

AGENDA

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



Tuesday, April 12, 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>

AGENDA
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9:30 A.M. Pledge of Allegiance
Roll Call
Recognition of Excellence in the Arts & Sciences – Commissioner Chris Dahlberg, Third District

Presentation: Certificate of Achievement for Excellence in Financial Reporting – Chair Steve O’Neil

Proclamation: “Community Wellness Day – April 16, 2011”

Presentation: 911 Lifesaver Awards – Sheriff Ross Litman

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

Public Works & Transportation Committee – Commissioner Forsman, Chair

1. Highway project bid awarded to **Hoover Construction Co.**, Virginia, MN, on their low bid of **\$5,599,994.89** for SP 69-604-060, CP 9282, Grading, Aggregate Base, Curb & Gutter, and Bituminous Surfacing on County State Aid Highway 4 near Markham, MN. **[Without recommendation.] {11-124R}**

Finance & Budget Committee – Commissioner Nelson, Chair

2. Establish a public hearing to consider alleged liquor law violations by 5717, Inc., d/b/a Crossroads Store, Brevator Township, for April 26, 2011, at 9:55 a.m. at the Northland Town Hall, Cotton, MN. **[Rules must be suspended. Has not been to committee.] {11-131}**
3. Establish a public hearing to consider alleged liquor law violations by Curran Enterprises, Inc., d/b/a Makinen Liquor Store, Unorganized Township 56-16, for May 3, 2011, at 9:40 a.m. in the St. Louis County Courthouse, Duluth, MN. **[Rules must be suspended. Has not been to committee.] {11-132}**
4. Establish a public hearing to consider alleged liquor law violations by James Saugestad d/b/a Melrude Pub, Ellsburg Township, for May 3, 2011, at 9:45 a.m. in the St. Louis County Courthouse, Duluth, MN. **[Rules must be suspended. Has not been to committee.] {11-133}**

BOARD LETTER NO. 11 - 133

FINANCE & BUDGET COMMITTEE

APRIL 12, 2011 BOARD AGENDA NO. 4

DATE: April 12, 2011 **RE:** Establish Public Hearing to
Consider Allegations of Liquor
Law Violations – Melrude Pub
(Ellsburg Township)

FROM: Kevin Z. Gray
County Administrator

Donald Dicklich
County Auditor

RELATED DEPARTMENT GOAL:

Provide mandated and discretionary licensing services in a timely manner.

ACTION REQUESTED:

The St. Louis County Board is requested to establish a public hearing to consider the suspension/revocation of the liquor license issued to James Saugestad d/b/a Melrude Pub, Ellsburg Township, for alleged liquor law violations.

BACKGROUND:

Pursuant to St. Louis County Ordinance No. 28, Section 13.01, Any liquor license issued pursuant to this Ordinance may be suspended or revoked for up to sixty (60) days, a civil penalty of up to \$2,000 imposed for each violation, or a combination of any of these sanctions may be imposed by the County Board upon cause shown after a hearing. A hearing shall be held pursuant to the provisions of these subdivisions and any other uniform rules for hearings conducted by the County Board. Cause for revocation or suspension or civil penalty or any combination of these sanctions includes, but is not limited to, the filing of false information on a license application, violation of any liquor laws, regulations or provisions of the Ordinance, or failure to maintain any licenses issued by the Minnesota Department of Health as may be required.

RECOMMENDATION:

It is recommended that a public hearing on the matter be scheduled for May 3, 2011 at 9:45 a.m. in the St. Louis County Courthouse, Duluth, Minnesota.

BY COMMISSIONER _____

RESOLVED, that a public hearing will be held at 9:45 a.m. on Tuesday, May 3, 2011, in the St. Louis County Courthouse, Duluth, Minnesota, for the consideration of the allegations and, if proven, the suspension or revocation of the intoxicating liquor licenses issued to James Saugestad d/b/a Melrude Pub, Ellsburg Township, and/or the imposition of civil penalties for the violations.

BOARD LETTER NO. 11 - 132

FINANCE & BUDGET COMMITTEE

APRIL 12, 2011 BOARD AGENDA NO. 3

DATE: April 12, 2011

RE: Establish Public Hearing to Consider Allegations of Liquor Law Violations – Makinen Liquor Store (Unorganized Township 56-16)

FROM: Kevin Z. Gray
County Administrator

Donald Dicklich
County Auditor

RELATED DEPARTMENT GOAL:

Provide mandated and discretionary licensing services in a timely manner.

ACTION REQUESTED:

The St. Louis County Board is requested to establish a public hearing to consider the suspension/revocation of the liquor license issued to Curran Enterprises Inc., d/b/a Makinen Liquor Store, Unorganized Township 56-16, for alleged liquor law violations.

BACKGROUND:

Pursuant to St. Louis County Ordinance No. 28, Section 13.01, Any liquor license issued pursuant to this Ordinance may be suspended or revoked for up to sixty (60) days, a civil penalty of up to \$2,000 imposed for each violation, or a combination of any of these sanctions may be imposed by the County Board upon cause shown after a hearing. A hearing shall be held pursuant to the provisions of these subdivisions and any other uniform rules for hearings conducted by the County Board. Cause for revocation or suspension or civil penalty or any combination of these sanctions includes, but is not limited to, the filing of false information on a license application, violation of any liquor laws, regulations or provisions of the Ordinance, or failure to maintain any licenses issued by the Minnesota Department of Health as may be required.

RECOMMENDATION:

It is recommended that a public hearing on the matter be scheduled for May 3, 2011, at 9:40 a.m. in the St. Louis County Courthouse, Duluth, Minnesota.

BY COMMISSIONER _____

RESOLVED, that a public hearing will be held at 9:40 a.m. on Tuesday, May 3, 2011, in the St. Louis County Courthouse, Duluth, Minnesota. for the consideration of the allegations and, if proven, the suspension or revocation of the intoxicating liquor licenses issued to Curran Enterprises, Inc. d/b/a Makinen Liquor Store, Unorganized Township 56-16, and/or the imposition of civil penalties for the violations.

BOARD LETTER NO. 11 - 131

FINANCE & BUDGET COMMITTEE

APRIL 12, 2011 BOARD AGENDA NO. 2

DATE: April 12, 2011 **RE:** Establish Public Hearing to
Consider Allegations of Liquor
Law Violations – Crossroads
Store (Brevator Township)

FROM: Kevin Z. Gray
County Administrator

Donald Dicklich
County Auditor

RELATED DEPARTMENT GOAL:

Provide mandated and discretionary licensing services in a timely manner.

ACTION REQUESTED:

The St. Louis County Board is requested to establish a public hearing to consider the suspension/revocation of the liquor license issued to 5717, Inc., d/b/a Crossroads Store, Brevator Township for alleged liquor law violations.

BACKGROUND:

Pursuant to St. Louis County Ordinance No. 28, Section 13.01, Any liquor license issued pursuant to this Ordinance may be suspended or revoked for up to sixty (60) days, a civil penalty of up to \$2,000 imposed for each violation, or a combination of any of these sanctions may be imposed by the County Board upon cause shown after a hearing. A hearing shall be held pursuant to the provisions of these subdivisions and any other uniform rules for hearings conducted by the County Board. Cause for revocation or suspension or civil penalty or any combination of these sanctions includes, but is not limited to, the filing of false information on a license application, violation of any liquor laws, regulations or provisions of the Ordinance, or failure to maintain any licenses issued by the Minnesota Department of Health as may be required.

RECOMMENDATION:

It is recommended that a public hearing on the matter be scheduled for April 26, 2011 at 9:55 a.m. in the Northland Town Hall, Canyon, Minnesota.

BY COMMISSIONER _____

RESOLVED, that a public hearing will be held at 9:55 a.m. on Tuesday, April 26, 2011, in the Northland Town Hall, Canyon, Minnesota, for the consideration of the allegations and, if proven, the suspension or revocation of the intoxicating liquor licenses issued to 5717, Inc. d/b/a Crossroads Store, Brevator Township, and/or the imposition of civil penalties for the violations.

Hawkinson Construction Co. Inc. Grand Rapids, MN	\$568,680.17
Northland Constructors of Duluth, LLC Duluth, MN	\$579,455.97
Hardrives, Inc. Rogers, MN	\$588,394.55

- 2. Project:** MP 48-1019, CP 1019
Location: CSAH 48 (Taft Road) from CR 223 (Munger Shaw Road) to Bridge 69534 (Over Cloquet River) in Fredenberg MN; length 4.78 mi
Traffic: 784
PQI: 2.5
Construction: Culverts, Bituminous Pavement Reclamation, Bituminous Surfacing, Aggregate Shouldering
Funding: Fund 200, Agency 203105, Object 652800
Anticipated Start Date: July 1, 2011
Anticipated Completion Date: September 23, 2011
Engineer's Estimate: \$1,469,066.73

BIDS:

KGM Contractors, Inc. Angora, MN	\$1,297,240.57	(-\$171,826.16, -11.70%)
Ulland Brothers, Inc. Cloquet, MN	\$1,309,380.00	
Hawkinson Construction Co. Inc. Grand Rapids, MN	\$1,333,353.13	
Northland Constructors of Duluth, LLC Duluth, MN	\$1,397,470.54	
Hardrives, Inc. Rogers, MN	\$1,412,295.55	
Knife River Materials Bemidji, MN	\$1,629,390.40	

- 3. Project:** SP 69-604-060, CP 9282
Location: CSAH 4 from CSAH 108 to 0.7 miles north of CR 340 in Markham, MN, length 4.17 mi
Traffic: 884
PQI: 2.5
Construction: Grading, Aggregate Base, Curb & Gutter, Bituminous Surfacing
Funding: Fund 220, Agency 220173, Object 652700
Anticipated Start Date: April 25, 2011
Anticipated Completion Date: October 28, 2011
Engineer's Estimate: \$5,530,899.20

BIDS:

Hoover Construction Co. Virginia, MN	\$5,599,994.89	(+\$69,095.69, +1.25%)
KGM Contractors, Inc. Angora, MN	\$5,647,442.18	
Ulland Brothers, Inc. Cloquet, MN	\$5,912,000.00	
Hoffman Construction Co. Black River Falls, WI	\$7,632,232.12	

RECOMMENDATION:

It is recommended that the St. Louis County Board authorize the award of bids as follows:

MP 43-21430, CP 21430 to Ulland Brothers, Inc. of Cloquet, MN in the amount of \$473,945.00 payable from Fund 200, Agency 203242, Object 652800

MP 48-1019, CP 1019 to KGM Contractors, Inc. of Angora, MN in the amount of \$1,297,240.57 payable from Fund 200, Agency 203105, Object 652800

SP 69-604-060, CP 9282 to Hoover Construction Co. of Virginia, MN in the amount of \$5,599,994.89 payable from Fund 220, Agency 220173, Object 652700

BY COMMISSIONER _____

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

SP 69-604-060, CP 9282 located on CSAH 4 from CSAH 108 to 0.7 miles north of CR 340 in Markham, MN.

WHEREAS, bids were opened in the County Board Room at 10:00 a.m., April 4, 2011, and the low responsible bidder determined.

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

<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
Hoover Construction Co.	P.O. Box 1007 302 South Hoover Rd. Virginia, MN 55792	\$5,599,994.89

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 220173, Object 652700.

Associated
Chiropractic Physicians

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S A I N T
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M I N N E S O T A

The Northland's
2nd Annual...

COMMUNITY WELLNESS DAY

Fun, Food and
Entertainment!

RAIN, SNOW OR SHINE!

Saturday April 16th
11:00 – 3:00 pm
Clyde Iron Works
2920 W. Michigan

Participants:

- Whole Foods Co-op
- Veritae Wellness
- Wells Fargo
- Anytime Fitness
- Beyond the Yellow Ribbon
- Transitions Lifestyle Educators
- Duluth Energy and Efficiency
- First Witness
- Animal Allies
- Kohl's "Go Green" Program
- Child ID Kits
- 148th Air National Guard
- Blue Cross/Blue Shield of MN
- Holistic Health and Healing
- Acupuncture by the Lake
- Sumo Wrestling
- WLSSD
- Superior PD (Internet Safety)

And many, many more!

For further information call:

Dr. Anthony Macioce 218-728-3686

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12:00-4:00
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(bring your skates!)

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from NBC's
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AWESOME
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Admission
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is **FREE** for
all ages!

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evaluations!

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S A I N T
LOUIS ♦
COUNTY
M I N N E S O T A

Proclamation

Community Wellness Day

April 16, 2011

WHEREAS, the Health and Well-being of the St. Louis County community is our collective responsibility; and

WHEREAS, the Safety of our community is a significant concern for our residents, community leaders, and health care givers; and

WHEREAS, the Financial Literacy of our community is a critical factor in the success of our citizens; and

WHEREAS, the Environmental Welfare of our community is of universal concern, and deserves our highest attention; and

WHEREAS, bringing awareness and raising the consciousness of our Health and Well-being, Safety, Financial Literacy, and Environmental Wellness is the utmost concern to all the members of our community, so that all may have the tools required to accept the responsibility for our community's overall wellness.

NOW, THEREFORE BE IT RESOLVED, that the St. Louis County Board of Commissioners hereby proclaims Saturday, April 16, 2011 as:

Community Wellness Day in St. Louis County, MN

and urges our citizens to recognize and participate in its observance.



Saint Louis County

County Auditor-Treasurer 100 North 5th Avenue West, Room 214 - Duluth, MN 55802-1293
Phone: (218) 726-2380 Phone – Virginia: (218) 749-7104 Fax: (218) 725-5060

Donald Dicklich
St. Louis County Auditor-Treasurer

NEWS RELEASE

April 12, 2011

CONTACT: Donald Dicklich, County Auditor
St. Louis County Courthouse
Duluth, MN 218-726-2380

FOR IMMEDIATE RELEASE:

St. Louis County Receives Certificate of Achievement for Excellence in Financial Reporting

The Certificate of Achievement for Excellence in Financial Reporting has been awarded to St. Louis County by the Government Finance Officers Association of the United States and Canada for its Comprehensive Annual Financial Report (CAFR). The Certificate of Achievement is the highest form of recognition in the area of governmental accounting and financial reporting, and its attainment represents a significant accomplishment by a local government and its management team.

An Award of Financial Reporting Achievement has been sent to the individual, department, or agency designated by the government as primarily responsible for the preparation of the award-winning CAFR. In St. Louis County, the award has been presented to St. Louis County Auditor, Donald Dicklich. The St. Louis County Board of Commissioners will honor Auditor Dicklich and his staff during the regular County Board Meeting scheduled for Tuesday, April 12, 2011 beginning at 9:30 a.m. in the St. Louis County Courthouse, 100 North 5th Ave. W., Duluth, MN.

This notification marks the 22nd consecutive year in which St. Louis County has achieved this recognition. The county's Comprehensive Annual Financial Report was judged by an impartial panel to meet the high standards of the program, including demonstrating a constructive "spirit of full disclosure" to clearly communicate county's financial story and motivate potential users and user groups to read the document.

The Government Finance Officers Association of the United States and Canada is a nonprofit professional association serving approximately 17,500 government finance professionals with offices in Chicago, IL, and Washington, D.C.

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