

## AGENDA

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



**Tuesday, May 24, 2011, 9:30 A.M.**

**Hibbing City Council Chambers  
401 East 21<sup>st</sup> Street  
Hibbing, 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**  
**St. Louis County Board**  
**May 24, 2011**  
**Page 2**

9:30 A.M. Pledge of Allegiance  
Roll Call  
*Recognition of Excellence in the Arts & Sciences – Commissioner Steve Raukar, Seventh District*

*Proclamation: “James L. Oberstar Day - May 24, 2011”*

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. **[Tabled from the April 12, April 26, May 3, & May 10, 2011, meetings. Without recommendation.] {11-124R}**
2. Award a contract to Univar USA, Inc., of St. Paul, MN, to furnish and apply 460,000 gallons of liquid calcium chloride (Bid 4933) for summer dust control at \$0.659 cents per gallon, for a total cost of \$303,140. **[Without recommendation.] {11-191}**

**Finance & Budget Committee – Commissioner Nelson, Chair**

3. Authorize the transfer of \$10,000 from the personnel budget in the Veterans Service Office to the Operating budget and direct county officials to direct the \$10,000 to be appropriated to the Iron Range Veterans Memorial. **[Without recommendation.] {11-193}**
4. Establish a public hearing for June 14, 2011, at 9:40 a.m. in the St. Louis County Courthouse, Duluth, MN, to consider the issuance of an Off-Sale Intoxicating Liquor license for Ballz Deep, Inc., d/b/a The Other Place Bar & Grill, Rice Lake Township, transfer. **[Rules must be suspended. Has not been to committee.] {11-194}**

**Central Management & Intergovernmental Committee – Commissioner Raukar, Chair**

5. Minnesota Accountable Government, Innovation and Collaboration (MAGIC) Act. Information to follow. **[Rules must be suspended. Has not been to Committee.]**



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

# Proclamation

**James L. Oberstar Day**  
May 24, 2011

**WHEREAS**, Representative James Oberstar has displayed an unrivaled understanding of transportation, ensuring the passage of important airline, highway, and rail safety legislation, playing a vital role in the seamless integration of air, sea, rail, and road transportation that will usher in the next generation of American infrastructure; and

**WHEREAS**, during his tenure on the House Transportation Committee, James Oberstar played a key role in every major piece of transportation legislation that is law today and was widely held as the foremost transportation expert in the United States Congress; and

**WHEREAS**, James Oberstar has spearheaded the construction of modern America, demanding efficient, safe, and accountable construction of transit projects across the country, ensuring the construction of reliable passenger rail systems, and fighting passionately for transportation measures that have saved thousands of lives through his dedication to safety for America's drivers, airline passengers, and school children; and

**WHEREAS**, Congressman James Oberstar is a transportation titan who has worked to improve the country by mastering America's vast transportation and infrastructure realm, overseeing industries of multi-billion dollar scale, but never losing focus of the fact that these grand projects are, at heart, about individuals and communities by always being willing to listen to people, taking time to understand the issues they were facing in trying to strengthen their communities.

**NOW THEREFORE BE IT RESOLVED**, that the St. Louis County Board of Commissioners hereby proclaims Tuesday, May 24, 2011 as

**James L. Oberstar Day in St. Louis County, MN**

and extends congratulations on the occasion of the christening of the Interlake Steamship Company motor vessel, "Hon. James L. Oberstar. "



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:**

<b>KGM Contractors, Inc. Angora, MN</b>	<b>\$1,297,240.57</b>	<b>(-\$171,826.16, -11.70%)</b>
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:**

<b>Hoover Construction Co. Virginia, MN</b>	<b>\$5,599,994.89</b>	<b>(+\$69,095.69, +1.25%)</b>
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.

# BOARD LETTER NO. 11 - 191

PUBLIC WORKS & TRANSPORTATION COMMITTEE NO. 1

MAY 24, 2011 BOARD AGENDA NO. 2

**DATE:** May 10, 2011 **RE:** Award of Bid – Liquid Chloride Application

**FROM:** Kevin Z. Gray  
County Administrator

James T. Foldesi  
Public Works Director/Highway Engineer

## **RELATED DEPARTMENT GOAL:**

Provide a safe, well maintained road and bridge system.

## **ACTION REQUESTED:**

The St. Louis County Board is requested to authorize the award of bid for annual Liquid Chloride application.

## **BACKGROUND:**

The Public Works Department budgets annually for the application of liquid chloride on gravel roads as part of its summer dust abatement program. The bid is based on a total of 1,341,000 gallons to be used by various entities. St. Louis County's approximate application amount is 460,000 gallons. The remaining 881,000 gallons included in the bid are to be applied in the following jurisdictions which are participating at the bid rate: Carlton, Itasca, Koochiching and Lake counties and various cities and townships within St. Louis and Carlton counties. The partners in this project will pay for the costs of the Liquid Calcium Chloride application in their individual jurisdictions.

Bids were taken on Thursday, April 21, 2011 for 38% Liquid Calcium Chloride and 30% Liquid Magnesium Chloride. Univar USA, Inc. of St. Paul, MN was the only bidder of 38% Calcium Chloride. Dust Coating of Savage, MN was the only bidder of 30% Magnesium Chloride.

The Public Works Department budget allows the application of up to 460,000 gallons of liquid chloride. The bid prices received for 460,000 gallons of liquid chloride applied in various locations in St. Louis County are detailed below:

<b>Calcium Chloride from Univar USA, Inc. St. Paul, MN</b>	<b>\$0.659 per gallon = \$303,140.00</b>
Magnesium Chloride from Dust Coating Savage, MN	\$0.75 per gallon = \$345,000.00

This represents a 15.9% decrease per gallon for Calcium Chloride from the price paid in 2010.

**RECOMMENDATION:**

It is recommended that the St. Louis County Board authorize an award of bid to the low bidder Univar USA, Inc. of St. Paul, MN on the above project for a total cost of \$303,140.00 payable from Fund 200, Agency 207001, Object 653400.

**BY COMMISSIONER** \_\_\_\_\_

**WHEREAS**, bids have been received by the Purchasing Division for Bid 4933, Furnish and Apply 460,000 gallons of liquid Chloride; and

**WHEREAS**, bids were opened in the Purchasing Division at 2:00 p.m., April 21, 2011, and the lowest acceptable bidder was Univar USA, Inc. of St. Paul, Minnesota.

**NOW, THEREFORE, BE IT RESOLVED**, that the St. Louis County Board approves the award of the contract on the above project to Univar USA, Inc. of St. Paul, Minnesota for 460,000 gallons of 38% liquid calcium chloride at \$0.659 cents per gallon, a total cost of \$303,140.00, payable from Fund 200, Agency 207001, Object 653400.

# BOARD LETTER NO. 11 - 193

FINANCE & BUDGET COMMITTEE NO. 1

MAY 24, 2011 BOARD AGENDA NO. 3

**DATE:** May 10, 2011

**RE:** Use of Personnel Savings in  
the Veterans Service Office to  
Contribute to the Iron Range  
Veterans Memorial

**FROM:** Kevin Z. Gray  
County Administrator

**RELATED DEPARTMENT GOAL:**

To partner with other governments and community agencies to achieve mutual goals for the community.

**ACTION REQUESTED:**

The St. Louis County Board is requested to transfer \$10,000 from personnel savings in the Veterans Service Office (VSO) to Other Professional in order to allow the VSO to contribute these funds to the Iron Range Veterans Memorial.

**BACKGROUND:**

Commissioner Nelson has requested this be presented to the Board at its May 10, 2011 Committee of the Whole meeting. Approval of the transfer will allow for \$10,000 to be contributed to the Iron Range Veterans Memorial, represents the final dollars needed to finance this (\$950,000) project, and includes the county among a number of public sector partners supporting this project.

**RECOMMENDATION:**

It is recommended that the St. Louis County Board approve the transfer of personnel savings available in the Veterans Service Office (124001) to the Veterans Service Office – Other Professional in the amount of \$10,000, and directs the VSO to provide those funds to the Iron Range Veterans Memorial.

**BY COMMISSIONER \_\_\_\_\_**

**WHEREAS**, the St. Louis County's Veterans Service Office relies on partnership with other organizations throughout the region and state; and

**WHEREAS**, the Iron Range Veterans Memorial is a community-wide effort; and

**WHEREAS**, the Iron Range Veterans Memorial has raised \$950,000 from public and private partners for its efforts and has asked St. Louis County to fund the remaining \$10,000; and

**WHEREAS**, Minn. Stat. § 375.18, subdivision 15, authorizes the County Board to appropriate funds to a nonprofit agency for certain authorized purposes; and

**WHEREAS**, the Veterans Service Office has savings available due to personnel changes in its department.

**NOW THEREFORE, BE IT RESOLVED**, that the St. Louis County Board authorizes the transfer of \$10,000 from the personnel budget in the Veterans Service Office (Fund 100, Agency 124001) to the Operating Budget (Fund 100, Agency 124001, Object 629900).

**RESOLVED FURTHER**, that the St. Louis County Board directs the appropriate county officials to direct this \$10,000 to be appropriated to the Iron Range Veterans Memorial for said purposes.

# What if... the Iron Range Veterans Memorial

by  
Burton Laine

*Photos submitted by Charlene Luoma*

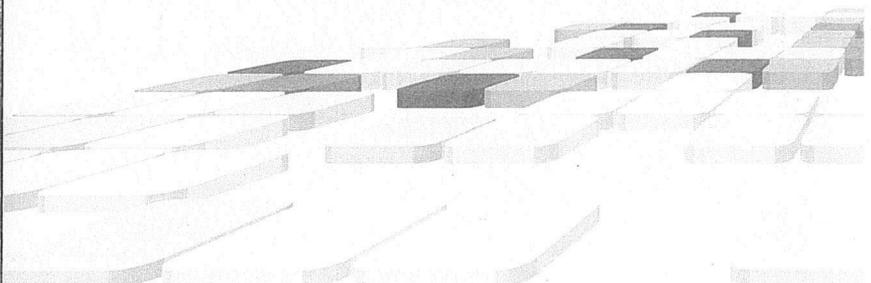
Eleven years ago a grassroots group of seniors on the Iron Range asked the question “what if?” and embarked on a journey of developing a veterans memorial. When they started the Iron Range Veterans Memorial (IRVM) committee, they probably didn’t realize it would become a million dollar project or all of the various types of fundraising they would need to do to accomplish the task. But the journey is almost over, with the bronze sculpture “Shoulder to Shoulder Even the Fallen Stand Tall” scheduled to be unveiled later this spring at the Veterans’ Memorial Park in Virginia, Minnesota.

The sculptor, Gareth Andrews, is a Minnesota native who was trained at the University of Minnesota, Duluth. After working at the University of Alaska, Fairbanks, in art restoration he relocated back to the Iron Range of Minnesota. Currently, the table-top bronze model of the statue is part of a military display at the Discovery Center in Chisholm, Minnesota.

There are many reasons why seniors get involved in community-based projects. This can be a life-changing event for many people as they move into this phase of life. It may be a chance to make use of life skills that have been learned over a lifetime, to contribute to a community cause. For some, it can be a mission that they want to accomplish. From the comments of the committee members there is a lot of emotion involved, which is common for veterans. Most of the committee members have served on the committee from the beginning. Here are a few of the reasons why the committee members decided to join in this effort:



The statue in progress at the foundry in Norman, Oklahoma.



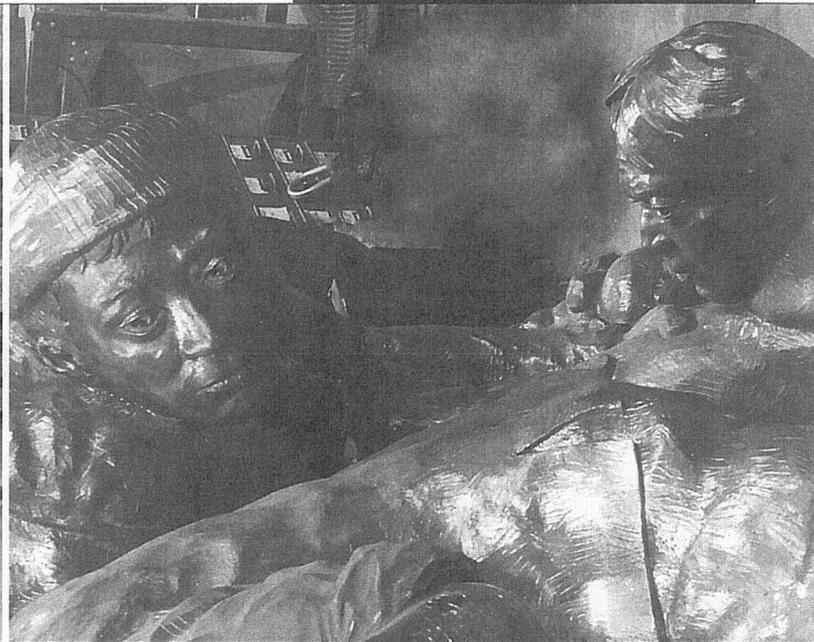
Jim Wilson was in the Navy from 1963-67 and served on the U.S.S. Midway CVA 41 and the Hornet CVA 12. Because he was the past Commander for Disabled Veterans for the State of Minnesota, he was asked to serve on the IRVM committee. He says, "The project has been a long time coming, and I have been personally involved since the beginning because I think it's a very important sculpture for the entire area. It's art that is needed."

Jim Pernu feels the memorial is a great tribute to all veterans throughout the state and beyond. "It is an honor and I am proud to be

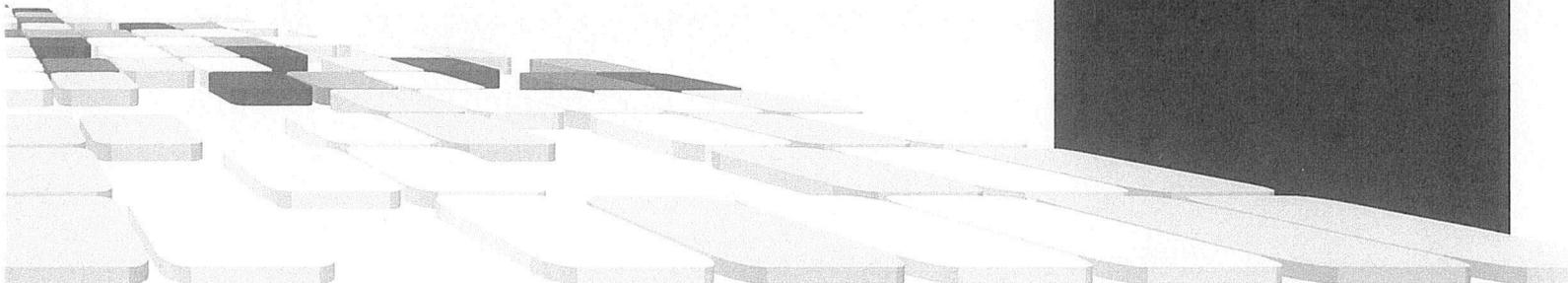
a member of this committee."

Larry Cuffee says, "It has been an honor and a privilege to be involved in this beautiful memorial that will soon be erected. There have been a lot of ups and downs because of finances." He feels that two generous individuals who donated initial funding "were a gift from heaven and without that generous donation, we probably might not be at this point right now."

Chuck Pottsmith served in WWII from 1943-46, and he says, "I wanted to honor those who served and sacrificed. This is my gesture at paying them back." He



Gareth Andrews at the foundry where the bronze sculpture is being made



*continued from page 7*

says when this project started out about 10 years ago, he was asked to make a drawing or concept. When the IRVM committee was formed, the concept evolved and the bronze idea was accepted.

Don Tekautz says, "I have always been interested in helping veterans." His brother, Robert, was a POW for nine months. Five Tekautz brothers served between WWII and the Korean War. In 1992, Don had the opportunity to visit the prisoner of war camp where his brother and others had been imprisoned.

Louise Grams, secretary of the committee, served in the Navy Hospital Corps. "In those days, if one couldn't afford college, they looked for other opportunities," she says. Louise chose to join the IRVM committee because "I wanted to be a part of it. I can't wait for it to get here!"

Richard Obidowski joined the IRVM after a newspaper article ran about his uncle, Pete, who served as a medic in Korea. Richard's father and three uncles all served in WWII. Richard was visibly moved as he expressed that, "The project is something that needs to be done to honor all the fallen veterans and surviving veterans of all the wars we have been in."

Jim Lustig, treasurer, became involved because "many of my relatives served in WWII, Korea and Vietnam." Both Jim and his brother served in the Korean War. He feels, "By recognizing those who served in the military and honoring them, it is what makes it possible for all of us to be here. If it wasn't for them, we wouldn't be able to be here doing this now. This is a way of honoring all of them."



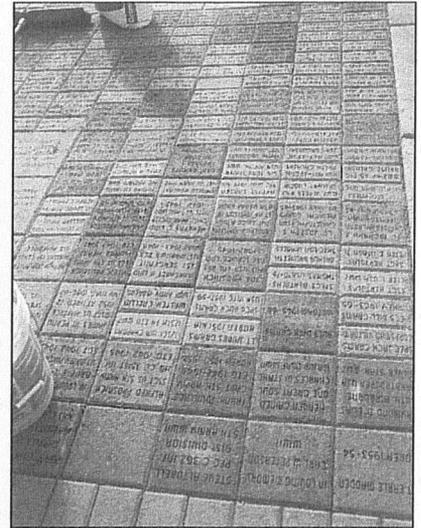
The sculpture at the foundry.



Members of the IRVM committee: (left to right front row) Louise Grams, Jim Pernu, Chuck Pottsmith, Jim Lustig, (back row left to right) Jim Wilson, Richard Obidowski, Don Tekautz, Charlene Luoma, Tom Berrigan and Larry Cuffe. Missing from photo is Jake Varoga.

Jake Varoga is the chaplain of all the veterans organizations in Virginia except for 40/8. He says, "It is an honor and privilege to serve on the committee, and I will never forget the experience and work done by many."

Tom Berrigan, chairman, says that the concept of a veterans memorial has been in his thoughts for a long time. He was a Marine in Vietnam from 1967-74 where he saw many 18- and 19-year-olds get killed. "Forty some years later, sometimes it seems like they have been forgotten by the general public." He said, "I thought it was important that we have something large, tangible and beautiful to look at to honor their memories." He says, "It has been such a long project that sometimes we wondered if it would ever happen. Now that the date is approaching, it will be a weight off of the entire committee."



A Sjoberg Masonry employee and some of the members of the IRVM committee. Another 125 memorial brick pavers were laid on October 27, 2010. Hundreds are in place with room for hundreds more.

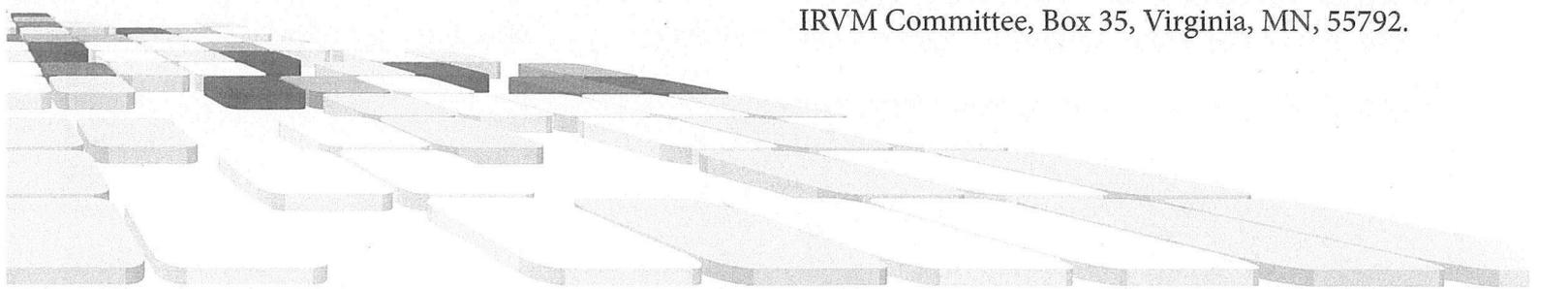
Charlene Luoma, vice chair, chose to join the committee because she hoped to assist through grant writing and fund-raising. She has been a “cheerleader” for the group while capturing the history of the project through photos, scrapbooks, articles and the media. She was excited by the thought of being helpful in bringing a high caliber bronze to the Iron Range art community. Members of her family served and in honor of all who served, she wanted to pay a respectful tribute through the beautiful monument. As a former public school teacher, she often told her students, “Try to be a peacemaker but always respect the peacekeepers.”

Gareth Andrews’ father was a WWII Navy sailor with a college education. Consequently, he was given a desk job and Gareth thinks that his father’s experience might have influenced his interpretation as he worked on the sculpture. “People have served in a wide variety

of ways including the families and all Americans who have shown support for those who had to see actual ‘action,’ Gareth says. “There are lines of supplies and bookwork also needed to ‘run a war.’ Everyone has a story to tell. Through this sculpture I aimed for the common ground and the common man in the part he or she has played.”

The New Mexico National Guard has volunteered transportation of the nine-ton bronze sculpture from Norman, Oklahoma, to Virginia City Central Park around May 17.

Funding has come from a number of sources including grants, donations, and the purchase of memorial pavers. At this time, there is \$42,000 in funding left to be raised. Anyone can purchase a brick memorial paver by calling Tom Berrigan (218-749-5362) for more information. The pavers are available in three sizes and vary in price. Anyone can also make a direct tax-deductible donation by sending it to the IRVM Committee, Box 35, Virginia, MN, 55792.





**BY COMMISSIONER \_\_\_\_\_**

**RESOLVED**, that a public hearing will be held on June 14, 2011 at 9:40 A.M. in the St. Louis County Courthouse, Duluth, Minnesota, for the purpose of considering an Off-Sale Intoxicating Liquor License to Ballz Deep, Inc. d/b/a The Other Place Bar and Grill, Rice Lake Township.