

RESULTS

AGENDA

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



Tuesday, April 5, 2011, 9:30 A.M.

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

**STEVE O'NEIL, Chair
Second District**

**FRANK JEWELL
First District**

**CHRIS DAHLBERG
Third District**

**MIKE FORSMAN
Fourth District**

**PEG SWEENEY
Fifth District**

**KEITH NELSON, Vice-Chair
Sixth District**

**STEVE RAUKAR
Seventh District**

County Auditor
Don Dicklich

County Administrator
Kevin Gray

County Attorney
Mark Rubin

Clerk of the Board
Patricia Stolee

The St. Louis County Board of Commissioners welcomes you to this meeting. This agenda contains a brief description of each item to be considered. The Board encourages your participation. If you wish to speak on an item contained in the agenda, you will be allowed to address the Board when a motion is on the floor. If you wish to speak on a matter which does not appear on the agenda, you may do so during the public comment period at the beginning of the meeting. Except as otherwise provided by the Standing Rules of the County Board, no action shall be taken on any item not appearing in the agenda.

When addressing the Board, please sign in at the podium and state your name and address for the record. Please address the Board as a whole through the Chair. Comments to individual Commissioners or staff are not permitted. The St. Louis County Board promotes adherence to civility in conducting the business of the County. Civility will provide increased opportunities for civil discourse in order to find positive resolutions to the issue before the Board. Tools of civility include: pay attention, listen, be inclusive, do not gossip, show respect, be agreeable, apologize, give constructive criticism and take responsibility [County Board Resolution No. 560, adopted on September 9, 2003]. Speakers will be limited to five (5) minutes.

****In compliance with the Americans with Disabilities Act, those requiring accommodation for this meeting should notify Property Management 72 hours prior to the meeting at (218)725-5085.****

All supporting documentation is available for public review in the County Auditor's Office, 100 North 5th Avenue West - Room No. 214, St. Louis County Courthouse, Duluth, MN, during regular business hours 8:00 A.M. - 4:30 P.M., Monday through Friday. Agenda is also available on our website at <http://www.stlouiscountymn.gov/GOVERNMENT/BoardofCommissioners.aspx>

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9:30 A.M. Pledge of Allegiance
Roll Call – **All members present.**
Recognition of Excellence in the Arts & Sciences – Commissioner Steve O’Neil,
Second District **Thomas R. Hrabik, Associate Professor, UMD Biology**
Department

AT THIS TIME CITIZENS WILL BE ALLOWED TO ADDRESS THE BOARD ON ITEMS NOT ON THE AGENDA. [Speakers will be limited to 5 minutes each.]

FOR ITEMS ON THE AGENDA, CITIZENS WILL BE ALLOWED TO ADDRESS THE BOARD AT THE TIME A MOTION IS ON THE FLOOR.

CONSENT AGENDA: Approval of business submitted on the Consent Agenda.

REPORTS OF BOARDS AND COMMITTEES

Central Management & Intergovernmental Committee – Commissioner Raukar, Chair

1. Resolution to oppose Minnesota legislation requiring photo identification for voting. **{11-103} Amended resolution (attached) moved by Raukar, supported by Nelson. Passed 5-2 (Dahlberg, Forsman). Resolution #168**

Item #23 from the Consent Agenda: Resolution supporting “Sunshine Week 2011: Your Right to Know”. **Moved by Raukar/Forsman. Passed 7-0. Resolution #166**

Resolution
of the
Board of County Commissioners
St. Louis County, Minnesota
Adopted on: April 5, 2011 Resolution No. 168
Offered by Commissioner: O'Neil

WHEREAS, the St. Louis County Board of Commissioners believes it is of the utmost importance to ensure full participation by eligible voters in every election held in the state of Minnesota, without disenfranchising any of our citizens in their efforts to cast a valid ballot; and

WHEREAS, many eligible voters including the elderly, low-income persons, persons with disabilities, and students do not have current photo identification; and

WHEREAS, photo identification requirements for voting may create an additional layer of costly bureaucracy for local election officials, with proposed Minnesota legislation calling for significant up-front costs for equipment and added administration costs for local governments.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners is opposed to local property taxpayers bearing the costs of photo identification requirements for voters in elections conducted in the State of Minnesota.

Commissioner O'Neil moved the adoption of the Resolution and it was declared adopted upon the following vote:

Yeas – Commissioners Jewell, Sweeney, Nelson, Raukar, and Chair O'Neil - 5

Nays – Commissioners Dahlberg and Forsman - 2

STATE OF MINNESOTA

Office of County Auditor, ss.
County of St. Louis

I, **DONALD DICKLICH**, Auditor of the County of St. Louis, do hereby certify that I have compared the foregoing with the original resolution filed in my office on the 5th day of April, A.D. 2011, and that this is a true and correct copy.

WITNESS MY HAND AND SEAL OF OFFICE at Duluth, Minnesota, this 5th day of April, A.D., 2011.

DONALD DICKLICH, COUNTY AUDITOR

By

Deputy Auditor/Clerk of County Board

RESULTS

CONSENT AGENDA **FOR THE MEETING** **OF** **ST. LOUIS COUNTY BOARD OF COMMISSIONERS**

April 5, 2011

County Board Room, Room No. 200, St. Louis County Courthouse, Duluth, Minnesota

All matters listed under the consent agenda are considered routine and/or noncontroversial and will be enacted by one unanimous motion. If a commissioner requests, or a citizen wishes to speak on an item on the consent agenda, it will be removed and handled separately.

RESOLUTIONS FOR APPROVAL: **Moved by Raukar/Forsman 7-0**

Minutes of March 22, 2011. **Resolution #141**

Health & Human Services Committee – Commissioner Dahlberg, Chair

1. Authorize agreements for CY 2011 with Lutheran Social Services (LSS) Bethany Crisis Shelter for Basic Supervised Visitation and Structured Supervised Visitation; and with LSS Family Resource Center for Basic Supervised Visitation. **Resolution #142**
2. Authorize grant application in an amount up to \$750,000 to the Minnesota Housing Finance Agency Family Homeless Prevention and Assistance Program for the 2011-2013 biennium. **Resolution #143**

Environment & Natural Resources Committee – Commissioner Jewell, Chair

3. Authorize a contract with Future Forests, Inc., of Askov, MN, for broadcast application of herbicides on 832.5 acres for tree plantation site preparation at its bid price (Bid No. 4939) of \$99,269.50. **Resolution #144**
4. Amend County Board Resolution No. 11-92, adopted March 1, 2011, correcting the legal description on a cancellation of contract for purchase of state tax forfeited lands by DelRae Ann Howard of Hibbing, MN. **Resolution #145**
5. Authorize a third one-year contract extension on three St. Louis County timber contracts with Douglas Hustad Logging, Inc., with the requirement that if the contracts are not completed by the end of the extension period, the full contract value must be paid with no additional extensions allowed. **Resolution #146**
6. Applications to repurchase state tax forfeited lands by Michael Livingston of Virginia, MN; Mabel Bolf of Duluth, MN; Fay Augustine of Duluth, MN; Conrad and Carol Peterzen of Hibbing, MN; Ronald Lackner of Virginia, MN; and Julie Diesing of Hastings, MN, with funds to be deposited into Fund 240 (Forfeited Tax Fund). **Resolution #147**

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Public Works & Transportation Committee – Commissioner Forsman, Chair

7. Authorize agreements with Lake County, the City of Biwabik, and the Town of Rice Lake for crack sealing (MP 97035, Crack Sealing 2011). Three separate resolutions numbered 7a, 7b, & 7c are attached. **Resolutions #148, #149, & #150, respectively.**
8. Authorize the acquisition of necessary lands and easements for reconstruction and realignment of the intersection of County Road No. 697 (McKinley Park Rd.) and Main Street (Breitung Township Road 4620) in Soudan, MN, payable from Fund 200, Agency 203001. **Resolution #151**
9. Authorize an agreement with LHB Corporation for the design of bridge reconstruction plans along County State Aid Highway 7 over the Cloquet River in Industrial Township, County Project 98840, in the amount of \$107,700 payable from Fund 220, Agency 220258, Object 626600. **Resolution #152**

Finance & Budget Committee – Commissioner Nelson, Chair

10. Abatement list for Board approval. **Resolution #153**
11. Authorize new lease agreements with Range Women’s Advocates, Dr. Kathleen Sulentich, M.D., and Dr. Charles A. Tietz, M.D., for office space in the Northland Office Center, retro-active to January 1, 2011, in the annual amount of \$54,690.40, payable in equal monthly payments assigned to Fund 100, Agency 128006. **Resolution #154**
12. Authorize an agreement with SuperiorUSA Corporation for administration of the 2011-2012 Flexible Spending Accounts Plan payable from Fund 100, Agency 123001, Object 620200. **Resolution #155**
13. Establish a public hearing on April 26, 2011, at 9:40 a.m. in the Northland Town Hall, Canyon, MN, to consider alleged liquor law violations at Gateway Store d/b/a Gateway Store, LLC, Unorganized Township 68-21. **Resolution #156**
14. Establish a public hearing on April 26, 2011, at 9:45 a.m. in the Northland Town Hall, Canyon, MN, to consider alleged liquor law violations at Vermilion Club d/b/a Vermilion Club, Inc., Greenwood Township. **Resolution #157**
15. Approve application for On-Sale Intoxicating Liquor License and Sunday On-Sale Intoxicating Liquor License for Crane Lake Bar & Grill, LLC d/b/a Crane Lake Bar & Grill, Crane Lake Township, contingent upon Sheriff’s Office approval of outdoor deck plans and applicant submitting MN Dept. of Health Food/Beverage license application; new. **Resolution #158**

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16. Application for license to sell tobacco products at retail for Crane Lake Bar & Grill, LLC, d/b/a Crane Lake Bar & Grill, Crane Lake Township, new. **Resolution #159**

Public Safety & Corrections Committee – Commissioner Sweeney, Chair

17. Authorize a new six-year lease with the City of Ely for the rental of Sheriff's Office space in the Ely City Hall for the period January 1, 2010 through December 31, 2015, at an annual rate of \$6,555 to be paid from Virginia Sheriff's Agency 129007, Object 634200. **Resolution #160**
18. Authorize the renewal of an agreement between the City of Hibbing and St. Louis County for housing inmates at the St. Louis County Holding Facility in Hibbing in the amount of \$75,295 for year 2009, and \$66,000 annually for the period January 1, 2010 through December 31, 2013, to be accounted for in Fund 100, Agency 129001, Revenue 551504. **Resolution #161**
19. Authorize acceptance of the 2008 Port Security Grant Program award in the amount of \$545,813 for the purchase of a replacement command vehicle and to complete the interoperable communications public safety microwave link, to be accounted for in Fund 100, Agency 129999, Grant 12938, Year 2008; and further, the required local 25% cash match of \$181,937 shall come from IT Telecommunications (\$79,437) and Motor Pool (\$102,500) to the General Fund, Sheriff's Grants 129999, Object 590100. **Resolution #162**

Central Management & Intergovernmental Committee – Commissioner Raukar, Chair

20. Approve the 2010/2011 Public Works Department Maintenance Divisions contract and authorize county officials to execute the Bargaining Unit Agreement. **Resolution #163**
21. Authorize a Joint Powers Agreement with Carlton, Cook, and Lake Counties for a joint civil commitment proceedings contract and authorize one-year contracts with Michael Lien, Attorney at Law (for services to St. Louis, Carlton, Cook and Lake Counties) at the rate of \$31,304.80; and further, authorize a one-year agreement with Todd Deal, Attorney at Law (for services to St. Louis County only) at the rate of \$15,000; and further, petitions for alleged sexually dangerous/sexual psychopathic personalities shall be handled at a rate of \$60/hour (with a \$3,000 per case cap). **Resolution #164**
22. Support for the passage of federal legislation, Truck Weight Uniformity Act of 2011 (H.R. 801), allowing increased weight limits on federal interstate highways for transporting raw agricultural and forest products. **Resolution #165**
23. Resolution supporting "Sunshine Week 2011: Your Right to Know". **Removed for separate consideration at the request of Commissioner Raukar. Moved by Raukar/Forsman. Passed 7-0. Resolution #166**
24. Workers' Compensation report dated March 25, 2011, as submitted by Safety & Risk Management. **Resolution #167**