4334 Haines Road; Duluth, MN 55811
Fund 100 Jail, Agency 137002 Jail Operations, Object 625500 Garbage Collection
Hartel's/DBJ Disposal Co., Proctor, MN.....\$8,040.00/year

Location (N): Emergency Mgmt; 5735 Old Miller Trunk Hwy; Duluth, MN 55812
Fund 100 Emergency Management, Agency 132001 Emergency Management, Object
625500 Garbage Collection
A-1 Disposal, Saginaw, MN.....\$ 951.12/year

Location (O): Arrowhead Juvenile Ctr; 1918 Arlington Ave No; Duluth, MN 55811
Fund 925 Admin. AJC, Agency 945001 Arrowhead Juvenile Center, Object 625500 Garbage

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

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Collection

Waste Management, Duluth, MN.....\$1,602.36/year

Location (P): Court House Bldg Services; 100 No 5th Ave W; Duluth, MN 55802

Fund 100 Building Services, Agency 128002 Duluth Courthouse, Object 625500 Garbage Collection

Waste Management, Duluth, MN.....\$8,177.76/year

Location (Q): Motor Pool South; 401 West 2nd Street; Duluth, MN 55802

Fund 715 County Garage, Agency 715001 Duluth Garage, Object 625500 Garbage Collection

Waste Management, Duluth, MN.....\$ 748.44/year

Adopted February 22, 2011. No. 80

WHEREAS, the State of Minnesota Department of Public Safety through the Division of Emergency Communication Networks has made available \$65,412 in funding from the Interoperable Communications grant program for Interoperable Communications training for the Northeast Regional Radio Board; and

WHEREAS, the St. Louis County Sheriff's Office and the Northeast Regional Radio Board will be able to provide needed interoperable communications training as a result of this funding.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board authorizes the appropriate county officials to apply for the 2010 Interoperable Communications grant in the amount of \$65,412 for an Interoperable Communications Training grant and authorizes the county to act as the fiscal agent for the grant on behalf of Northeast Regional Radio Board. RESOLVED FURTHER, that this grant will be accounted for in Fund 100, Agency 129999, Grant 12949, Year 2011.

Adopted February 22, 2011. No. 81

WHEREAS, the State of Minnesota Department of Public Safety through the Division of Emergency Communication Networks has made available \$573,711 in funding from the Homeland Security grant program for interoperable communications equipment for the Northeast Regional Radio Board; and

WHEREAS, the St. Louis County Sheriff's Office will be able to purchase needed interoperable communications equipment for the Northeast Regional Radio Board as a result of this funding.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board authorizes the appropriate county officials to apply for and accept the 2010 Homeland Security grant in the amount of \$573,711 for interoperable communications equipment and authorizes the county to act as the fiscal agent for the grant on behalf of Northeast Regional Radio Board.

RESOLVED FURTHER, that this grant will be accounted for in Fund 100, Agency 129999, Grant 12940, Year 2011.

Adopted February 22, 2011. No. 82

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

SAP 69-604-065/SAP 118-160-022, CP 8294 located on MSA 160 (Arrowhead Rd.)
from CSAH 4 (Rice Lake Rd.) to CSAH 4 in Duluth, MN, and on CSAH 4. This is
a joint project with the City of Duluth.

WHEREAS, bids were opened in the County Board Room at 10:00 a.m., February 7, 2011, and the lowest responsible bidder determined.

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

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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>
Harddrives, Inc.	14475 Quiram Dr. Rogers, MN 55374	\$1,541,048.76

RESOLVED FURTHER, that the Chairman of the County Board, the County Auditor, and the 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 220240, Object 652700.

With additional revenue budgeted for expense:

City of Duluth Fund 220, Agency 220240, Rev. Object 551501 \$117,150.30
Adopted February 22, 2011. No. 83

WHEREAS, St. Louis County supports the grant application of \$75,000 made by the Chisholm-Hibbing Pathblazers Snowmobile Club to the Minnesota Department of Natural Resources for the Federal Recreational Trail Grant Program; and

WHEREAS, the grant application is to be used toward the purchase of one 2011 Prinoth Husky Trail Groomer (expected to cost in excess of \$150,000), to be used by the club for regular maintenance and trail grooming; and

WHEREAS, St. Louis County recognizes that there is percent match requirement for the Federal Recreational Trail grant program which will be secured by the Chisholm-Hibbing Pathblazers Snowmobile Club.

NOW, THEREFORE, BE IT RESOLVED, that if St. Louis County is awarded a grant by the Minnesota Department of Natural Resources, the county agrees to accept the grant award and may enter into an agreement with the State of Minnesota for the above referenced project, and will comply with all applicable laws, environmental requirements, and regulations as stated in the grant agreement.

RESOLVED FURTHER, that the St. Louis County Board authorizes the County Auditor to act as the fiscal agent for the project and authorizes the appropriate county officials to sign all necessary documents.

Adopted February 22, 2011. No. 84

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of February 1, 2011, are hereby approved.

Adopted February 22, 2011. No. 85

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of February 8, 2011, are hereby approved.

Adopted February 22, 2011. No. 86

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, dated February 11, 2011, on file in the office of the County Auditor, identified as County Board File No. 59188, is hereby received and ratified as payable from Fund 730, Agency 730001.

Adopted February 22, 2011. No. 87

RESOLVED, that the appraisal report for sale of timber, numbered Tracts 1 and 2 as submitted by the Land Commissioner, on file in the Office of the County Auditor, identified as County Board File No. 59196, is approved and the County Auditor is authorized to carry out the recommendation as listed in said appraisal report.

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

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Adopted February 22, 2011. No. 88

WHEREAS, St. Louis County Ordinance No 28 (Liquor Ordinance), Section 4.15, requires all licensed establishments to pay all real and personal property taxes when due; and WHEREAS, the Blue Max, Inc., d/b/a The Blue Max, Fredenberg Township, was issued a Combination On/Off-Sale and Sunday On-Sale Intoxicating Liquor License for the period July 1, 2010 through June 30, 2011; and

WHEREAS, the establishment has past due or delinquent real or personal property taxes for 2010; and

WHEREAS, a public hearing was held on February 22, 2011, to consider suspension of the intoxicating liquor license for the establishment for failure to pay real or personal property taxes when due.

NOW, THEREFORE, BE IT RESOLVED, that the Combination On/Off-Sale and Sunday On-Sale Intoxicating Liquor License for the Blue Max, Inc., Fredenberg Township, is hereby suspended effective February 23, 2011; and

RESOLVED FURTHER, said license will remain suspended until such time as the taxes are paid in full or the licenses expire or are revoked.

Adopted February 22, 2011. No. 89

WHEREAS, St. Louis County Ordinance No 28 (Liquor Ordinance), Section 4.15, requires all licensed establishments to pay all real and personal property taxes when due; and WHEREAS, ILI, LLC, d/b/a Island Lake Inn, Gnesen Township, was issued a Combination On/Off-Sale and Sunday On-Sale Intoxicating Liquor License for the period July 1, 2010 through June 30, 2011; and

WHEREAS, the establishment has past due or delinquent real or personal property taxes for 2010; and

WHEREAS, a public hearing was held on February 22, 2011, to consider suspension of the intoxicating liquor license for the establishment for failure to pay real or personal property taxes when due.

NOW, THEREFORE, BE IT RESOLVED, that the Combination On/Off-Sale and Sunday On-Sale Intoxicating Liquor License for ILI, LLC, d/b/a Island Lake Inn, Gnesen Township, is hereby suspended effective February 23, 2011; and

RESOLVED FURTHER, said license will remain suspended until such time as the taxes are paid in full or the licenses expire or are revoked.

Adopted February 22, 2011. No. 90

At 10:31 a.m., February 22, 2011, Commissioner Dahlberg, supported by Commissioner Nelson, moved to adjourn; seven yeas, zero nays.

Steve O'Neil, 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)