

OFFICIAL PROCEEDINGS
OF THE
BOARD OF COUNTY COMMISSIONERS
OF ST. LOUIS COUNTY, MINNESOTA
AUGUST, 2013

OFFICIAL PROCEEDINGS OF THE MEETING
OF THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF ST. LOUIS, MINNESOTA,
HELD ON AUGUST 6, 2013

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 6th day of August 2013, at 9:34 a.m., at the St. Louis County Courthouse, Duluth, Minnesota, with the following members present: Commissioners Frank Jewell, Mike Forsman, Pete Stauber, Keith Nelson, Steve Raukar, and Chair Chris Dahlberg - 6. Absent: - 0. Second District Seat: Vacant - 1.

Chair Dahlberg asked for a moment of silence for all those who serve our country and for those who pay the ultimate sacrifice.

As a part of Chair Dahlberg's initiative, "St. Louis County History: People & Places", Commissioner Dahlberg introduced World War II veteran Richard Kern. Mr. Kern discussed bombing missions and described transporting fuel over the "The Hump" (Himalayan Mountains) for the Flying Tigers.

Chair Dahlberg opened the meeting to persons who wanted to address the Board concerning issues not on the agenda, and no one came forth.

At 9:47 a.m., a public hearing was conducted pursuant to Resolution No. 13-425, adopted July 9, 2013, to receive citizen comments on proposed amendments to Ordinance No. 60, Subdivision Regulations. Barbara Hayden, St. Louis County Planning and Community Development Director, discussed the proposed amendments. At 9:53 a.m., Commissioner Nelson, supported by Commissioner Jewell, moved to close the public hearing; six yeas, zero nays. Commissioner Nelson, supported by Jewell, moved that the St. Louis County Board adopt the proposed amendments to the St. Louis County Ordinance 60, Subdivision Regulation, effective August 13, 2013. The motion passed; six yeas, zero nays. An official copy will be available to the public in the office of the County Auditor. Resolution No. 13-504.

At 9:55 a.m., a public hearing was conducted pursuant to Resolution No. 13-424, adopted July 9, 2013, to receive citizen comments on proposed amendments to Ordinance No. 46, Zoning Maps. Barbara Hayden, St. Louis County Planning and Community Development Director, discussed the proposed amendments. At 10:00 a.m., Commissioner Raukar, supported by Commissioner Jewell, moved to close the public hearing; six yeas, zero nays. Commissioner Forsman, supported by Commissioner Raukar, moved That the St. Louis County Board amends St. Louis County Zoning Ordinance 46, Zoning Maps as proposed and consistent with the maps on file in the Planning and Community Development Department, effective August 13, 2013. The motion passed; six yeas, zero nays. An official copy will be available to the public in the office of the County Auditor. Resolution No. 13-505.

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

287

Pursuant to Resolution No. 13-264, adopted May 7, 2013, the St. Louis County Board considered bids received for the sale of surplus fee owned land located in Cotton Township. Commissioner Raukar, supported by Commissioner Jewell, pursuant to the requirements and procedures of Minn. Stat. § 373.01, the St. Louis County Board authorizes the appropriate county officials to execute a quit claim deed, conveying the above listed property to Russell A. Korpi of Cotton, MN, for the high bid amount of \$16,213.00. The motion passed; six yeas, zero nays. Resolution No. 13-506.

Commissioner Raukar, supported by Commissioner Jewell, moved to approve the consent agenda. The motion passed; six yeas, zero nays.

Commissioner Stauber, supported by Commissioner Jewell, moved that the St. Louis County Board appoint Valerie Strukel, Eveleth, MN, and Hal Nathan Thompson, Gilbert, MN, to the Heading Home St. Louis County Leadership Council to fill two (2) open At-Large positions. After further discussion, the motion passed; six yeas, zero nays. Resolution No. 13-507.

Commissioner Nelson, supported by Commissioner Jewell, moved that the St. Louis County Board approve the Minnesota Department of Natural Resources acquisition of private lands for designation as an addition to the Burntside Islands Scientific and Natural Area. Craig Engwall, Northeast Regional Director of the Minnesota Department of Natural Resources, discussed the process and strategic planning. After further discussion, the motion passed; six yeas, zero nays. Resolution No. 13-508.

A recess was taken from 10:26 a.m. to 10:36 a.m.

Commissioner Nelson, supported by Commissioner Raukar, moved that the St. Louis County Board authorize the Issuance, Sale and Delivery of \$20,650,000 General Obligation Capital Improvement Bonds, Series 2013A; Establishing the Terms and Form Thereof; Creating a Debt Service Fund Therefor; and Awarding the Sale Thereof. Terri Heaton, of Springstead Incorporated, discussed the results of the bond sale. After further discussion, the motion passed; six yeas, zero nays. Resolution No. 13-509.

Commissioner Jewell, supported by Commissioner Stauber, moved that the St. Louis County Board authorize the Issuance, Sale and Delivery of \$4,640,000 General Obligation Capital Equipment Notes, Series 2013B; Establishing the Terms and Form Thereof; Creating a Debt Service Fund Therefor; and Awarding the Sale Thereof. The motion passed; six yeas, zero nays. Resolution No. 13-510.

Commissioner Raukar, supported by Commissioner Jewell, moved that the St. Louis County Board authorize the Issuance, Sale and Delivery of \$8,895,000 General Obligation Capital Improvement Refunding Bonds, Series 2013C; Establishing the Terms and Form Thereof; Creating a Debt Service Fund Therefor; and Awarding the Sale Thereof. The motion passed; six yeas, zero nays. Resolution No. 13-511.

Commissioner Forsman, supported by Commissioner Nelson, moved that the St. Louis County Board authorize the Issuance, Sale and Delivery of \$5,495,000 General Obligation Capital Improvement Refunding Bonds, Series 2013D; Establishing the Terms and Form Thereof; Creating a Debt Service Fund Therefor; and Awarding the Sale Thereof. The motion passed; six yeas, zero nays. Resolution No. 13-512.

Commissioner Jewell, supported by Commissioner Nelson, moved that the St. Louis County Board authorize the appropriate county officials to enter into a Phase III contract with Perkins & Will of Minneapolis, Minnesota, for construction administration, close-

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

288

out, and commissioning phases for the Duluth Government Services Center infrastructure replacement and general remodeling project in the amount of \$585,375. The motion passed; six years, zero nays. Resolution No. 13-513.

Commissioner Stauber, supported by Commissioner Jewell, moved that the St. Louis County Board authorize the appropriate county officials to enter into a contract with Johnson Wilson of Duluth, Minnesota, for Construction Management At-Risk services for the Duluth GSC infrastructure replacement and general remodeling project in the amount of \$17,413,000, which includes all hard project construction costs, a general project contingency, and Construction Management At-Risk fees of \$498,847. The motion passed; six years, zero nays. Resolution No. 13-514.

Commissioner Raukar, supported by Commissioner Nelson, moved that the St. Louis County Board supports the State of Minnesota 2014 Capital Appropriation request for the new office facility for the Arrowhead Economic Opportunity Agency/Range Mental Health Center (AEOA/RMHC) in the amount of \$10,000,000 and indicate it as St. Louis County's second State bonding priority (after the Sheriff's Volunteer Rescue Squad). This appropriation would finance up to 50% of the joint project cost, with AEOA/RMHC committing funds to match this request. Harlan Tardy, AEOA Executive Director, discussed the project and funding. Commissioner Stauber, supported by Commissioner Dahlberg, offered an amendment that consistent with St. Louis County purchasing rules, Project Labor Agreements would apply. The amendment was accepted; six years, zero nays. After further discussion, the amended motion passed; five years, one nay (Dahlberg). Resolution No. 13-515.

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/Highway Engineer, submitting Board Letter No. 13-300, Acquisition of Right of Way by Eminent Domain Proceedings for CP 177717 (Alden Township).—59700

Kevin Gray, County Administrator, and Ann Busche, Director of Public Health & Human Services, submitting Board Letter No. 13-310, Appointments to the Heading Home St. Louis County Leadership Council.—59701

Kevin Gray, County Administrator, and Mark Weber, Director of Land & Minerals, submitting Board Letter No. 13-311, Addition to Burntside Islands Scientific and Natural Area.—59702

Kevin Gray, County Administrator, submitting Board Letter No. 13-316, Support for AEOA/Range Mental Health Center 2014 Capital Appropriation Request.—59703

Don Dicklich, County Auditor, submitting News Release: St. Louis County retains Aa2 rating for bond sale.—59704

Amendment to Professional Services Agreement, County Attorney Contract No. 2012-007394, between the County of St. Louis and SUI, LLC, Duluth, MN, for Remodeling of the Duluth Courthouse Fifth Floor to County Attorney and Property Management Office.—13-683

Joint Exercise of Powers Agreement between the City of Hibbing and St. Louis County

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

289

for Assessment Services beginning July 1, 2013.—[13-684](#)

Group Residential Housing Rate Agreement No. 51738 between the St. Louis County Board of Commissioners and Trillium Services – Waterview.—[13-685](#)

Group Residential Housing Rate Agreement No. 51737 between the St. Louis County Board of Commissioners and Trillium Services – Swan Lake.—[13-686](#)

Group Residential Housing Rate Agreement No. 51736 between the St. Louis County Board of Commissioners and Trillium Services – Selfridge.—[13-687](#)

Group Residential Housing Rate Agreement No. 51735 between the St. Louis County Board of Commissioners and Trillium Services – Parkwood II.—[13-688](#)

Group Residential Housing Rate Agreement No. 51734 between the St. Louis County Board of Commissioners and Trillium Services – Parkwood I.—[13-689](#)

Group Residential Housing Rate Agreement No. 51733 between the St. Louis County Board of Commissioners and Trillium Services – Palisade Circle.—[13-690](#)

Group Residential Housing Rate Agreement No. 51732 between the St. Louis County Board of Commissioners and Trillium Services – Oakley.—[13-691](#)

Group Residential Housing Rate Agreement No. 51731 between the St. Louis County Board of Commissioners and Trillium Services – McKinley.—[13-692](#)

Group Residential Housing Rate Agreement No. 51730 between the St. Louis County Board of Commissioners and Trillium Services – London Road.—[13-693](#)

Group Residential Housing Rate Agreement No. 51729 between the St. Louis County Board of Commissioners and Trillium Services – LaVaque.—[13-694](#)

Group Residential Housing Rate Agreement No. 51728 between the St. Louis County Board of Commissioners and Trillium Services – Jackson Estates.—[13-695](#)

Group Residential Housing Rate Agreement No. 51727 between the St. Louis County Board of Commissioners and Trillium Services – Ivanhoe.—[13-696](#)

Group Residential Housing Rate Agreement No. 51726 between the St. Louis County Board of Commissioners and Trillium Services – Fountain Gate.—[13-697](#)

Group Residential Housing Rate Agreement No. 51725 between the St. Louis County Board of Commissioners and Trillium Services – Ensign.—[13-698](#)

Group Residential Housing Rate Agreement No. 51724 between the St. Louis County Board of Commissioners and Trillium Services – Decker Road.—[13-699](#)

Group Residential Housing Rate Agreement No. 51723 between the St. Louis County Board of Commissioners and Trillium Services – Crosley.—[13-700](#)

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

290

Group Residential Housing Rate Agreement No. 51722 between the St. Louis County Board of Commissioners and Trillium Services – Apple Ridge.—[13-701](#)

Group Residential Housing Rate Agreement No. 51708 between the St. Louis County Board of Commissioners and Rural Living Environments - Olsen.—[13-702](#)

Group Residential Housing Rate Agreement No. 51707 between the St. Louis County Board of Commissioners and Rural Living Environments - Fir.—[13-703](#)

Group Residential Housing Rate Agreement No. 51706 between the St. Louis County Board of Commissioners and Rural Living Environments - Birch.—[13-704](#)

Group Residential Housing Rate Agreement No. 51705 between the St. Louis County Board of Commissioners and Rural Living Environments - Balsam.—[13-705](#)

Group Residential Housing Rate Agreement No. 51704 between the St. Louis County Board of Commissioners and Rural Living Environments - Aspen.—[13-706](#)

Group Residential Housing Rate Agreement No. 51694 between the St. Louis County Board of Commissioners and William Onnen and Jacqueline Onnen.—[13-707](#)

Group Residential Housing Rate Agreement No. 51695 between the St. Louis County Board of Commissioners and Roxanne McMillen and Jeffrey McMillen.—[13-708](#)

Group Residential Housing Rate Agreement No. 51709 between the St. Louis County Board of Commissioners and Michael and Heidi Cooney.—[13-709](#)

Group Residential Housing Rate Agreement No. 51544 between the St. Louis County Board of Commissioners and Brandt Adult Foster Home. —[13-710](#)

Addendum to Home and Community-Based Waiver Services Contract, No. 14642C, between the St. Louis County Board of Commissioners and Trillium Services, Inc.—[13-711](#)

Addendum to Home and Community-Based Waiver Services Contract, No. 14586C, between the St. Louis County Board of Commissioners and Brandt Adult Foster Care.—[13-712](#)

Addendum to Home and Community-Based Waiver Services Contract, No. 14711C, between the St. Louis County Board of Commissioners and Michael Cooney and Heidi Cooney.—[13-713](#)

Addendum to Home and Community-Based Waiver Services Contract, No. 14704C, between the St. Louis County Board of Commissioners and Roxanne McMillen and Jeffrey McMillen.—[13-714](#)

Addendum to Home and Community-Based Waiver Services Contract, No. 14594C, between the St. Louis County Board of Commissioners and Onnen Adult Foster Home.—[13-715](#)

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

291

Addendum to Home and Community-Based Waiver Services Contract, No. 14643F, between the St. Louis County Board of Commissioners and Rural Living Environments, Inc.—13-716

Upon motion by Commissioner Raukar, supported by Commissioner Jewell, resolutions numbered 13-470 through 13-503, as submitted to this Board on the consent agenda, were unanimously adopted as follows:

BY COMMISSIONER RAUKAR:

WHEREAS, In January of 2009, St. Louis County entered into a contract with Transcend to provide a voice-over internet protocol communications system known as ShoreTel; and

WHEREAS, In May of 2012, the Public Health and Human Services Department (PHHS) Financial Assistance Division implemented a Benefit Information Call Center (BICC) system in the Income Maintenance program area; and

WHEREAS, Upon evaluation of the BICC it was determined efficiencies and enhanced customer service could be achieved through an enhancement to the ShoreTel system to allow for a customer call back feature; and

WHEREAS, PHHS received notice from the Minnesota Department of Human Services (DHS) that it qualified to receive a performance allocation of \$29,407 which must be used to maintain or improve administration of the Supplemental Nutrition Assistance Program; and

WHEREAS, PHHS requested and received approval from DHS to use this allocation towards the improvement of its BICC system, and has sufficient funds in its 2013 operating budget for the remaining \$3,602.27;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves a contract with Transcend to install, test and train on a ShoreTel Call Center system which will enable a customer call back feature within the Public Health and Human Services Income Maintenance program area, to be accounted for in Fund 230, Agency 231014, Object 629900.

Adopted August 6, 2013. No. 13-470

WHEREAS, St. Louis County purchases Day Training & Habilitation and Semi-Independent Living Services for residents with developmental disabilities (mental retardation and/or related conditions); and

WHEREAS, The Public Health and Human Services Department has agreements with Day Training & Habilitation providers and Semi-Independent Living Service providers listed below, and wishes to renew the agreements for fiscal year ending June 30, 2014;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the appropriate county officials to execute amendments to extend the term of purchase of service agreements from July 1, 2013 through June 30, 2014 with no change in rates for Day Training & Habilitation Services, and with a .5% increase in rates for Semi-Independent Living Services with current providers as listed below:

- 1) Day Training & Habilitation Service providers to be paid from:
Fund: 230, Agency: 232006, Object: 604800
- 2) Semi-Independent Living Service providers to be paid from:
Fund: 230, Agency: 232006, Object: 605200

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

292

DAY TRAINING & HABILITATION

<u>Program Name</u>	<u>Full Day Program</u>	<u>Partial Day Program</u>	<u>Round Trip Daily Transport.</u>	<u>Full Day Program & Transport.</u>
Access to Employment Too, Inc.	\$ 85.19	\$ 63.89	\$ 7.44	\$ 92.63
CHOICE, Unlimited – CHOICE	\$ 72.66	\$ 54.49	\$ 8.02	\$ 80.68
CHOICE, Unlimited – OPTIONS	\$101.28	\$ 75.96	\$10.69	\$111.97
East Range DAC	\$ 64.32	\$ 48.24	\$11.47	\$ 75.79
Floodwood Services & Training, Inc.	\$ 64.88	\$ 48.66	\$ 5.71	\$ 70.59
MSOCS Duluth – Airpark Products & Services (only waiver-funded services)	\$117.52	\$ 88.14	\$ 9.73	\$127.25
MSOCS Duluth – Lincoln Park Life Skills	\$ 90.55	\$ 67.91	\$13.55	\$104.10
MSOCS Range Area Vocational Supports	\$116.35	\$ 87.26	\$16.48	\$132.83
Range Center, Inc.	\$ 83.67	\$ 62.75	\$ 6.02	\$ 89.69
UDAC, Inc.	\$ 63.27	\$ 47.45	\$ 9.80	\$ 73.07

	<u>Level</u>	<u>Hourly Rate*</u>
Pinewood, Inc. – Duluth	A	\$28.16
	B	\$13.80
	C	\$10.84
	D	\$ 9.68

* Pinewood, Inc. - Duluth was formerly a Rule 75 pilot program and is allowed to have hourly rates.

SEMI-INDEPENDENT LIVING SERVICES (SILS)

	<u>Per Hour</u>
Duluth Regional Care Center	\$26.18
HOMES, Inc. - Hibbing	\$26.18
HOMES, Inc. - Virginia	\$26.18
Trillium Services, Inc.	\$26.18

Adopted August 6, 2013. No. 13-471

WHEREAS, The Land and Minerals Department has initiated an effort to curb the devastation of deer and rabbit browse on its one to five year old plantations through a budcapping application to tree seedlings; and

WHEREAS, The Land and Minerals Department has identified 2,269.5 acres for treatment in 2013; and

WHEREAS, The Purchasing Division solicited bids for Budcapping Application on state tax forfeited lands for the year of 2013; and

WHEREAS, Northwoods Forestry of Eleva, WI, submitted the low bid of \$70,354.50 on seventeen tracts;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the appropriate county officials to execute a contract with Northwoods Forestry of Eleva, WI, for \$70,354.50 for Budcapping Application on state tax forfeited lands during the fall of

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

293

2013, in accordance with the specifications of Bid No. 5099, payable from Fund 290, Agency 290001, subject to approval by the County Attorney.
Adopted August 6, 2013. No. 13-472

WHEREAS, The contract with David McCray & Shannon McCray of Hibbing, MN, for the repurchase of state tax forfeited land is in default for failure to provide proof of insurance; and

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

CITY OF HIBBING
ELY 50 FT OF NLY 120 FT OF LOT 16, BLOCK 4
AVIATORS FIELD ADDITION TO HIBBING
Parcel Code: 140-0030-00860
C22120001

WHEREAS, Minn. Stat. §§ 282.04, Subd. 2(d) and 504B.271 authorize the County Auditor to dispose of abandoned personal property; and

WHEREAS, The previous owners of the property will be notified by posting of the property or by mail;

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

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

Adopted August 6, 2013. No. 13-473

WHEREAS, The contract with David McCray & Shannon McCray of Hibbing, MN, for the repurchase of state tax forfeited land is in default for failure to provide proof of insurance; and

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

CITY OF HIBBING
LOT: 0015 BLOCK: 004
AVIATORS FIELD ADDITION TO HIBBING
Parcel Code: 140-0030-00850
C22120116

WHEREAS, Minn. Stat. §§ 282.04, Subd. 2(d) and 504B.271 authorize the County Auditor to dispose of abandoned personal property; and

WHEREAS, The previous owners of the property will be notified by posting of the property or by mail;

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

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

Adopted August 6, 2013. No. 13-474

WHEREAS, The contract with Dan Gheorghita of Lindstrom, MN, for the purchase of state tax forfeited land is in default for nonpayment of taxes and installments; and

WHEREAS, The purchaser was properly served with Notice of Cancellation of Contract by publication and has failed to cure the default for lands legally described as:

CITY OF DULUTH
N 35 FT OF S 70 FT OF LOTS 50 AND 52 OF BLOCK 85

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

294

DULUTH PROPER THIRD DIVISION

Parcel Code: 010-1350-01020

C22080310

WHEREAS, Minn. Stat. §§ 282.04, Subd. 2(d) and 504B.271 authorize the County Auditor to dispose of abandoned personal property; and

WHEREAS, The previous owner of the property will be notified by posting of property or by mail;

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

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

Adopted August 6, 2013. No. 13-475

WHEREAS, The contract with Kim Thi Anderson of Eveleth, MN, for the repurchase of state tax forfeited land is in default for failure to provide proof of insurance; and

WHEREAS, The purchaser was properly served with Notice of Cancellation of Contract by civil process and has failed to cure the default for lands legally described as:

CITY OF EVELETH

LOT: 0026 BLOCK: 064

HIGHLAND ADDITION TO EVELETH

Parcel Code: 040-0130-01030

C22120066

WHEREAS, Minn. Stat. §§ 282.04, Subd. 2(d) and 504B.271 authorize the County Auditor to dispose of abandoned personal property; and

WHEREAS, The previous owner of the property will be notified by posting of the property or by mail;

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

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

Adopted August 6, 2013. No. 13-476

WHEREAS, The contract with Josanne Timmerman of Duluth, MN, for the repurchase of state tax forfeited land is in default for failure to provide proof of insurance; and

WHEREAS, The purchaser was properly served with Notice of Cancellation of Contract by civil process and has failed to cure the default for lands legally described as:

CITY OF DULUTH

LOTS 12 THRU 16 EX NW 10 FT & EX THAT PART OF LOT 12 LYING SWLY OF THE FOLLOWING DESCRIBED LINE BEG AT A PT ON THE NWLY LINE OF LOT 12 WHICH PT IS 12.50 FT NELY OF THE MOST WLY CORNER OF LOT 12 THENCE SELY 12.50 FT DISTANT FROM AND PARALLEL TO THE SWLY LINE OF LOT 12 TO THE SELY LINE OF LOT 12 THERE TERMINATING, BLOCK 41

NORTONS FAIRMOUNT PARK DIV OF DULUTH

Parcel Code: 010-3510-09630

C22120072

WHEREAS, Minn. Stat. §§ 282.04, Subd. 2(d) and 504B.271 authorize the County Auditor to dispose of abandoned personal property; and

WHEREAS, The previous owner of the property will be notified by posting of the property or by mail;

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

295

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

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

Adopted August 6, 2013. No. 13-477

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

WHEREAS, The applicants, Richard & Margaret Olsen of Spokane Valley, WA, have applied to repurchase state tax forfeited land legally described as:

TOWN OF GRAND LAKE

SE $\frac{1}{4}$ OF SW $\frac{1}{4}$ EX E 30 FT & EX N 767 FT OF W 104.35 FT OF E 134.35 FT & EX WLY 417 FT OF SLY 415 FT & EX ELY 514.95 FT OF SLY 415 FT & EX COMM AT SE COR OF FORTY THENCE WLY ALONG S LINE 699.90 FT TO PT OF BEG THENCE 90° N 415 FT THENCE W 90° 195.69 FT THENCE SELY 88° 31' 415.14 FT TO S LINE THENCE ELY 184.95 FT TO PT OF BEG & EX BEG 514.95 FT W OF SE COR THENCE NLY 88° 13' 415.20 FT THENCE WLY 88° 13' 172.03 FT THENCE SLY 90° 415 FT TO S LINE OF FORTY THENCE ELY 184.95 FT TO PT OF BEG EX COMM AT THE S QUARTER COR OF SAID SEC 15 THENCE N 00° 36' 50" W ALONG THE E LINE OF THE SE $\frac{1}{4}$ OF SW $\frac{1}{4}$ OF SAID SEC 15 A DISTANCE OF 415.20 FT TO THE N LINE OF THE S 415 FT OF SAID SE $\frac{1}{4}$ OF SW $\frac{1}{4}$ THENCE N 88° 49' 27" W ALONG SAID N LINE A DISTANCE OF 30.01 FT TO THE W LINE OF THE E 30 FT OF SAID SE $\frac{1}{4}$ OF SW $\frac{1}{4}$ AND THE PT OF BEG THENCE N 00° 36' 50" W ALONG SAID W LINE A DISTANCE OF 115.72 FT TO THE S LINE OF THE N 767 FT OF SAID SE $\frac{1}{4}$ OF SW $\frac{1}{4}$ THENCE N 88° 49' 50" W ALONG SAID S LINE A DISTANCE OF 207.34 FT THENCE N 36° 09' 24" W A DISTANCE OF 366.02 FT THENCE N 00° 36' 50" W A DISTANCE OF 476.17 FT TO THE N LINE OF THE SE $\frac{1}{4}$ OF SW $\frac{1}{4}$ THENCE WLY ALONG SAID N LINE A DISTANCE OF 844.06 FT TO THE NW COR OF SAID SE $\frac{1}{4}$ OF SW $\frac{1}{4}$ THENCE SLY ALONG THE W LINE OF SAID SE $\frac{1}{4}$ OF SW $\frac{1}{4}$ A DISTANCE OF 882.82 FT TO THE N LINE OF THE S 415 FT OF SAID SE $\frac{1}{4}$ OF SW $\frac{1}{4}$ THENCE S 88° 49' 27" E A DISTANCE OF 1269.10 FT TO THE PT OF BEG

SECTION 15, TOWNSHIP 51 NORTH, RANGE 16 WEST

PARCEL: 380-0010-03224; and

WHEREAS, The applicants were the owners of record at the time of forfeiture and are eligible to repurchase the property; and

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

THEREFORE, BE IT RESOLVED, That the St Louis County Board approves the repurchase application by Richard & Margaret Olsen of Spokane Valley, WA, on file in County Board File No. 59601, subject to payments including total taxes and assessments of \$5,110.11, service fee of \$114, deed tax of \$16.86, deed fee of \$25, and recording fee of \$46; for a total of \$5,311.97, to be deposited into Fund 240 (Forfeited Tax Fund).

Adopted August 6, 2013. No. 13-478

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

WHEREAS, The applicant, Clark Hayden, Jr., of Biwabik, MN, has applied to

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

296

repurchase state tax forfeited land legally described as:

CITY OF TOWER
LOT: 0011 BLOCK: 013
TOWER
PARCEL: 080-0010-01370;

and

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

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

THEREFORE, BE IT RESOLVED, That the St Louis County Board approves the repurchase application by Clark Hayden, Jr., of Biwabik, MN, on file in County Board File No. 59601, subject to payments including total taxes and assessments of \$471.18, service fee of \$114, deed tax of \$1.65, deed fee of \$25, and recording fee of \$46; for a total of \$657.83, to be deposited into Fund 240 (Forfeited Tax Fund).

Adopted August 6, 2013. No. 13-479

WHEREAS, The Duluth Housing and Redevelopment Authority (HRA) has requested to purchase the following described state tax forfeited land for the price of \$1,500, plus fees, to correct blighted conditions on adjacent property and to promote residential development:

Legal: City of Duluth
LOT: 0009 BLOCK: 013
WEST END ADDITION TO DULUTH
Parcel Code: 010-4540-02040
Size: 0.07 acre
LDKey: 117688

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

WHEREAS, Minn. Stat. § 282.01, Subd. 1a.(d) allows for non-conservation tax forfeited land to be sold to a governmental subdivision for less than market value if a reduced price is necessary to provide an incentive to correct blighted conditions; and

WHEREAS, The parcel described here forfeited to the State of Minnesota on November 30, 2012, for nonpayment of real estate taxes; 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 as conservation or non-conservation as required by Minn. Stat. § 282.01, Subd. 1; and

WHEREAS, The Land and Minerals Department has recommended that the parcel be classified as non-conservation after considering many factors including 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, the suitability or desirability for particular uses and the suitability of the forest resources on the land for multiple use and sustained yield management; and

WHEREAS, The forfeited parcel is located inside the boundaries of a municipality or town and Minn. Stat. § 282.01 provides that notice of the classification or reclassification and sale of lands situated within a municipality or town must be transmitted to its governing body; and

WHEREAS, The classification of the forfeited parcel will be deemed approved if the County Board does not receive notice of a municipality's or town's disapproval within 60 days of the date on which this resolution is delivered to the clerk of the municipality or

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

297

town in which the parcel is located;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves the sale of state tax forfeited land, as described, to the Duluth HRA for the price of \$1,500, plus the following fees: 3% assurance fee of \$45, deed fee of \$25, deed tax of \$4.95, and recording fee of \$46; for a total of \$1,620.95, to be deposited into Fund 240 (Forfeited Tax Fund);

RESOLVED FURTHER, That the County Auditor shall offer for sale at public auction the state tax forfeited land described here if Duluth HRA does not purchase the land by September 30, 2013.

Adopted August 6, 2013. No. 13-480

WHEREAS, The Duluth Housing and Redevelopment Authority (HRA) has requested to purchase the following described state tax forfeited land for the price of \$1,500, plus fees, to correct blighted conditions on adjacent property and to promote residential development:

Legal: CITY OF DULUTH
LOT: 0018 BLOCK: 004
LINCOLN PARK VIEW DULUTH
Parcel Code: 010-2930-00770
Size: 0.09 acre
LDKey: 117294

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, Minn. Stat. § 282.01, Subd. 1a.(d) allows for non-conservation tax forfeited land to be sold to a governmental subdivision for less than market value if a reduced price is necessary to provide an incentive to correct blighted conditions; and

WHEREAS, The parcel described here forfeited to the State of Minnesota on November 30, 2011 for nonpayment of real estate taxes; and

WHEREAS, This lot has been classified as non-conservation land pursuant to Minn. Stat. § 282.01; and

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

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves the sale of state tax forfeited land, as described, to the Duluth HRA for the appraised value of \$1,500, plus the following fees: 3% assurance fee of \$45, deed fee of \$25, deed tax of \$4.95, and recording fee of \$46; for a total of \$1,620.95, to be deposited into Fund 240 (Forfeited Tax Fund);

RESOLVED FURTHER, That the County Auditor shall offer for sale at public auction the state tax forfeited land described here if Duluth HRA does not purchase the land by September 30, 2013.

Adopted August 6, 2013. No. 13-481

WHEREAS, The Orr Canister Site currently operates on property owned by the Orr Sanitary Landfill Authority; and

WHEREAS, The Orr Sanitary Landfill Authority has indicated its willingness to convey this property to St. Louis County by quit claim deed;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the appropriate county officials to accept conveyance of this property to St. Louis County, subject to approval of the County Attorney:

Government Lot 2 (Southwest Quarter of the Northwest Quarter), Section Nineteen (19), Township Sixty-four (64) North, Range Nineteen (19) West, lying west of the Duluth, Winnipeg and Pacific Railway right of way.

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

298

There are no costs anticipated for this conveyance.
Adopted August 6, 2013. No. 13-482

WHEREAS, The Breitung-Soudan canister site currently operates partially on property owned by Breitung Township; and

WHEREAS, Breitung Township has agreed to sell property to the county for \$1000;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the appropriate county officials to purchase the parcel of land currently being used at the Breitung-Soudan canister site from Breitung Township for \$1,000, subject to approval of the County Attorney. Funding for this purchase is available from Fund 600, Agency 600001. The property is part of Parcel ID # 270-0020-03360 and is described as:

That part of the Northeast Quarter of the Northeast Quarter, Section 34, Township 62 North, Range 15 West of the Fourth Principal Meridian, St. Louis County, Minnesota, described as follows:

Commencing at the northeast corner of said Section 34, thence on an assigned bearing of South 01 degree 28 minutes 00 seconds East, along the east line of the Northeast Quarter of the Northeast Quarter of said Section 34, a distance of 1329.72 feet to the southeast corner of said Northeast Quarter of the Northeast Quarter; thence South 89 degrees, 38 minutes, 16 seconds West, along the south line of said Northeast Quarter of the Northeast Quarter, a distance of 797.94 feet to the Point of Beginning; thence North 32 degrees, 57 minutes, 39 seconds East 221.83 feet; thence North 60 degrees, 34 minutes, 32 seconds East 223.38 feet; thence South 89 degrees, 38 minutes, 16 seconds West, parallel with the south line of said Northeast Quarter of the Northeast Quarter, a distance of 80.37 feet; thence South 68 degrees, 03 minutes, 31 seconds West 87.98 feet; thence South 88 degrees, 39 minutes, 35 seconds West 202.98 feet; thence South 01 degree, 32 minutes, 00 seconds East 258.10 feet to the south line of said Northeast Quarter of the Northeast Quarter; thence North 89 degrees, 38 minutes, 16 seconds East, along the south line of said Northeast Quarter of the Northeast Quarter, a distance of 42.74 feet to the Point of Beginning.

Said parcel containing 40,298 square feet or 0.93 acres more or less.

Adopted August 6, 2013. No. 13-483

WHEREAS, The St. Louis County Public Works Department plans to replace the existing County Bridge 68 (state bridge 7854) over the west branch of the Knife River and reconstruct approximately 380 feet of County Road 253/Ives Road within Alden Township between the Culbertson Road and the Lake County line; and

WHEREAS, The following described parcel of needed right of way has not been acquired by negotiation and direct purchase:

<u>Parcel 1</u>	<u>Owners and Interests:</u> Jeffrey S. Peterson and Judith Ann Peterson, husband and wife as joint tenants: 7093 Mikkenen Road Two Harbors, MN 55616
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Property Legal Description:

East Half of Southwest Quarter of Southwest Quarter (E 1/2 of SW 1/4 of SW 1/4), Section Thirty-six (36), Township Fifty-three (53) North, Range Twelve (12) West, St. Louis County, Minnesota.

Parcel Identification Number: 210-0010-06585 (abstract property)

Rights to be acquired:

A 66.00 foot PERMANENT EASEMENT for Highway purposes and a variable width TEMPORARY CONSTRUCTION EASEMENT over, under and across the above described property. Said easements more specifically described as follows:

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

299

Commencing at the southwest corner of Section 36, Township 53 North of Range 12 West; thence North 89° 49' 36" East, assumed bearing, along the south line of said Section 36 a distance of 874.23 feet to a point; thence North 0° 10' 24" West a distance of 58.01 feet to the beginning of the center line of said 66.00 foot permanent easement; thence North 76° 34' 25" East along said center line a distance of 40 feet and there terminating; the temporary construction easement lies within 53.00 feet left and 48.00 feet right of said center line on this course.

TOGETHER WITH A 120.00 foot PERMANENT EASEMENT for Highway purposes over, under and across the first above described property the center line described as follows:

Beginning at the terminus of the above described line; thence continue North 76° 34' 25" East along said center line a distance of 29.43 feet; thence North 76° 15' 14" East a distance of 49.75 feet; thence North 77° 19' 30" E a distance of 20.82 feet and there terminating.

TOGETHER WITH A 66.00 foot PERMANENT EASEMENT for Highway purposes over, under and across the first above described property the center line described as follows:

Beginning at the terminus of the above described line; thence continue North 77° 19' 30" East along said center line a distance of 20.00 feet and there terminating.

AND TOGETHER WITH A TEMPORARY CONSTRUCTION EASEMENT over a strip of land 10.00 feet in width southerly of and adjacent to the above described strip and lying between lines drawn perpendicular to the centerline at engineer's stations 55+60 and 56+20.

Permanent Easement contains approximately 0.37 acre as described, of which 0.24 acre is existing roadway and 0.13 acre is new highway right of way.

Temporary easement areas contain a total of approximately 0.05 acre and shall expire on December 31, 2014.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board, pursuant to Minn. Stat. Chapter 163.02 et. al., authorizes the County Attorney to proceed under Minn. Stat. Chapter 117.02 et. al., to acquire the remaining necessary highway right of way by eminent domain proceedings, payable from Fund 200, Agency 203001, Objects 636500, 636600, and 637500.

Adopted August 6, 2013. No. 13-484

WHEREAS, Improving the design and operation of highway intersections is a critical emphasis area in Minnesota; and

WHEREAS, The Minnesota Department of Transportation (MnDOT) originally identified two intersections (Minnesota Trunk Highway No. 1 at County State Aid Highway No. 77 and Minnesota Trunk Highway No. 2 at County State Aid Highway No. 98) in St. Louis County to install Intersection Conflict Warning Systems; and

WHEREAS, MnDOT has identified an additional intersection (Minnesota Trunk Highway No. 169 at County State Aid Highway No. 21) in St. Louis County to install the Intersection Conflict Warning System; and

WHEREAS, The St. Louis County Public Works Department has reviewed and approved the additional warning system and its proposed installation location;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes Amendment No. 1 under MnDOT Agreement No. 01469 with the State of Minnesota, Department of Transportation, for the following purposes:

Provide Electrical Energy for the Intersection Conflict Warning System at the intersection of Minnesota Trunk Highway No. 169 and County State Aid Highway 21, under State Project No. 8816-1765, within St. Louis County.

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

300

Adopted August 6, 2013. No. 13-485

WHEREAS, The St. Louis County Public Works Department plans to reconstruct a small segment of the Sax Road (County State Aid Highway 28) and replace the existing bridge (County Bridge 396) over a branch of County Ditch No. 6 in McDavitt Township, County Project 186991; and

WHEREAS, These improvements consist of replacing the existing structure with a concrete box culvert at the same location and reconstructing the roadway as determined necessary to provide for the safety and convenience of the public; and

WHEREAS, In addition to the existing highway right of way, certain lands are required for this construction, together with temporary construction easements;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the Public Works Director to proceed with the acquisition of the necessary lands and temporary easements for this project, payable from Fund 200, Agency 203001;

RESOLVED FURTHER, That the State of Minnesota Department of Natural Resources is requested to provide St. Louis County with easement across State of Minnesota lands located in the SW ¼ of the SW ¼ of Section 27, and the NW ¼ of the NW ¼ of Section 34, all in Township 55 North, Range 18 West of the Fourth Principal Meridian, adjacent to the present course of County State Aid Highway 28.

Adopted August 6, 2013. No. 13-486

RESOLVED, That the St. Louis County Board authorizes the appropriate county officials to enter into an agreement and approve any amendments authorized by the County Attorney, whereby the county will purchase construction inspection services from Salo Engineering of Hermantown, MN, in the amount of \$47,500 for the reconstruction of County State Aid Highway CSAH 61/Scenic Highway 61 (SAP 69-661-017, CP 0061-173268), payable from Fund 225, Agency 173268, Object 626600 using State Bonds designated for flood disaster relief.

Adopted August 6, 2013. No. 13-487

WHEREAS, Quotes have been received by the County Public Works Department for the following project:

SAP 69-599-030, BR 596, County Project 128463, for project materials for a bridge on Unorganized Township Road 9111 in Hibbing, MN., length 0.1 mi.; and

WHEREAS, Quotes were received and the low bid determined;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves the quote for concrete culverts:

<u>LOW QUOTE</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
Hancock Concrete Products Concrete Culverts	17 Atlantic Ave. Hancock, MN 56244	\$166,846.37

RESOLVED FURTHER, That the appropriate county officials are authorized to approve the contractor's quote for the above listed project payable from Fund 220, Agency 220303, Object 651000 for concrete culverts.

Adopted August 6, 2013. No. 13-488

WHEREAS, St. Louis County has applied to the Minnesota Commissioner of Transportation for a grant from the Minnesota State Transportation Fund for Bridge 69J97 engineering costs on project SAP 69-598-041 on County Road 284/Ugstad Road in Proctor, MN; and

WHEREAS, The Commissioner of Transportation has given notice that funding for engineering services for this project is available in the amount of \$60,199;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board agrees to the terms and conditions of the grant consistent with Minn. Stat. § 174.50, Subd. 5(3), and will pay any additional amount by which the cost exceeds the estimate, and will return to the

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

302

a grant agreement with the Minnesota Commissioner of Transportation concerning the above-referenced grant.

Acct 266 Flood Bond Funds \$67,223.00 Engineering
Adopted August 6, 2013. No. 13-492

WHEREAS, St. Louis County has applied to the Minnesota Commissioner of Transportation for a grant from the Minnesota State Transportation Fund for Bridge 69K02 engineering costs on project SAP 69-598-049 on CR 192 in Van Buren Township; and

WHEREAS, The Commissioner of Transportation has given notice that funding for engineering services for this project is available in the amount of \$33,331;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board agrees to the terms and conditions of the grant consistent with Minn. Stat. § 174.50, Subd. 5(3), and will pay any additional amount by which the cost exceeds the estimate, and will return to the Minnesota State Transportation Fund any amount appropriated for engineering costs but not required;

RESOLVED FURTHER, That the appropriate county officials are authorized to execute a grant agreement with the Minnesota Commissioner of Transportation concerning the above-referenced grant.

Acct 266 Flood Bond Funds \$33,331.00 Engineering
Adopted August 6, 2013. No. 13-493

WHEREAS, St. Louis County has applied to the Minnesota Commissioner of Transportation for a grant from the Minnesota State Transportation Fund for engineering costs on project SAP 69-661-017 on CSAH 61/North Shore Drive in Duluth Township; and

WHEREAS, The Commissioner of Transportation has given notice that funding for engineering services for this project is available in the amount of \$180,000;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board agrees to the terms and conditions of the grant consistent with Minn. Stat. § 174.50, Subd. 5(3), and will pay any additional amount by which the cost exceeds the estimate, and will return to the Minnesota State Transportation Fund any amount appropriated for the engineering costs but not required;

RESOLVED FURTHER, That the appropriate county officials are authorized to execute a grant agreement with the Minnesota Commissioner of Transportation concerning the above-referenced grant.

Acct 266 Flood Bond Funds \$180,000.00 Engineering
Adopted August 6, 2013. No. 13-494

RESOLVED, That the St. Louis County Board authorizes an agreement (number 5087B), and any amendments authorized by the County Attorney, whereby the county will purchase surveying services from LHB, Inc., of Duluth, MN, for the recovery, restoration and perpetuation of corners of the Public Land Survey System in northern St. Louis County (southwest Ely area) in the amount of \$34,723, payable from Fund 200, Agency 200122, Object 626600.

Adopted August 6, 2013. No. 13-495

RESOLVED, That the St. Louis County Board authorizes an agreement (number 5087A), and any amendments authorized by the County Attorney, whereby the county will purchase surveying services from Benchmark Engineering of Mt. Iron, MN, for the recovery, restoration and perpetuation of corners of the Public Land Survey System in northern St. Louis County (northeast Ely area) in the amount of \$50,130, payable from Fund 200, Agency 200122, Object 626600.

Adopted August 6, 2013. No. 13-496

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

303

WHEREAS, Bids have been received electronically by the St. Louis County Public Works Department for the following project:

CP 0024-9291 on CSAH 24 between TR 4517 (Rapps Road) and CR 426 (Susan Lake Road) in Beatty Township, length 1.86 miles; and

WHEREAS, Bids were opened in the Richard H. Hansen Transportation & Public Works Complex, Duluth, MN, on July 25, 2013, and the low responsible bid determined;

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>
KGM Contractors, Inc.	9211 Hwy. 53 Angora, MN 55703	\$717,702.24

RESOLVED FURTHER, That the appropriate county officials are authorized to approve the Contractor's Performance Bonds and to execute the bonds and contract for the above listed project, payable from Fund 200, Agency 203296, Object 652800.

Adopted August 6, 2013. No. 13-497

WHEREAS, Bids have been received electronically by the St. Louis County Public Works Department for the following project:

SAP 69-598-047, WO 177722 (Storm) on CR 981 between CR 973 and CSAH 52 in Cotton Township, length 0.07 mile; and

WHEREAS, Bids were opened in the Richard H. Hansen Transportation & Public Works Complex, Duluth, MN, on July 25, 2013, and the low responsible bid determined;

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>
Northland Constructors of Duluth, LLC	4843 Rice Lake Rd. Duluth, MN 55803	\$934,946.84

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 225, Agency 177722, Object 652706.

Adopted August 6, 2013. No. 13-498

WHEREAS, The City of Virginia has requested a utility easement over the St. Louis County Virginia Motor Pool property to relocate the electric service line serving the St. Louis County Courthouse. Said property and easement are listed as follows:

Property Description: East One-half (E ½) of Lot Twenty-five (25) and all of Lot Twenty-six (26), Block Thirty-one (31), VIRGINIA

Easement Description: The Westerly 15 feet of the above described property;

and

WHEREAS, Minn. Stat. § 373.01, Sub. 1(4), authorizes St. Louis County to sell, lease and convey real estate owned by St. Louis County;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the appropriate county officials to grant a utility easement to the City of Virginia, pursuant to the requirements and procedures of Minn. Stat. § 373.01, Subd. 1(4).

Adopted August 6, 2013. No. 13-499

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. 59577.

Adopted August 6, 2013. No. 13-500

WHEREAS, The St. Louis County Safety & Risk Management Division offices (13 staff) are presently located in a leased facility in downtown Duluth, and relocating this division

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

304

is part of the initiative to house all county operations and functions in county owned buildings; and

WHEREAS, There is not enough space to locate this division in the Government Services Center in Duluth as part of the remodeling project, and the Public Safety Campus location better serves the division which supports departments and functions county wide; and

WHEREAS, County Purchasing solicited bids (Bid # 5086), which were opened on July 19, 2013, with Kraus-Anderson Construction Company providing the low bid;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the appropriate county officials to enter into a construction contract with Kraus-Anderson Construction Company of Duluth, MN, in an amount of \$499,800, for the remodeling of the Safety & Risk Management Building at the Public Safety Campus, payable from Fund 400, Agency 400036.

Adopted August 6, 2013. No. 13-501

RESOLVED, That the workers' compensation report of claims by employees for work-related injuries, dated July 26, 2013, on file in the office of the County Auditor, identified as County Board File No. 59592, is hereby received and ratified as payable from Fund 730, Agency 730001.

Adopted August 6, 2013. No. 13-502

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. 59633, are hereby approved and the County Auditor shall issue checks in the following amounts:

June 2013		
100	General Fund	\$6,562,807.35
148	Volunteer Fire Departments	253,012.84
149	Personnel Service Fund	313.36
150	Sheriff's Nemesis Fund Group	8,697.61
167	Attorney's Forfeitures	3,847.26
168	Sheriff's State Forfeitures	1,243.24
169	Attorney Trust Accounts-VW	1,081.97
172	Sheriff Federal Forfeitures	329.00
173	Emergency Shelter Grant	15,576.28
179	Enhanced 9-1-1	203,146.42
180	Law Library	20,150.33
183	City/County Communications	285.23
184	Extension Service	44,961.06
200	Public Works	3,632,847.62
210	Road Maintenance – Unorg Townships	81,675.24
220	State Road Aid	1,534,750.72
225	PW – June 2012 Flood	1,155,311.42
230	Public Health & Human Services	6,778,355.47
240	Forfeited Tax	375,598.69
260	CDBG Grant	76,186.32
270	Home Grant	82,695.31
280	Federal Septic Loan – EPA Fund	924.52
290	Forest Resources	138,842.72
309	Capital Improvement Bonds 2004A	141,368.75
311	Capital Improvement Bonds 2005A	69,842.50
313	Cap Imp Cross Ref Bonds 2006A	88,406.25
315	Capital Equipment Notes 2008A	13,475.00
316	Capital Improve Bonds 2008B	198,755.00

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

305

317	Capital Improv BAB Bond 2010A	99,097.50
400	County Facilities	70,575.07
402	Depreciation Reserve Fund	248,311.00
405	Public Works Building Const	3,437.00
407	Public Works – Equipment	4,995.00
439	2010A Capital Improvement Bond	40.04
600	Environmental Services	461,357.27
616	On-Site Waste Water Division	46,066.91
715	County Garage	227,033.16
720	Property Casualty Liability	6,625.03
730	Workers Compensation	158,053.86
770	Retired Employees Health Ins	517.80
855	Human Service Conference Fund	2,369.57
900	State of Minnesota	11,343,559.54
901	District Administrator	383,485.78
902	Courts	359,458.93
907	Special Taxes	45,663.27
908	Cities and Towns Taxes	19,937,735.00
909	Tax Refunds	41,589.14
910	School Districts Taxes	10,940,637.79
911	Taxes and Penalties	35,281.43
925	Arrowhead Regional Corrections	1,639,780.57
955	Community Health Board	186,512.96
985	Collective Local Collaborative	14,309.20
989	Regional Railroad Authority	219,573.23
990	Northern Cities Land Use	55.00
992	Permits to Carry – Firearms	42.00
994	Sheriff Forfeits/Evidence	1,301.11
998	MPL-DUL Train Alliance	31,530.07
		\$67,993,481.71

Adopted August 6, 2013. No. 13-503

BY COMMISSIONER NELSON:

WHEREAS, The St. Louis County Planning Commission, on April 11, 2013, initiated proposed St. Louis County Ordinance 60, Subdivision Regulations amendments; and
 WHEREAS, The Planning Commission held a public hearing regarding proposed amendments to St. Louis County Ordinance 60 on June 13, 2013; and
 WHEREAS, The Planning Commission voted to recommend that the St. Louis County Board of Commissioners adopt the proposed ordinance amendments; and
 WHEREAS, The St. Louis County Board held a public hearing on August 6, 2013, to consider the proposed amendments;
 THEREFORE, BE IT RESOLVED, That the St. Louis County Board of Commissioners adopts St. Louis County Ordinance 60, Subdivision Regulations amendments;
 RESOLVED FURTHER, That the effective date for these actions will be August 13, 2013.

Unanimously adopted August 6, 2013. No. 13-504

BY COMMISSIONER FORSMAN:

WHEREAS, The St. Louis County Planning Commission initiated zoning map amendments for St. Louis County Zoning Ordinance 46; and
 WHEREAS, The St. Louis County Planning Commission, on June 13, 2013, held a public hearing to consider amending the zoning maps; and
 WHEREAS, The St. Louis County Planning Commission recommends approval of the proposed amendments; and

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

306

WHEREAS, The St. Louis County Board held a public hearing on August 6, 2013 on the proposed amendments; and

WHEREAS, The proposed amendments have been available for review by the public, county staff and commissioners;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board amends St. Louis County Zoning Ordinance 46, Zoning Maps as proposed and consistent with the maps on file in the Planning and Community Development Department;

RESOLVED FURTHER, That the effective date will be August 13, 2013.

Unanimously adopted August 6, 2013. No. 13-505

BY COMMISSIONER RAUKAR:

WHEREAS, The Property Management Team had identified the following described property as surplus county fee owned land and was advertised for sale and bids were received:

Beginning at a point 800 feet West of the Southeast corner of the Northeast Quarter of the Southwest Quarter (NE $\frac{1}{4}$ - SW $\frac{1}{4}$), Section 13, Township 54 North, Range 17 West, of the Fourth Principal Meridian, thence due North for a distance of 792 feet; thence due West for a distance of 220 feet; thence due South for a distance of 792 feet to the South line of the NE $\frac{1}{4}$ - SW $\frac{1}{4}$; thence due East along said South line 220 feet to the point of beginning. Said parcel containing 4.0 acres.
Parcel Code: 305-0020-02255

and

Beginning at a point 1020 feet West of the Southeast corner of the Northeast Quarter of the Southwest Quarter (NE $\frac{1}{4}$ - SW $\frac{1}{4}$), Section 13, Township 54 North, Range 17 West, of the Fourth Principal Meridian, thence due North for a distance of 792 feet to a point; thence due West for a distance of 110 feet to a point; thence due South for a distance of 792 feet to the South line of the NE $\frac{1}{4}$ - SW $\frac{1}{4}$; thence due East along said South line 110 feet to the point of beginning. Said parcel containing 2.0 acres.
Parcel Code: 305-0020-02254;

and

WHEREAS, Russell A. Korpi of Cotton, MN submitted the highest bid of \$16,213.00 for the parcel;

THEREFORE, BE IT RESOLVED, That pursuant to the requirements and procedures of Minn. Stat. § 373.01, the St. Louis County Board authorizes the appropriate county officials to execute a quit claim deed, conveying the above listed property to Russell A. Korpi, for the high bid amount of \$16,213.00, payable to Fund 100, Agency 128014, Object 583100. Buyer is responsible for deed tax and recording fees.

Unanimously adopted August 6, 2013. No. 13-506

BY COMMISSIONER STAUBER:

WHEREAS, On June 14, 2011, the St. Louis County Board adopted Resolution No. 11-339 changing the committee structure of the Heading Home St. Louis County Ten Year Plan to End Homelessness; and

WHEREAS, Nine of the fifteen members of the Heading Home St. Louis County Leadership Council are appointed by the St. Louis County Board of Commissioners and six members are appointed by the Duluth City Council; and

WHEREAS, Two (2) At-Large openings currently exist which would fill the nine (9) appointments available to St. Louis County;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board appoints the following persons to the Heading Home St. Louis County Leadership Council to fill two (2) open At-Large positions:

Hal Nathan Thompson	At-Large Representative
Valerie J. Strukel	At-Large Representative

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

307

Unanimously adopted August 6, 2013. No. 13-507

BY COMMISSIONER NELSON:

WHEREAS, In accordance with 2004 Minn. Sess. Law Serv. Ch. 262, Sec. 3 (West), Amending Minn. Stat. Sec. 84.033 (2002), the Commissioner of the Department of Natural Resources on July 30, 2013, provided the St. Louis County Board with a description of lands to be designated by the State of Minnesota as a Scientific and Natural Area; and

WHEREAS, The lands to be designated are described as follows:

Government Lot Eight (8), Section Twenty-nine (29), Township Sixty-three (63) North, Range Thirteen (13) West of the Fourth Principal Meridian, according to the Government Survey thereof;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves the Minnesota Department of Natural Resources proposed designation of these lands as an addition to the Burntside Islands Scientific and Natural Area.

Unanimously adopted August 6, 2013. No. 13-508

**BY COMMISSIONER NELSON:
RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF
ST. LOUIS COUNTY, MINNESOTA, PROVIDING FOR THE ISSUANCE, SALE
AND DELIVERY OF \$20,650,000 GENERAL OBLIGATION CAPITAL
IMPROVEMENT BONDS, SERIES 2013A; ESTABLISHING THE TERMS AND
FORM THEREOF; CREATING A DEBT SERVICE FUND THEREFOR; AND
AWARDING THE SALE THEREOF**

BE IT RESOLVED, by the Board of Commissioners (the "Board") of St. Louis County, Minnesota (the "County"), as follows:

Section 1. Purpose and Authorization.

1.01 Under and pursuant to the authority contained in Minnesota Statutes, Section 373.40, and Minnesota Statutes, Chapter 475 (collectively the "Act"), the County is authorized to issue capital improvement bonds to provide funds for capital improvements pursuant to an approved capital improvement plan.

1.02 Pursuant to Resolution No. 13-350 adopted by the Board on June 4, 2013, the Board proposed an amendment to the County's Capital Improvement Plan, stated that it was considering issuing capital improvement bonds to finance capital improvements under the Capital Improvement Plan, as amended, and called for a public hearing to be held on July 2, 2013, regarding the plan amendment and the issuance of capital improvement bonds.

1.03 Following published notice and a public hearing according to the Act, the Board, pursuant to Resolution No. 13-402 adopted on July 2, 2013, approved the Capital Improvement Plan, as amended for the years 2013 through 2017 (the "Plan"), as presented to the Board and on file as County Board Document File No. 59661, and stated its intention to issue general obligation capital improvement bonds in the maximum amount of \$24,000,000 for the purpose of providing funds for the following capital improvements under the Plan and for the payment of costs of issuance of such bonds:

- Administration Building Improvements – improvements to the Government Services Center located in Duluth (the "Project").

1.04 No petition requesting a vote on the issuance of the bonds authorized pursuant

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

to Resolution No. 13-402 has been filed with the County Auditor in accordance with the Act.

1.05 The Board has determined that it is necessary and expedient to issue its \$20,650,000 General Obligation Capital Improvement Bonds, Series 2013A, of the County (the "Bonds") to provide funds to finance the Project and the costs of issuance of the Bonds. The maximum amount of principal and interest to become due in any year on the Bonds and all the outstanding bonds issued pursuant to Section 373.40 of the Act will not equal or exceed 0.12 percent of taxable market value of property in the County.

1.06 The County has solicited proposals for the sale of the Bonds and has received and considered all proposals presented pursuant to the Terms of Proposal and has determined that the most favorable proposal is that of Hutchinson, Shockey, Erley & Co. of Chicago, Illinois (the "Purchaser"), to purchase the Bonds at a cash price of \$21,080,299.03, and upon condition that the Bonds mature and bear interest at the times and annual rates set forth in Section 2. The County, after due consideration, finds such offer reasonable and proper and the offer of the Purchaser is hereby accepted. The Chair and the County Auditor are authorized and directed to execute on the part of the County a contract for the sale of the Bonds in accordance with the Purchaser's proposal. All actions of the Chair, the County Auditor, the Administrator and Springsted Incorporated, independent financial advisor to the County, taken with regard to the sale of the Bonds are hereby ratified and approved.

Section 2. Terms, Execution, and Delivery of the Bonds.

2.01 A. The Bonds to be issued hereunder shall be dated the date of issuance of the Bonds, as the date of original issue, shall be issued in the denomination of \$5,000, or any integral multiple thereof, in fully registered form and lettered and numbered R-1 and upward. The Bonds shall mature on December 1 in the respective years and amounts stated and shall bear interest at the annual rates as follows:

Year	Amount	Interest Rate
2015	\$800,000	2.000%
2016	\$815,000	2.000%
2017	\$835,000	2.000%
2018	\$850,000	2.000%
2019	\$865,000	4.000%
2020	\$900,000	5.000%
2021	\$945,000	5.000%
2022	\$995,000	3.000%
2023	\$1,025,000	3.000%
2024	\$1,055,000	3.500%
2025	\$1,090,000	3.500%
2026	\$1,130,000	4.500%
2027	\$1,180,000	4.250%
2028	\$1,230,000	4.000%
2029	\$1,280,000	4.000%
2030	\$1,330,000	4.000%
2031	\$1,385,000	4.100%
2033	\$2,940,000	4.125%

B. The Bonds maturing on December 1 in the year 2033 shall be subject to

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

309

mandatory redemption prior to maturity pursuant to the requirements of this Section 2.01B at a redemption price equal to the stated principal amount thereof plus interest accrued thereon to the redemption date, without premium. The Bond Registrar, as designated below, shall select for redemption, by lot or other manner deemed fair, on December 1 in each of the following years the following stated principal amounts:

For Bonds maturing on December 1, 2033 (the "2033 Term Bonds"):

YEAR	AMOUNT
2032	\$1,440,000
2033	\$1,500,000

* Final Maturity

2.02 The Bonds maturing in the years 2015 through 2021 shall not be subject to redemption and prepayment before maturity, but those maturing, or subject to mandatory redemption, in the year 2022 and in subsequent years shall each be subject to redemption and prepayment at the option of the County on December 1, 2021, and on any day thereafter, in whole or in part, and if in part, at the option of the County and in such manner as the County shall determine. If less than all the Bonds of a maturity are called for redemption, the County, through the Bond Registrar, will notify The Depository Trust Company, New York, New York ("DTC") of the particular amount of such maturity to be prepaid. DTC will determine by lot the amount of each participant's interest in such maturity to be redeemed and each participant will then select by lot the beneficial ownership interest in such maturity to be redeemed. All payments shall be at a price equal to the principal amount thereof plus accrued interest. No more than 60 days and no fewer than 30 days prior to the date fixed for redemption and prepayment of any Bonds, notice of redemption shall be mailed to each registered owner of a Bond to be redeemed, at the address shown on the registration books of the County.

2.03 The interest shall be payable semiannually on June 1 and December 1 in each year (each referred to herein as an "Interest Payment Date"), commencing June 1, 2014. Interest will be computed upon the basis of a 360-day year of twelve 30-day months and will be rounded pursuant to the rules of the Municipal Securities Rulemaking Board. The Bond Registrar designated below shall make all interest payments with respect to the Bonds by check or draft mailed to the registered owners of the Bonds shown on the bond registration records maintained by the Bond Registrar at the close of the business on the 15th day (whether or not on a business day) of the month next preceding the Interest Payment Date at such owners' addresses shown on such bond registration records.

2.04 A. The Bonds shall be prepared for execution in accordance with the approved form and shall be signed by the facsimile or manual signature of the Chair and attested by the manual or facsimile signature of the County Auditor. In case any officer whose signature shall appear on the Bonds shall cease to be an officer before delivery of the Bonds, such signature shall nevertheless be valid and sufficient for all purposes, the same as if such officer had remained in office until delivery.

B. The County Auditor is authorized and directed to obtain a copy of the proposed approving legal opinion of Fryberger, Buchanan, Smith & Frederick, P.A., Duluth, Minnesota, which is to be complete except as to dating thereof and cause the opinion to be printed on or attached to each Bond.

2.05 A. The Board hereby appoints the County Auditor, as registrar, paying agent

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

310

and transfer agent for the Bonds (the "Bond Registrar"). The County reserves the right to name a substitute, successor Bond Registrar upon giving prompt written notice to each registered bond holder. The manual signature of the County Auditor on the Bonds shall be conclusive evidence that it has been executed and delivered under this Resolution.

B. The County shall cause to be kept by the Bond Registrar at its principal office, a bond register in which, subject to such reasonable regulations as the Bond Registrar may prescribe, the County shall provide for the registration of the Bonds and the registration of transfers of the Bonds entitled to be registered or transferred as herein provided. In the event of the resignation or removal of the Bond Registrar or its incapability of acting as such, the bond registration records shall be maintained at the office of the successor Bond Registrar as may be appointed by the Board.

2.06 Book-Entry System.

A. In order to make the Bonds eligible for the services provided by DTC, the County has previously agreed to the applicable provisions set forth in the Blanket Issuer Letter of Representations which has been executed by the County and DTC (the "Representation Letter").

B. Notwithstanding any provision herein to the contrary, so long as the Bonds shall be in Book-Entry Form, the provisions of this Section 2.06 shall govern.

C. All of the Bonds shall be registered in the name of Cede & Co., as nominee for DTC. Payment of interest on and principal of any Bond registered in the name of Cede & Co. shall be made by wire transfer or New York Clearing House or equivalent same day funds by 10:00 a.m. CT or as soon as possible thereafter following the Bond Registrar's receipt of funds from the County on each Interest Payment Date to the account of Cede & Co. on each Interest Payment Date at the address indicated in or pursuant to the Representation Letter.

D. DTC (or its nominees) shall be and remain recorded on the Bond Register as the holder of all Bonds which are in Book-Entry Form. No transfer of any Bond in Book-Entry Form shall be made, except from DTC to another depository (or its nominee) or except to terminate the Book-Entry Form. All Bonds of such stated maturity of any Bonds in Book-Entry Form shall be issued and remain in a single Bond certificate registered in the name of DTC (or its nominee); provided, however, that upon termination of the Book-Entry Form pursuant to the Representation Letter, the County shall, upon delivery of all Bonds of such series from DTC, promptly execute, and the Bond Registrar shall thereupon authenticate and delivery, Bonds of such series to all persons who were beneficial owners thereof immediately prior to such termination; and the Bond Registrar shall register such beneficial owners as holders of the applicable Bonds.

The Bond Registrar shall maintain accurate books and records of the principal balance, if any, of each such outstanding Bond in Book-Entry Form, which shall be conclusive for all purposes whatsoever. Upon the execution or the authentication of any new Bond in Book-Entry Form in exchange for a previous Bond, the Bond Registrar shall designate thereon the principal balance remaining on such bond according to the Bond Registrar's books and records.

No beneficial owner (other than DTC) shall be registered as the holder on the Bond Register for any Bond in Book-Entry Form or entitled to receive any bond certificate. The beneficial ownership interest in any Bond in Book-Entry Form shall be recorded, evidenced and transferred solely in accordance with the Book-Entry System.

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

311

Except as expressly provided to the contrary herein, the County and the Bond Registrar may treat and deem DTC to be the absolute owner of all Bonds of each series which are in Book-Entry Form (i) for the purpose of payment of the principal of and interest on such Bond, (ii) for the purpose of giving notices hereunder, and (iii) for all other purposes whatsoever.

E. The County and the Bond Registrar shall each give notices to DTC of such matters and at such times as are required by the Representation Letter, including the following:

- (i) with respect to notices of redemption; and
- (ii) with respect to any other notice required or permitted under this Bond Resolution to be given to any holder of a Bond.

All notices of any nature required or permitted hereunder to be delivered to a holder of a Bond in Book-Entry Form shall be transmitted to beneficial owners of such Bonds at such times and in such manners as shall be determined by DTC, the participants and indirect participants in accordance with the Book-Entry System and the Representation Letter.

F. All payments of principal, redemption price of and interest on any Bonds in Book-Entry Form shall be paid to DTC (or Cede & Co.) in accordance with the Book-Entry System and the Representation Letter in same day funds by wire transfer.

2.07 The principal of and interest on the Bonds shall be payable by the Bond Registrar in such funds as are legal tender for the payment of debts due the United States of America. The County shall pay the reasonable and customary charges of the Bond Registrar for the disbursement of principal and interest.

2.08 If a Bond becomes mutilated or is destroyed, stolen, or lost, the Bond Registrar will deliver a new Bond of like amount, number, maturity date, and tenor in exchange and substitution for and upon cancellation of the mutilated Bond or in lieu of and in substitution for any Bond destroyed, stolen, or lost, upon the payment of the reasonable expenses and charges of the Bond Registrar and the County in connection therewith, including the cost of printing new Bonds; and, in the case of a Bond destroyed, stolen, or lost, upon filing with the Bond Registrar and the County of evidence satisfactory to it and the County that the Bond was destroyed, stolen, or lost, and of the ownership thereof, and upon furnishing to the Bond Registrar of an appropriate bond or indemnity in form, substance, and amount satisfactory to it and the County and as provided by law, in which both the County and the Bond Registrar must be named as obligees. Bonds so surrendered to the Bond Registrar will be canceled by the Bond Registrar and evidence of such cancellation must be given to the County. If the mutilated, destroyed, stolen, or lost Bond has already matured or been called for redemption in accordance with its terms, it is not necessary to issue a new Bond prior to payment.

2.09 Delivery of the Bonds and payment of the purchase price shall be made at a place mutually satisfactory to the County and the Purchaser. Executed Bonds shall be furnished by the County without cost to the Purchaser. The Bonds, when prepared in accordance with this Resolution and executed, shall be delivered by or under the direction of the County Auditor to the Purchaser thereof upon receipt of the purchase price plus accrued interest.

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

312

Section 3. Form of the Bonds.

3.01 The Bonds shall be printed or typewritten in substantially the following form:

UNITED STATES OF AMERICA
STATE OF MINNESOTA

ST. LOUIS COUNTY

GENERAL OBLIGATION CAPITAL IMPROVEMENT BOND,
SERIES 2013A

R-__

\$_____

<u>Rate</u>	<u>Maturity</u>	<u>Date of Original Issue</u>	<u>CUSIP</u>
_____%	December 1, 20__	September __, 2013	

REGISTERED OWNER: CEDE & CO.

PRINCIPAL AMOUNT: _____ DOLLARS

St. Louis County, Minnesota (the "County"), for value received, promises to pay to the registered owner specified above, or registered assigns, the principal amount specified above, on the maturity date specified above, and to pay interest on said principal amount to the registered owner hereof from the Date of Original Issue, or from the most recent Interest Payment Date to which interest has been paid or duly provided for, until the principal amount is paid or discharged, said interest being at the rate per annum specified above. Interest is payable semiannually on June 1 and December 1 of each year (each referred to herein as an "Interest Payment Date") commencing on June 1, 2014. Both principal hereof and interest hereon are payable in lawful money of the United States of America by check or draft at the main office of the County Auditor, as registrar, paying agent, authenticating agent and transfer agent (the "Bond Registrar"), or at the office of such successor registrar as may be designated by the Board of Commissioners. The Bond Registrar shall make all interest payments with respect to this Bond directly to the registered owner hereof shown on the bond registration records maintained on behalf of the County by the Bond Registrar at the close of business on the 15th day of the month next preceding the Interest Payment Date (whether or not a business day) at such owner's address shown on said bond registration records, without, except for payment of principal on the Bond, the presentation or surrender of this Bond, and all such payments shall discharge the obligations of the County to the extent of the payments so made. Payment of principal shall be made upon presentation and surrender of this Bond to the Bond Registrar when due. For the prompt and full payment of such principal and interest as they become due, the full faith and credit of the County are irrevocably pledged.

This Bond is one of a series issued by the County in the aggregate amount of \$20,650,000, all of like date and tenor, except as to number, amount, maturity date and interest rate, pursuant to the authority contained in Minnesota Statutes, Section 373.40

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

313

and Minnesota Statutes, Chapter 475, amendments to the County's Capital Improvement Plan approved by the governing board of the County on July 2, 2013 (the "Plan") and all other laws thereunto enabling, and pursuant to an authorizing resolution adopted by the governing body of the County on August 6, 2013 (the "Resolution"). This Bond is issued for the purpose of providing funds to finance administration building improvements, as more fully set forth in the Plan. The County has levied a direct, annual ad valorem tax upon all taxable property within the County which shall be extended upon the tax rolls for the years and in the amounts sufficient to produce sums not less than five percent in excess of the amounts of principal and interest on the Bonds, as such principal and interest respectively come due.

The Bonds maturing in the year 2033 shall be subject to mandatory redemption and redeemed in installments as provided in the Resolution, at par plus accrued interest to the date of redemption.

The Bonds of this series maturing in the years 2015 through 2021 are not subject to optional redemption before maturity, but those maturing, or subject to mandatory redemption, in the year 2022 and in subsequent years are each subject to redemption and prepayment at the option of the County on December 1, 2021, and on any day thereafter, in whole or in part, and if in part at the option of the County and in such manner as the County shall determine and by lot as to Bonds maturing in the same year, at a price of par plus accrued interest. Not less than 30 days nor more than 60 days prior to the date fixed for redemption and prepayment of any Bonds, notice of redemption shall be mailed to each registered owner of a Bond to be redeemed; however, so long as the Bonds are registered in the name of Cede & Co., as nominee for The Depository Trust Company, New York, New York ("DTC"), notice of redemption shall be given in accordance with the terms of the Blanket Issuer Letter of Representations executed by the County and DTC. If any Bond is redeemed in part, upon surrender of the Bond being redeemed, the County shall deliver or cause to be delivered to the registered owner of such Bond, a Bond in like form in the principal amount equal to that portion of the Bond so surrendered not being redeemed.

The Bonds of this series are issued as fully registered obligations without coupons, in the denomination of \$5,000 or any integral multiple thereof. Subject to limitations set forth in the Resolution, the County will, at the request of the registered owner, issue one or more new fully registered Bonds in the name of the registered owner in the aggregate principal amount equal to the unpaid principal balance of this Bond, and of like tenor except as to number and principal amount. This Bond is transferable by the registered owner hereof upon surrender of this Bond for transfer at the principal corporate office of the Bond Registrar, duly endorsed or accompanied by a written instrument of transfer in form satisfactory to the Bond Registrar and executed by the registered owner hereof or the owner's attorney duly authorized in writing. Thereupon the County shall execute and the Bond Registrar shall authenticate if required by law or the Resolution, and deliver, in exchange for this Bond, one or more new fully registered Bonds in the name of the transferee, of an authorized denomination, in an aggregate principal amount equal to the unpaid principal amount of this Bond, of the same maturity, and bearing interest at the same rate. No service charge shall be made for any transfer or exchange hereinbefore referred to but the County may require payment of a sum sufficient to cover any tax or other governmental charge payable in connection therewith.

IT IS CERTIFIED AND RECITED that all acts and conditions required by laws and the Constitution of the State of Minnesota to be done and to exist precedent to and in the issuance of this Bond, in order to make it a valid and binding general obligation of the County in accordance with its terms, have been done and do exist in form, time and

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

314

manner as so required; that all taxable property within the corporate limits of the County is subject to the levy of ad valorem taxes to the extent needed to pay the principal hereof and the interest thereon when due, without limitation as to rate or amount; and that the issuance of this Bond does not cause the indebtedness of the County to exceed any charter, constitutional or statutory limitation.

IN WITNESS WHEREOF, St. Louis County, Minnesota, by its governing body, has caused this Bond to be executed in its name by the manual or facsimile signatures of the Chair and the County Auditor.

Date of Execution: _____

ATTEST:

(form-no signature required) _____
County Auditor

(form-no signature required) _____
Chair

Certificate as to Legal Opinion

I certify that the above is a full, true and correct copy of the legal opinion rendered by Bond Counsel on the issuance of the Bonds, dated as of the date of delivery of and payment for the Bonds.

(form-no signature required) _____
County Auditor

REGISTRATION CERTIFICATE

This Bond must be registered as to both principal and interest in the name of the owner on the books to be kept by the County Auditor of St. Louis County, Minnesota, as Bond Registrar. No transfer of this Bond shall be valid unless made on said books by the registered owner or the owner's attorney thereunto duly authorized and similarly noted on the registration books. The ownership of the unpaid principal balance of this Bond and the interest accruing thereon is registered on the books of the County Auditor in the name of the registered owner last noted below.

<u>Date</u>	<u>Registered Owner</u>	<u>Signature of County Auditor</u>
___/___/13	Cede and Co. c/o The Depository Trust Company 55 Water Street New York, NY 10041 Federal Taxpayer I.D. No. 13-2555119	<i>(form-no signature required)</i>

ASSIGNMENT

FOR VALUE RECEIVED, the undersigned sells, assigns and transfers unto _____

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

315

(Name and Address of Assignee)

_____ Social Security or Other
_____ Identifying Number of Assignee

the within Bond and all rights thereunder and does hereby irrevocably constitute and appoint _____ attorney to transfer the said Bond on the books kept for registration thereof with full power of substitution in the premises.

Dated: _____

NOTICE: The signature to this assignment must correspond with the name of the registered owner as it appears upon the fact of the within Bond with every particular, without alteration or enlargement or any change whatsoever.

Signature Guaranteed:

(Bank, Trust Company, member of
National Securities Exchange)

Unless this Bond is presented by an authorized representative of The Depository Trust Company, a New York corporation ("DTC"), to the County or its agent for registration of transfer, exchange, or payment, and any Bond issued is registered in the name of Cede & Co. or in such other name as is requested by an authorized representative of DTC (and any payment is made to Cede & Co. or to such other entity as is requested by an authorized representative of DTC), ANY TRANSFER, PLEDGE, OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL, inasmuch as the registered owner hereof, Cede & Co., has an interest herein.

Section 4. Covenants, Accounts and Representations.

4.01 The full faith and credit and taxing power of the County are irrevocably pledged for the prompt and full payment of the Bonds and the interest thereon, in accordance with the terms set forth in this Resolution.

4.02 On receipt of the purchase price of the Bonds, the County shall credit \$21,078,750.00 of the proceeds from the sale of the Bonds to a separate construction fund, which is hereby created and designated as the "Series 2013A Capital Improvement Bonds Construction Account" in the Capital Projects Fund (the "Construction Fund"). The Construction Fund shall be used solely to pay costs of construction of the Project, and costs of issuance of the Bonds, as such payments become due.

4.03 A separate debt service fund is hereby created and is designated as the "General Obligation Capital Improvement Bonds, Series 2013A Debt Service Fund" (the

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

“Debt Service Fund”). Rounding in the amount of \$1,549.03 of the proceeds from the sale of the Bonds shall be credited to the Debt Service Fund. The money in the Debt Service Fund shall be used for no purpose other than the payment of principal of and interest on the Bonds issued hereunder, as such principal and interest becomes due and payable.

4.04 A. To assure sufficient monies for the payment of the principal of and interest on the Bonds, there is hereby levied a direct, annual, ad valorem tax upon all taxable property in the County which shall be extended upon the tax rolls and collected with and as part of the other general property taxes in the County for the years and in the amounts as follows:

Levy Year	Collection Year	Tax Levy
2013	2014	*\$988,626.00
2014	2015	\$1,639,245.00
2015	2016	\$1,638,195.00
2016	2017	\$1,642,080.00
2017	2018	\$1,640,295.00
2018	2019	\$1,638,195.00
2019	2020	\$1,638,615.00
2020	2021	\$1,638,615.00
2021	2022	\$1,641,502.00
2022	2023	\$1,641,660.00
2023	2024	\$1,640,872.00
2024	2025	\$1,638,851.00
2025	2026	\$1,640,793.00
2026	2027	\$1,639,901.00
2027	2028	\$1,639,743.00
2028	2029	\$1,640,583.00
2029	2030	\$1,639,323.00
2030	2031	\$1,641,213.00
2031	2032	\$1,639,339.00
2032	2033	\$1,639,969.00

* The levy Collection Year 2014 is reduced by \$1,549.03, which is the amount of the initial deposit, at closing, into the Debt Service Fund.

B. The tax levies are such that if collected in full they, together with the accrued interest, if any, will produce at least five percent in excess of the amount needed to meet when due the principal and interest payments on the Bonds. Such tax receipts shall be deposited in the Debt Service Fund. If the tax receipts from such levies are ever insufficient to pay all principal and interest on the Bonds when due, the County Auditor shall, nevertheless, provide sufficient monies from other funds of the County which are available and such other funds shall be reimbursed from such tax collections when received.

C. Such tax levies shall be irrevocable as long as any of the Bonds issued hereunder are outstanding and unpaid; provided, however, that prior to November 30 of each year, while any Bonds issued hereunder remain outstanding, the Board may reduce or cancel the above levies to the extent of the amount on deposit in and which has been appropriated to the Debt Service Fund to pay the principal of and interest on the Bonds,

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

317

and may direct the County Auditor to reduce the levy for such year by that amount.

4.05 Monies on deposit in the Construction Fund and in the Debt Service Fund may, at the discretion of the County, be invested in securities permitted by Minnesota Statutes, Chapter 118A; provided, that any such investments shall mature at such times and in such amounts as will permit for payment of the principal and interest on the Bonds when due.

Section 5. Tax Covenants.

5.01 The County covenants and agrees with the holders of the Bonds that the County will (i) take all action on its part necessary to cause the interest on the Bonds to be exempt from federal income taxes including, without limitation, restricting, to the extent necessary, the yield on investments made with the proceeds of the Bonds and investment earnings thereon, making required payments to the federal government, if any, and maintaining books and records in a specified manner, where appropriate, and (ii) refrain from taking any action which would cause interest on the Bonds to be subject to federal income taxes, including, without limitation, refraining from spending the proceeds of the Bonds and investment earnings thereon on certain specified purposes.

5.02 A. No portion of the proceeds of the Bonds shall be used directly or indirectly to acquire higher yielding investments or to replace funds which were used directly or indirectly to acquire higher yielding investments, except (i) for a reasonable temporary period until such proceeds are needed for the purpose for which the Bonds were issued, and (ii) in addition to the above, in an amount not greater than the lesser of five percent of the proceeds of the Notes or \$100,000. To this effect, any proceeds of the Bonds and any sums from time to time held in the Debt Service Fund (or any other County account which will be used to pay principal and interest to become due on the Bonds) in excess of amounts which under the applicable federal arbitrage regulations may be invested without regard as to yield shall not be invested at a yield in excess of the applicable yield restrictions imposed by the arbitrage regulations on such investments after taking into account any applicable temporary periods of minor portion made available under the federal arbitrage regulations.

B. In addition, the proceeds of the Bonds and money in the Debt Service Fund shall not be invested in obligations or deposits issued by, guaranteed by or insured by the United States or any agency or instrumentality thereof it and to the extent that such investment would cause the Bonds to be federally guaranteed within the meaning of Section 149(b) of the Internal Revenue code of 1986, as amended (the "Code").

C. The County hereby covenants not to use the proceeds of the Bonds, or to cause or permit them to be used, in such a manner as to cause the Bonds to be "private activity bonds" within the meaning of Sections 103 and 141 through 150 of the Code.

5.03 The County covenants to compute and cause the payment to the United States of all amounts required under the rebate requirement of Code Section 148(f), the regulations issued thereunder with regard to the Bonds. To this end, the County agrees to:

- (1) maintain records identifying all "gross proceeds" as defined in Code Section 148(f)(6)(B) attributable to the Bonds, the yield at which such gross proceeds are invested, any arbitrage profit derived therefrom (earnings in excess of the yield on the Bonds) and any earnings derived from the investment of such arbitrage profit;

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

318

- (2) make, or cause to be made within 30 days after the close of each fifth bond year, the annual determination of the amount, if any, of excess arbitrage required to be paid to the United States by the Village (the "Rebate Amount");
- (3) pay, or cause to be paid, to the United States at least once every five bond years the Rebate Amount, if any, including the last installment which must be made no later than 60 days after the day on which the Bonds are paid in full;
- (4) retain all records of the annual determination of the foregoing amounts until six years after the Bonds have been fully paid.

5.04 In addition to the Bonds, the County is selling, pursuant to a single offering document and on the same date, the following obligations: (i) General Obligation Capital Equipment Notes, Series 2013B (the "Series 2013B Notes"); (ii) General Obligation Capital Improvement Refunding Bonds, Series 2013C (the "Series 2013C Bonds"); and (iii) General Obligation Capital Improvement Refunding Bonds, Series 2013D (the "Series 2013D Bonds"). The Bonds will be paid out of substantially the same source as the Series 2013B Notes, the Series 2013C Bonds and the Series 2013D Bonds; consequently, the Bonds, the Series 2013B Notes, the 2013C Bonds and the 2013D Bonds are a single issue under Treasury Regulations Section 1.150-1(c).

5.05 The County shall use its best efforts to comply with any federal procedural requirements which may apply in order to effectuate the designation made by this section.

Section 6. Miscellaneous.

6.01 The County Auditor is directed to file a certified copy of this Resolution and such other information as may be required, and to provide to bond counsel a certificate stating that the Bonds herein authorized have been duly entered on his register.

6.02 The officers of the County are authorized and directed to prepare and furnish to the Purchaser and to bond counsel, certified copies of all proceedings and records of the County relating to the legality and marketability of the Bonds, as such facts appear from the official books and records in the officers' custody or are otherwise known to them. All such certified copies, Bonds, and affidavits, including any heretofore furnished, constitute representations of the County as to the correctness of the facts recited therein and the action stated therein to have been taken.

6.03 The Chair and the County Auditor are hereby authorized and directed to certify that they have examined the Official Statement prepared and circulated in connection with the issuance and sale of the Bonds and that to the best of their knowledge and belief the Official Statement is a complete and accurate representation of the facts and representations made therein as of the date of the Official Statement.

6.04 In the event of the absence or disability of the Chair or the County Auditor, such officers as in the opinion of the County Attorney, may act in their behalf, shall without further act or authorization, execute and deliver the Bonds, and do all things and execute all instruments and documents required to be done or executed by such absent or disabled officers.

Section 7. Continuing Disclosure. The County acknowledges that the Bonds are subject to the continuing disclosure requirements of Rule 15c2-12 promulgated by the Securities and Exchange Commission under the Securities Exchange Act of 1934 (17 C.F.R. § 240.15c2-12) (the "Rule"). The Rule governs the obligations of certain

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

319

underwriters to require that issuers of municipal bonds enter into agreements for the benefit of the bondholders to provide continuing disclosure with respect to the bonds. To provide for the public availability of certain information relating to the Bonds and the security therefor and to permit underwriters of the Bonds to comply with the Rule, which will enhance the marketability of the Bonds, the Chair and the County Auditor are hereby authorized and directed to execute a Continuing Disclosure Certificate substantially in the form of the Certificate currently on file in the office of the County Auditor.

Section 8. Post-Issuance Compliance Policy and Procedures. The Board has previously approved a Post-Issuance Debt Compliance Policy and Post-Issuance Debt Compliance Procedures which applies to qualifying obligations to provide for compliance with all applicable federal regulations for tax-exempt obligations or tax-advantaged obligations (collectively, the "Policy and Procedures"). The Board hereby approves the Policy and Procedures for the Bonds. The County Auditor continues to be designated to be responsible for post-issuance compliance in accordance with the Policy and Procedures.

Adopted: August 6, 2013.

Unanimously adopted August 6, 2013. No. 13-509

BY COMMISSIONER JEWELL:

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF
ST. LOUIS COUNTY, MINNESOTA, PROVIDING FOR THE ISSUANCE,
SALE AND DELIVERY OF \$4,640,000 GENERAL OBLIGATION CAPITAL
EQUIPMENT NOTES, SERIES 2013B; ESTABLISHING THE TERMS AND
FORM THEREOF; CREATING A DEBT SERVICE FUND THEREFOR; AND
AWARDING THE SALE THEREOF**

BE IT RESOLVED, by the Board of County Commissioners of St. Louis County, Minnesota (the "County"), as follows:

Section 1. Note Purpose and Authorization.

1.01 Under and pursuant to the provisions of Minnesota Statutes, Section 373.01 and Minnesota Statutes, Chapter 475, the County is authorized to issue its general obligation capital equipment notes to provide funds to purchase capital equipment.

1.02 The Board of County Commissioners of the County hereby determines that it is necessary and expedient to issue \$4,640,000 General Obligation Capital Equipment Notes, Series 2013B, of the County (the "Notes") to provide funds to purchase capital equipment and to pay certain expenses incurred in the issuance of the Notes.

1.03 The County has solicited proposals for the sale of the Notes and has received and considered all proposals presented pursuant to the Terms of Proposal and has determined that the most favorable proposal is that of Hutchinson, Shockey, Erley & Co. of Chicago, Illinois (the "Purchaser"), to purchase the Notes at a cash price of \$5,028,345.20, and upon the terms and conditions hereafter specified in this Resolution. The Board of County Commissioners, after due consideration, finds such proposal reasonable and proper and the proposal of the Purchaser is hereby accepted. The Chair and the County Auditor are authorized and directed to execute on the part of the County a contract for the sale of the Notes in accordance with the Purchaser's proposal. All actions of the Chair, the County Auditor, the Administrator and Springsted Incorporated, independent financial advisor to the County, taken with regard to the sale of the Notes are

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

hereby ratified and approved.

Section 2. Terms of the Notes.

2.01 The Notes to be issued hereunder shall be dated the date of issuance of the Notes, as the date of original issue, shall be issued in the denomination of \$5,000, or any integral multiple thereof, in fully registered form and lettered and numbered R-1 and upward. The Notes shall bear interest at the annual rates and shall mature on December 1 in the years and amounts shown below:

YEAR	AMOUNT	INTEREST RATE
2014	\$575,000	3.00%
2015	\$630,000	4.00%
2016	\$655,000	2.00%
2017	\$670,000	2.00%
2018	\$685,000	2.00%
2019	\$695,000	5.00%
2020	\$730,000	5.00%

2.02 The Notes shall not be subject to redemption and prepayment before maturity.

2.03 The interest shall be payable semiannually on June 1 and December 1 in each year (the "Interest Payment Dates"), commencing on June 1, 2014. Interest will be computed upon the basis of a 360-day year of twelve 30-day months and will be rounded pursuant to the rules of the Municipal Securities Rulemaking Board. The Bond Registrar designated below shall make all interest payments with respect to the Notes by check or draft mailed to the registered owners of the Notes shown on the bond registration records maintained by the Bond Registrar at the close of business on the 15th day (whether or not on a business day) of the month next preceding the Interest Payment Date at such owners' addresses shown on such bond registration records.

2.04 A. The Notes shall be prepared for execution in accordance with the approved form and shall be signed by the facsimile or manual signature of the Chair and attested by the manual signature of the County Auditor. In case any officer whose signature shall appear on the Notes shall cease to be an officer before delivery of the Notes, such signature shall nevertheless be valid and sufficient for all purposes, the same as if such officer had remained in office until delivery.

B. The County Auditor is authorized and directed to obtain a copy of the proposed approving legal opinion of Fryberger, Buchanan, Smith & Frederick, P.A., Duluth, Minnesota, which is to be complete except as to dating thereof and cause the opinion to be printed on or attached to each Note.

2.05 A. The Board of County Commissioners hereby appoints the County Auditor, as registrar, authenticating agent, paying agent and transfer agent for the Notes (the "Bond Registrar"). The County reserves the right to name a substitute, successor Bond Registrar upon giving prompt written notice to each registered note holder. The manual signature of the County Auditor on the Notes shall be conclusive evidence that it has been executed and delivered under this Resolution.

B. The County shall cause to be kept by the Bond Registrar at its principal office a bond register in which, subject to such reasonable regulations as the Bond Registrar

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

321

may prescribe, the County shall provide for the registration of the Notes and the registration of transfers of the Notes entitled to be registered or transferred as herein provided. In the event of the resignation or removal of the Bond Registrar or its incapability of acting as such, the note registration records shall be maintained at the office of the successor Bond Registrar as may be appointed by the Board.

2.06 Book-Entry System.

A. In order to make the Notes eligible for the services provided by DTC, the County has previously agreed to the applicable provisions set forth in the Blanket Issuer Letter of Representations which has been executed by the County and DTC (the "Representation Letter").

B. Notwithstanding any provision herein to the contrary, so long as the Notes shall be in Book-Entry Form, the provisions of this Section 2.06 shall govern.

C. All of the Notes shall be registered in the name of Cede & Co., as nominee for DTC. Payment of interest on and principal of any Note registered in the name of Cede & Co. shall be made by wire transfer or New York Clearing House or equivalent same day funds by 10:00 a.m. CT or as soon as possible thereafter following the Bond Registrar's receipt of funds from the County on each Interest Payment Date to the account of Cede & Co. on each Interest Payment Date at the address indicated in or pursuant to the Representation Letter.

D. DTC (or its nominees) shall be and remain recorded on the Bond Register as the holder of all Notes which are in Book-Entry Form. No transfer of any Note in Book-Entry Form shall be made, except from DTC to another depository (or its nominee) or except to terminate the Book-Entry Form. All Notes of such stated maturity of any Notes in Book-Entry Form shall be issued and remain in a single Note certificate registered in the name of DTC (or its nominee); provided, however, that upon termination of the Book-Entry Form pursuant to the Representation Letter, the County shall, upon delivery of all Notes of such series from DTC, promptly execute, and the Bond Registrar shall thereupon authenticate and deliver, Notes of such series to all persons who were beneficial owners thereof immediately prior to such termination; and the Bond Registrar shall register such beneficial owners as holders of the applicable Notes.

The Bond Registrar shall maintain accurate books and records of the principal balance, if any, of each such outstanding Note in Book-Entry Form, which shall be conclusive for all purposes whatsoever. Upon the execution or the authentication of any new Note in Book-Entry Form in exchange for a previous Note, the Bond Registrar shall designate thereon the principal balance remaining on such Note according to the Bond Registrar's books and records.

No beneficial owner (other than DTC) shall be registered as the holder on the Bond Register for any Note in Book-Entry Form or entitled to receive any bond certificate. The beneficial ownership interest in any Note in Book-Entry Form shall be recorded, evidenced and transferred solely in accordance with the Book-Entry System.

Except as expressly provided to the contrary herein, the County and the Bond Registrar may treat and deem DTC to be the absolute owner of all Notes of each series which are in Book-Entry Form (i) for the purpose of payment of the principal of and interest on such Note, (ii) for the purpose of giving notices hereunder, and (iii) for all other purposes whatsoever.

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

322

E. The County and the Bond Registrar shall each give notices to DTC of such matters and at such times as are required by the Representation Letter, including the following:

- (i) with respect to notices of redemption; and
- (ii) with respect to any other notice required or permitted under this Bond Resolution to be given to any holder of a Note.

All notices of any nature required or permitted hereunder to be delivered to a holder of a Note in Book-Entry Form shall be transmitted to beneficial owners of such Notes at such times and in such manners as shall be determined by DTC, the participants and indirect participants in accordance with the Book-Entry System and the Representation Letter.

F. All payments of principal, redemption price of and interest on any Notes in Book-Entry Form shall be paid to DTC (or Cede & Co.) in accordance with the Book-Entry System and the Representation Letter in same day funds by wire transfer.

2.07 The principal of and interest on the Notes shall be payable by the Bond Registrar in such funds as are legal tender for the payment of debts due the United States of America. The County shall pay the reasonable and customary charges of the Bond Registrar for the disbursement of principal and interest.

2.08 If a Note becomes mutilated or is destroyed, stolen, or lost, the Bond Registrar will deliver a new Note of like amount, number, maturity date, and tenor in exchange and substitution for and upon cancellation of the mutilated Note or in lieu of and in substitution for any Note destroyed, stolen, or lost, upon the payment of the reasonable expenses and charges of the Bond Registrar and the County in connection therewith, including the cost of printing new Notes; and, in the case of a Note destroyed, stolen, or lost, upon filing with the Bond Registrar and the County of evidence satisfactory to it and the County that the Note was destroyed, stolen, or lost, and of the ownership thereof, and upon furnishing to the Bond Registrar of an appropriate bond or indemnity in form, substance, and amount satisfactory to it and the County and as provided by law, in which both the County and the Bond Registrar must be named as obligees. Notes so surrendered to the Bond Registrar will be canceled by the Bond Registrar and evidence of such cancellation must be given to the County. If the mutilated, destroyed, stolen, or lost Note has already matured or been called for redemption in accordance with its terms, it is not necessary to issue a new Note prior to payment.

2.09 Delivery of the Notes and payment of the purchase price shall be made at a place mutually satisfactory to the County and the Purchaser. Executed Notes shall be furnished by the County without cost to the Purchaser. The Notes, when prepared in accordance with this Resolution and executed, shall be delivered by or under the direction of the County Auditor to the Purchaser thereof upon receipt of the purchase price plus accrued interest.

Section 3. Form of the Notes.

3.01 The Notes shall be printed or typewritten in substantially the following form:

UNITED STATES OF AMERICA
STATE OF MINNESOTA

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

323

R-__ \$_____

ST. LOUIS COUNTY
GENERAL OBLIGATION CAPITAL EQUIPMENT NOTE
SERIES 2013B

<u>Rate</u>	<u>Maturity Date</u>	<u>Date of Original Issue</u>	<u>CUSIP</u>
___%	December 1, 20__	September __, 2013	

REGISTERED OWNER: CEDE & CO.

PRINCIPAL AMOUNT:

St. Louis County, State of Minnesota (the "County"), for value received, promises to pay to the registered owner specified above, or registered assigns, the principal amount specified above, on the date specified above, and to pay interest on said principal sum to the registered owner hereof from the Date of Original Issue, or from the most recent interest payment date to which interest has been paid or duly provided for, until the principal sum is paid or discharged, said interest being at the rate per annum specified above. Interest is payable semiannually on June 1 and December 1 of each year (the "Interest Payment Dates"), commencing on June 1, 2014. Both principal hereof and interest hereon are payable in lawful money of the United States of America by check or draft by the County Auditor of St. Louis County, Minnesota, as registrar, paying agent, authenticating agent and transfer agent (the "Bond Registrar"), or the office of such successor registrar as may be designated by the Board of Commissioners. The Bond Registrar shall make all interest payments with respect to this Note directly to the registered owner hereof shown on the registration records maintained on behalf of the County by the Bond Registrar at the close of business on the 15th day of the month next preceding the Interest Payment Date (whether or not a business day) at such owner's address shown on said bond registration records, without, except for payment of principal on the Note, the presentation or surrender of this Note, and all such payments shall discharge the obligations of the County to the extent of the payments so made. Payment of principal shall be made upon presentation and surrender of this Note to the Bond Registrar when due. For the prompt and full payment of such principal and interest as they become due, the full faith and credit of the County are irrevocably pledged.

This Note is one of a series issued by the County in the aggregate amount of \$4,640,000 pursuant to the authority contained in Minnesota Statutes, Section 373.01 and Chapter 475, and all other laws thereunto enabling, and pursuant to an authorizing resolution adopted by the governing body of the County on August 6, 2013 (the "Note Resolution"), and is issued for the purpose of providing money, together with other available funds, for the purchase of capital equipment.

The County has levied a direct, annual ad valorem tax upon all taxable property within the County which shall be extended upon the tax rolls for the years and in the amounts sufficient to produce sums not less than five percent in excess of the amounts of principal and interest on the Notes, as such principal and interest respectively come due.

The Notes shall not be subject to redemption before maturity.

The Notes of this series are issued as fully registered bonds without coupons, in the

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

324

denomination of \$5,000 or any integral multiple thereof. Subject to limitations set forth in the Note Resolution, the County will, at the request of the registered owner, issue one or more new fully registered Notes in the name of the registered owner in the aggregate principal amount equal to the unpaid principal balance of this Note, and of like tenor except as to number and principal amount. This Note is transferable by the registered owner hereof upon surrender of this Note for transfer at the office of the Bond Registrar, duly endorsed or accompanied by a written instrument of transfer in form satisfactory to the County and executed by the registered owner hereof or his attorney duly authorized in writing. Thereupon the County shall execute and deliver, in exchange for this Note, one or more new fully registered Notes in the name of the transferee, of an authorized denomination, in an aggregate principal amount equal to the principal amount of this Note, of the same maturity, and bearing interest at the same rate.

IT IS CERTIFIED AND RECITED that all acts and conditions required by the laws and the Constitution of the State of Minnesota to be done and to exist precedent to and in the issuance of this Note, in order to make it a valid and binding general obligation of the County in accordance with its terms, have been done and do exist in form, time and manner as so required; that all taxable property within the County is subject to the levy of ad valorem taxes to the extent needed to pay the principal hereof and the interest hereon when due without limitations to rate or amount; and that the issuance of this Note does not cause the indebtedness of the County to exceed any constitutional or statutory limitation.

IN WITNESS WHEREOF, St. Louis County, Minnesota, by its governing body, has caused this Note to be executed in its name by the manual or facsimile signatures of the Chair and the County Auditor, all as of the date of original issue specified above.

Date of Execution: _____

ATTEST:

(Form - no signature required)
County Auditor

(Form - no signature required)
Chair

BOND COUNSEL OPINION

I certify that the attached is a full, true and correct copy of the legal opinion rendered by Bond Counsel on the issuance of the Notes, dated as of the date of original delivery of and payment for the Notes.

(Form - no signature required)
County Auditor

REGISTRATION CERTIFICATE

This Note must be registered as to both principal and interest in the name of the owner on the books to be kept by the County Auditor of St. Louis County, Minnesota, as Bond Registrar. No transfer of this Note shall be valid unless made on said books by the registered owner or the owner's attorney thereunto duly authorized and similarly noted on the registration books. The ownership of the unpaid principal balance of this Note and the interest accruing thereon is registered on the books of the County Auditor in the name of the registered owner last noted below.

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

325

<u>Date</u>	<u>Registered Owner</u>	<u>Signature of County Auditor</u>
___/___/13	Cede & Co. c/o The Depository Trust Company 55 Water Street New York, NY 10041 Federal Taxpayer I.D. No. 13-2555119	<i>(form-no signature required)</i>

ASSIGNMENT

FOR VALUE RECEIVED, the undersigned sells, assigns and transfers unto

_____ Social Security or Other
_____ Identifying Number of Assignee

(Name and Address of Assignee)

the within Note and all rights thereunder and does hereby irrevocably constitute and appoint _____ attorney to transfer the said Note on the books kept for registration thereof with full power of substitution in the premises.

Dated: _____

NOTICE: The signature to this assignment must correspond with the name of the registered owner as it appears upon the face of the within Note in every particular, without alteration or enlargement or any change whatsoever.

Signature Guaranteed:

(Bank, Trust Company, member of
National Securities Exchange)

Unless this Note is presented by an authorized representative of The Depository Trust Company, a New York corporation ("DTC"), to the County or its agent for registration of transfer, exchange, or payment, and any Note issued is registered in the name of Cede & Co. or in such other name as is requested by an authorized representative of DTC (and any payment is made to Cede & Co. or to such other entity as is requested by an authorized representative of DTC), ANY TRANSFER, PLEDGE, OR

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

OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL, inasmuch as the registered owner hereof, Cede & Co., has an interest herein.

Section 4. Covenants, Accounts and Representations.

4.01 The full faith and credit and taxing power of the County are irrevocably pledged for the prompt and full payment of the Notes and the interest thereon, in accordance with the terms set forth in this resolution.

4.02 On receipt of the purchase price of the Notes, the County Auditor shall credit \$5,028,270.00 of the proceeds from the sale of the Notes to a separate acquisition account, which is hereby created and designated as the "2013B Capital Equipment Acquisition Account of the General Fund" (the "Acquisition Fund"). Proceeds of the Notes on deposit in the Acquisition Fund shall be used to pay the costs of "capital equipment," as defined in Minnesota Statutes, Section 373.01, Subd. 3, as amended, with an expected useful life of at least seven years and three months, and costs of issuance of the Notes, as such payments become due.

4.03 A separate debt service fund is hereby created and is designated as the "2013B General Obligation Capital Equipment Notes Debt Service Fund" (the "Debt Service Fund"). The money in such fund shall be used for no purpose other than the payment of principal of and interest on the Notes issued hereunder, as such principal and interest becomes due and payable; provided, however, that if any payment of principal or interest shall become due when there is not sufficient money in the Debt Service Fund, the County Auditor shall pay the same from any other funds of the County and said funds shall be reimbursed for such advance out of the proceeds of the taxes hereinafter levied. The County shall credit to the Debt Service Fund \$75.20 from the proceeds of the Notes from the rounding amount.

4.04 A. To assure sufficient monies for payment of the principal and interest on the Notes, there is hereby levied upon all of the taxable property in the County a direct annual ad valorem tax which shall be spread upon the tax rolls and collected with and as part of other general property taxes in the County for the years and amounts as follows:

Levy Year	Collection Year	Amount
2013	2014	*\$803,874.00
2014	2015	\$804,983.00
2015	2016	\$804,773.00
2016	2017	\$806,768.00
2017	2018	\$808,448.00
2018	2019	\$804,563.00
2019	2020	\$804,825.00

* The levy Collection Year 2013 is reduced by \$75.20, which is the amount of the initial deposit, at closing, into the Debt Service Fund.

B. The tax levies, together with the initial deposit and accrued interest, if any, are such that if collected in full they will produce at least five percent (5%) in excess of the amount needed to meet when due the principal and interest payments on the Notes. Such

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

327

tax receipts shall be deposited in the Debt Service Fund. If the tax receipts from such levy are ever insufficient to pay all principal and interest on the Notes when due, the County Auditor shall, nevertheless, provide sufficient monies from other funds of the County which are available and such other funds shall be reimbursed from such tax collections when received.

C. Such tax levies shall be irrevocable as long as any of the Notes issued hereunder are outstanding and unpaid; provided, however, that prior to November 30 of each year while any Notes issued hereunder remain outstanding, the Board of County Commissioners may reduce or cancel the above levies to the extent of the amount on deposit in and which has been appropriated to the Debt Service Fund to pay the principal of and interest on the Notes, and may direct the County Auditor to reduce the levy for such year by that amount.

4.05 Monies on deposit in the Acquisition Fund and the Debt Service Fund may, at the discretion of the County, be invested in securities permitted by Minnesota Statutes, Section 118A; provided, that any such investments shall mature at such times and in such amounts as will permit for payment of principal and interest on the Notes when due.

Section 5. Tax Covenants.

5.01 The County covenants and agrees with the holders of the Notes that the County will (a) take all action on its part necessary to assure that the interest on the Notes to be executed from gross income for federal income taxes including, without limitation, restricting, to the extent necessary, the yield on investments made with the proceeds of the Notes and investment earnings thereon, making required payments to the federal government, if any, and maintaining books and records in a specified manner, where appropriate, and (b) refrain from taking any action which would cause interest on the Notes to be subject to federal income taxes, including, without limitation, refraining from spending the proceeds of the Notes and investment earnings thereon on certain specified purposes.

5.02 A. No portion of the proceeds of the Notes shall be used directly or indirectly to acquire higher yielding investments or to replace funds which were used directly or indirectly to acquire higher yielding investments, except (i) for a reasonable temporary period until such proceeds are needed for the purpose for which the Notes were issued, and (ii) in addition to the above, in an amount not greater than the lesser of five percent of the proceeds of the Notes or \$100,000. To this effect, any proceeds of the Notes and any sums from time to time held in the Debt Service Fund (or any other County account which will be used to pay principal and interest to become due on the Notes) in excess of amounts which under the applicable federal arbitrage regulations may be invested without regard as to yield shall not be invested at a yield in excess of the applicable yield restrictions imposed by the arbitrage regulations on such investments after taking into account any applicable temporary periods of minor portion made available under the federal arbitrage regulations.

B. In addition, the proceeds of the Notes and money in the Debt Service Fund shall not be invested in obligations or deposits issued by, guaranteed by or insured by the United States or any agency or instrumentality thereof if and to the extent that such investment would cause the Notes to be federally guaranteed within the meaning of Section 149(b) of the Internal Revenue Code of 1986, as amended (the "Code").

C. The County hereby covenants not to use the proceeds of the Notes, or to cause or permit them to be used, in such a manner as to cause the Notes to be "private activity

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

328

bonds” within the meaning of Sections 103 and 141 through 150 of the Code.

5.03 Pursuant to Section 1.148-7(d) of the Treasury Regulations, relating to 18-month spending arbitrage exception from rebate, the County hereby reasonably expects that with respect to the gross proceeds of the Notes, the following schedule will be met: (i) at least 15% of the gross proceeds of the Notes will be allocated to expenditures for the governmental purpose of the Notes within six months of the date of issue of the Notes; (ii) at least 60% of such proceeds will be allocated for such purposes within the one year period of such date; and (iii) 100% of such proceeds will be allocated for such purposes within the 18 month period beginning on such date; subject to an exception for reasonable retainage of 5% of the available proceeds of the Notes, and that 100% of the available proceeds of the Notes will be allocated within 30 months from the date of issue of the Notes.

5.04 In addition to the Notes, the County is selling, pursuant to a single offering document and on the same date, the following obligations: (i) General Obligation Capital Improvement Bonds, Series 2013A (the “Series 2013A Bonds”); (ii) General Obligation Capital Improvement Refunding Bonds, Series 2013C (the “Series 2013C Bonds”); and (iii) General Obligation Capital Improvement Refunding Bonds, Series 2013D (the “Series 2013D Bonds”). The Notes will be paid out of substantially the same source as the Series 2013A Bonds, the Series 2013C Bonds and the Series 2013D Bonds; consequently, the Notes, the Series 2013A Bonds, the 2013C Bonds and the 2013D Bonds are a single issue under Treasury Regulations Section 1.150-1(c).

5.05 The County shall use its best efforts to comply with any federal procedural requirements which may apply in order to effectuate the designation made by this paragraph.

Section 6. Proceedings.

6.01 The County Auditor is directed to file a certified copy of this Resolution and such other information as required, and to provide to Bond Counsel a certificate stating that the Notes herein authorized have been duly entered on his register.

6.02 The officers of the County are authorized and directed to prepare and furnish to Bond Counsel certified copies of all proceedings and records of the County relating to the authorization and issuance of the Notes and other affidavits and certificates as may reasonably be requested to show the facts relating to the legality and marketability of the Notes as such facts appear from the official books and records of the officers’ custody or otherwise known to them. All of such certified copies, certificates and affidavits, including any heretofore furnished, constitute representations of the County as to the correctness of facts recited therein and the actions stated therein to have been taken.

6.03 The Chair and County Auditor are hereby authorized and directed to certify that they have examined the Official Statement prepared and circulated in connection with the issuance and sale of the Notes and that to the best of their knowledge and belief the Official Statement is a complete and accurate representation of the facts and representations made herein as of the date of the Official Statement.

6.04 In the event of the absence or disability of the Chair or County Auditor, such officers as in the opinion of the County attorney may act in their behalf shall, without further act or authorization, execute and deliver the Notes, and do all things and execute all instruments and documents required to be done or executed by such absent or disabled officers.

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

329

Section 7. Continuing Disclosure.

7.01 The County acknowledges that the Notes are subject to the continuing disclosure requirements of Rule 15c2-12 promulgated by the Securities and Exchange Commission under the Securities Exchange Act of 1934 (17 C.F.R. 240.15c2-12) (the "Rule"). The Rule governs the obligations of certain underwriters to require that issuers of municipal bonds enter into agreements for the benefit of the note holders to provide continuing disclosure with respect to the bonds. To provide for the public availability of certain information relating to the Notes and the security therefor and to permit underwriters of the Notes to comply with the Rule, which will enhance the marketability of the Notes, the Chair and the County Auditor are hereby authorized and directed to execute a Continuing Disclosure Certificate substantially in the form of the Certificate currently on file in the office of the County Auditor.

Section 8. Post-Issuance Compliance Policy and Procedures. The Board has previously approved a Post-Issuance Debt Compliance Policy and Post-Issuance Debt Compliance Procedures which applies to qualifying obligations to provide for compliance with all applicable federal regulations for tax-exempt obligations or tax-advantaged obligations (collectively, the "Policy and Procedures"). The Board hereby approves the Policy and Procedures for the Bonds. The County Auditor continues to be designated to be responsible for post-issuance compliance in accordance with the Policy and Procedures.

Adopted August 6, 2013.

Unanimously adopted August 6, 2013. No. 13-510

BY COMMISSIONER RAUKAR:

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF
ST. LOUIS COUNTY, MINNESOTA, PROVIDING FOR THE ISSUANCE, SALE
AND DELIVERY OF \$8,895,000 GENERAL OBLIGATION CAPITAL
IMPROVEMENT REFUNDING BONDS, SERIES 2013C; ESTABLISHING THE
TERMS AND FORM THEREOF; CREATING A DEBT SERVICE FUND
THEREFOR; AND AWARDED THE SALE THEREOF**

BE IT RESOLVED, by the Board of Commissioners (the "Board") of St. Louis County, Minnesota (the "County"), as follows:

Section 1. Purpose and Authorization.

1.01 Under and pursuant to the authority contained in Minnesota Statutes, Section 373.40, and Minnesota Statutes, Chapter 475 (collectively the "Act"), the County previously issued its \$13,785,000 General Obligation Capital Improvement Bonds, Series 2004A, dated October 1, 2004 (the "2004 Bonds") as authorized by a resolution adopted by the Board on September 14, 2004 (the "2004 Resolution"). The 2004 Bonds were issued to finance capital improvements under the County's capital improvement plan for the years 2004 through 2009 (the "2004 Plan"), adopted by the Board on April 6, 2004.

1.02 Under and pursuant to the Act, the County previously issued its \$6,115,000 General Obligation Capital Improvement Bonds, Series 2005A, dated November 22, 2005 (the "2005 Bonds") as authorized by a resolution adopted by the Board on November 8, 2005 (the "2005 Resolution"). The 2005 Bonds were issued to finance capital improvements authorized under the 2004 Plan and under the County's capital

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

330

improvement plan for the years 2005 through 2010 (the "2005 Plan"), adopted by the Board on October 4, 2005.

1.03 Under and pursuant to the provisions of the Act, specifically Section 475.67, Subd. 1 through 4 of the Act, the County is authorized to issue and sell its general obligation refunding bonds to refund the 2014 through 2019 maturities of the 2004 Bonds in advance of their scheduled maturities on a current refunding basis, if consistent with covenants made with the holders thereof, when determined by the Board to be necessary or desirable for the reduction of debt service costs to the County.

1.04 Under and pursuant to the provisions of the Act, specifically Section 475.67, Subd. 1 through 3 and 13 of the Act, the County is authorized to issue and sell its general obligation refunding bonds to refund the 2015 through 2020 maturities of the 2005 Bonds in advance of their scheduled maturities on an advance refunding basis, if consistent with covenants made with the holders thereof, when determined by the Board to be necessary or desirable for the reduction of debt service costs to the County.

1.05 The Board hereby finds and determines that it is necessary and desirable, in order to reduce debt service costs, that the County issue its \$8,895,000 General Obligation Capital Improvement Refunding Bonds, Series 2013C (the "Bonds"), to provide (i) for the refunding of the 2014 through 2019 maturities of the 2004 Bonds, of which \$6,505,000 in principal amount are outstanding and subject to prepayment and redemption on December 1, 2013 (the "2004 Refunded Bonds") (December 1, 2013 is herein referred to as the "2004 Bonds Redemption Date"); and (ii) for the refunding of the 2015 through 2020 maturities of the 2005 Bonds, of which \$2,885,000 in principal amount are outstanding and subject to prepayment and redemption on December 1, 2014 (the "2005 Refunded Bonds") (December 1, 2014 is herein referred to as the "2005 Bonds Redemption Date").

1.06 Proceeds of the Bonds in the amount of:

A. \$6,135,000.00 will be attributable to the refunding of the 2004 Refunded Bonds (the "2004 Refunded Bonds Portion of the Bonds"); and

B. \$2,760,000.00 will be attributable to the refunding of the 2005 Refunded Bonds (the "2005 Refunded Bonds Portion of the Bonds").

The principal amount of the 2004 Refunded Bonds Portion of the Bonds and the 2005 Refunded Bonds Portion of the Bonds shall be allocated as set forth on Exhibit A attached hereto.

1.07 The County has solicited proposals for the sale of the Bonds and has received and considered all proposals presented pursuant to the Terms of Proposal and has determined that the most favorable proposal is that of Hutchinson, Shockey, Erley & Co. of Chicago, Illinois (the "Purchaser"), to purchase the Bonds at a cash price of \$9,555,979.37, and upon condition that the Bonds mature and bear interest at the times and annual rates set forth in Section 2. The County, after due consideration, finds such offer reasonable and proper and the offer of the Purchaser is hereby accepted. The Chair and the County Auditor are authorized and directed to execute on the part of the County a contract for the sale of the Bonds in accordance with the Purchaser's proposal. All actions of the Chair, the County Auditor, the Administrator and Springsted Incorporated, independent financial advisor to the County, taken with regard to the sale of the Bonds are hereby ratified and approved.

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

331

Section 2. Terms, Execution, and Delivery of the Bonds.

2.01 The Bonds to be issued hereunder shall be dated the date of issuance of the Bonds, as the date of original issue, shall be issued in the denomination of \$5,000, or any integral multiple thereof, in fully registered form and lettered and numbered R-1 and upward. The Bonds shall mature on December 1 in the respective years and amounts stated and shall bear interest at the annual rates as follows:

Year	Amount	Interest Rate
2014	\$900,000	3.00%
2015	\$1,395,000	4.00%
2016	\$1,460,000	2.00%
2017	\$1,500,000	2.00%
2018	\$1,545,000	2.00%
2019	\$1,590,000	5.00%
2020	\$505,000	5.00%

2.02 The Bonds shall not be subject to optional redemption and prepayment before maturity.

2.03 The interest shall be payable semiannually on June 1 and December 1 in each year (each referred to herein as an "Interest Payment Date"), commencing June 1, 2014. Interest will be computed upon the basis of a 360-day year of twelve 30-day months and will be rounded pursuant to the rules of the Municipal Securities Rulemaking Board. The Bond Registrar designated below shall make all interest payments with respect to the Bonds by check or draft mailed to the registered owners of the Bonds shown on the bond registration records maintained by the Bond Registrar at the close of the business on the 15th day (whether or not on a business day) of the month next preceding the Interest Payment Date at such owners' addresses shown on such bond registration records.

2.04 A. The Bonds shall be prepared for execution in accordance with the approved form and shall be signed by the facsimile or manual signature of the Chair and attested by the manual or facsimile signature of the County Auditor. In case any officer whose signature shall appear on the Bonds shall cease to be an officer before delivery of the Bonds, such signature shall nevertheless be valid and sufficient for all purposes, the same as if such officer had remained in office until delivery.

B. The County Auditor is authorized and directed to obtain a copy of the proposed approving legal opinion of Fryberger, Buchanan, Smith & Frederick, P.A., Duluth, Minnesota, which is to be complete except as to dating thereof and cause the opinion to be printed on or attached to each Bond.

2.05 A. The Board hereby appoints the County Auditor, as registrar, paying agent, authenticating agent and transfer agent for the Bonds (the "Bond Registrar"). The County reserves the right to name a substitute, successor Bond Registrar upon giving prompt written notice to each registered bond holder. The manual signature of the County Auditor on the Bonds shall be conclusive evidence that it has been executed and delivered under this Resolution.

B. The County shall cause to be kept by the Bond Registrar at its principal office, a bond register in which, subject to such reasonable regulations as the Bond Registrar may prescribe, the County shall provide for the registration of the Bonds and the

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

332

registration of transfers of the Bonds entitled to be registered or transferred as herein provided. In the event of the resignation or removal of the Bond Registrar or its incapability of acting as such, the bond registration records shall be maintained at the office of the successor Bond Registrar as may be appointed by the Board.

2.06 Book-Entry System.

A. In order to make the Bonds eligible for the services provided by DTC, the County has previously agreed to the applicable provisions set forth in the Blanket Issuer Letter of Representations which has been executed by the County and DTC (the "Representation Letter").

B. Notwithstanding any provision herein to the contrary, so long as the Bonds shall be in Book-Entry Form, the provisions of this Section 2.06 shall govern.

C. All of the Bonds shall be registered in the name of Cede & Co., as nominee for DTC. Payment of interest on and principal of any Bond registered in the name of Cede & Co. shall be made by wire transfer or New York Clearing House or equivalent same day funds by 10:00 a.m. CT or as soon as possible thereafter following the Bond Registrar's receipt of funds from the County on each Interest Payment Date to the account of Cede & Co. on each Interest Payment Date at the address indicated in or pursuant to the Representation Letter.

D. DTC (or its nominees) shall be and remain recorded on the Bond Register as the holder of all Bonds which are in Book-Entry Form. No transfer of any Bond in Book-Entry Form shall be made, except from DTC to another depository (or its nominee) or except to terminate the Book-Entry Form. All Bonds of such stated maturity of any Bonds in Book-Entry Form shall be issued and remain in a single Bond certificate registered in the name of DTC (or its nominee); provided, however, that upon termination of the Book-Entry Form pursuant to the Representation Letter, the County shall, upon delivery of all Bonds of such series from DTC, promptly execute, and the Bond Registrar shall thereupon authenticate and deliver, Bonds of such series to all persons who were beneficial owners thereof immediately prior to such termination; and the Bond Registrar shall register such beneficial owners as holders of the applicable Bonds.

The Bond Registrar shall maintain accurate books and records of the principal balance, if any, of each such outstanding Bond in Book-Entry Form, which shall be conclusive for all purposes whatsoever. Upon the execution or the authentication of any new Bond in Book-Entry Form in exchange for a previous Bond, the Bond Registrar shall designate thereon the principal balance remaining on such bond according to the Bond Registrar's books and records.

No beneficial owner (other than DTC) shall be registered as the holder on the Bond Register for any Bond in Book-Entry Form or entitled to receive any bond certificate. The beneficial ownership interest in any Bond in Book-Entry Form shall be recorded, evidenced and transferred solely in accordance with the Book-Entry System.

Except as expressly provided to the contrary herein, the County and the Bond Registrar may treat and deem DTC to be the absolute owner of all Bonds of each series which are in Book-Entry Form (i) for the purpose of payment of the principal of and interest on such Bond, (ii) for the purpose of giving notices hereunder, and (iii) for all other purposes whatsoever.

E. The County and the Bond Registrar shall each give notices to DTC of such

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

333

matters and at such times as are required by the Representation Letter, including the following:

- (i) with respect to notices of redemption; and
- (ii) with respect to any other notice required or permitted under this Bond Resolution to be given to any holder of a Bond.

All notices of any nature required or permitted hereunder to be delivered to a holder of a Bond in Book-Entry Form shall be transmitted to beneficial owners of such Bonds at such times and in such manner as shall be determined by DTC, the participants and indirect participants in accordance with the Book-Entry System and the Representation Letter.

F. All payments of principal, redemption price of and interest on any Bonds in Book-Entry Form shall be paid to DTC (or Cede & Co.) in accordance with the Book-Entry System and the Representation Letter in same day funds by wire transfer.

2.07 The principal of and interest on the Bonds shall be payable by the Bond Registrar in such funds as are legal tender for the payment of debts due the United States of America. The County shall pay the reasonable and customary charges of the Bond Registrar for the disbursement of principal and interest.

2.08 If a Bond becomes mutilated or is destroyed, stolen, or lost, the Bond Registrar will deliver a new Bond of like amount, number, maturity date, and tenor in exchange and substitution for and upon cancellation of the mutilated Bond or in lieu of and in substitution for any Bond destroyed, stolen, or lost, upon the payment of the reasonable expenses and charges of the Bond Registrar and the County in connection therewith, including the cost of printing new Bonds; and, in the case of a Bond destroyed, stolen, or lost, upon filing with the Bond Registrar and the County of evidence satisfactory to it and the County that the Bond was destroyed, stolen, or lost, and of the ownership thereof, and upon furnishing to the Bond Registrar of an appropriate bond or indemnity in form, substance, and amount satisfactory to it and the County and as provided by law, in which both the County and the Bond Registrar must be named as obligees. Bonds so surrendered to the Bond Registrar will be canceled by the Bond Registrar and evidence of such cancellation must be given to the County. If the mutilated, destroyed, stolen, or lost Bond has already matured or been called for redemption in accordance with its terms, it is not necessary to issue a new Bond prior to payment.

2.09 Delivery of the Bonds and payment of the purchase price shall be made at a place mutually satisfactory to the County and the Purchaser. Executed Bonds shall be furnished by the County without cost to the Purchaser. The Bonds, when prepared in accordance with this Resolution and executed, shall be delivered by or under the direction of the County Auditor to the Purchaser thereof upon receipt of the purchase price plus accrued interest.

Section 3. Form of the Bonds.

3.01 The Bonds shall be printed or typewritten in substantially the following form:

UNITED STATES OF AMERICA
STATE OF MINNESOTA

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

334

ST. LOUIS COUNTY

GENERAL OBLIGATION CAPITAL IMPROVEMENT REFUNDING BOND,
SERIES 2013C

R-_____ \$ _____

<u>Rate</u>	<u>Maturity</u>	<u>Date of Original Issue</u>	<u>CUSIP</u>
_____%	December 1, 20__	September __, 2013	

REGISTERED OWNER: CEDE & CO.

PRINCIPAL AMOUNT: _____ DOLLARS

St. Louis County, Minnesota (the "County"), for value received, promises to pay to the registered owner specified above, or registered assigns, the principal amount specified above, on the maturity date specified above, and to pay interest on said principal amount to the registered owner hereof from the Date of Original Issue, or from the most recent Interest Payment Date to which interest has been paid or duly provided for, until the principal amount is paid or discharged, said interest being at the rate per annum specified above. Interest is payable semiannually on June 1 and December 1 of each year (each referred to herein as an "Interest Payment Date") commencing on June 1, 2014. Both principal hereof and interest hereon are payable in lawful money of the United States of America by check or draft at the main office of the County Auditor, as registrar, paying agent, authenticating agent and transfer agent (the "Bond Registrar"), or at the office of such successor registrar as may be designated by the Board of Commissioners. The Bond Registrar shall make all interest payments with respect to this Bond directly to the registered owner hereof shown on the bond registration records maintained on behalf of the County by the Bond Registrar at the close of business on the 15th day of the month next preceding the Interest Payment Date (whether or not a business day) at such owner's address shown on said bond registration records, without, except for payment of principal on the Bond, the presentation or surrender of this Bond, and all such payments shall discharge the obligations of the County to the extent of the payments so made. Payment of principal shall be made upon presentation and surrender of this Bond to the Bond Registrar when due. For the prompt and full payment of such principal and interest as they become due, the full faith and credit of the County are irrevocably pledged.

This Bond is one of a series issued by the County in the aggregate amount of \$8,895,000, all of like date and tenor, except as to number, amount, maturity date and interest rate, pursuant to the authority contained in Minnesota Statutes, Chapter 475, Section 475.67 and all other laws thereunto enabling, and pursuant to an authorizing resolution adopted by the governing body of the County on August 6, 2013 (the "Resolution"). This Bond is issued for the purpose of providing funds to refund in advance of maturity the 2014 through 2019 maturities of the County's \$13,785,000 General Obligation Capital Improvement Bonds, Series 2004A, dated October 1, 2004 (the "2004 Refunded Bonds"), and to refund in advance of maturity the 2015 through 2020 maturities of the County's \$6,115,000 General Obligation Capital Improvement Bonds, Series 2005A, dated November 22, 2005 (the "2005 Refunded Bonds"). The debt service on the portion of the Bonds which refunded the 2004 Refunded Bonds (\$6,135,000) shall be payable from a direct, annual ad valorem tax levy on all taxable property within the County. The debt service on the portion of the Bonds which refunded the 2005 Refunded Bonds (\$2,760,000) shall be payable through December 1, 2014 (the

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

335

“2005 Bonds Redemption Date”), solely out of the Escrow Account in the County’s Escrow Agreement and after the 2005 Bonds Redemption Date from a direct, annual ad valorem tax levy on all taxable property within the County. Reference is hereby made to the Resolution for a full statement of rights, powers and duties therein provided or conferred.

The Bonds shall not be subject to optional redemption and prepayment before maturity.

The Bonds of this series are issued as fully registered obligations without coupons, in the denomination of \$5,000 or any integral multiple thereof. Subject to limitations set forth in the Resolution, the County will, at the request of the registered owner, issue one or more new fully registered Bonds in the name of the registered owner in the aggregate principal amount equal to the unpaid principal balance of this Bond, and of like tenor except as to number and principal amount. This Bond is transferable by the registered owner hereof upon surrender of this Bond for transfer at the principal corporate office of the Bond Registrar, duly endorsed or accompanied by a written instrument of transfer in form satisfactory to the Bond Registrar and executed by the registered owner hereof or the owner’s attorney duly authorized in writing. Thereupon the County shall execute and the Bond Registrar shall authenticate if required by law or the Resolution, and deliver, in exchange for this Bond, one or more new fully registered Bonds in the name of the transferee, of an authorized denomination, in an aggregate principal amount equal to the unpaid principal amount of this Bond, of the same maturity, and bearing interest at the same rate. No service charge shall be made for any transfer or exchange hereinbefore referred to but the County may require payment of a sum sufficient to cover any tax or other governmental charge payable in connection therewith.

IT IS CERTIFIED AND RECITED that all acts and conditions required by laws and the Constitution of the State of Minnesota to be done and to exist precedent to and in the issuance of this Bond, in order to make it a valid and binding general obligation of the County in accordance with its terms, have been done and do exist in form, time and manner as so required; that all taxable property within the corporate limits of the County is subject to the levy of ad valorem taxes to the extent needed to pay the principal hereof and the interest thereon when due, without limitation as to rate or amount; and that the issuance of this Bond does not cause the indebtedness of the County to exceed any charter, constitutional or statutory limitation.

IN WITNESS WHEREOF, St. Louis County, Minnesota, by its governing body, has caused this Bond to be executed in its name by the manual or facsimile signatures of the Chair and the County Auditor.

Date of Execution: _____

ATTEST:

(form-no signature required)
County Auditor

(form-no signature required)
Chair

Certificate as to Legal Opinion

I certify that the above is a full, true and correct copy of the legal opinion rendered by Bond Counsel on the issuance of the Bonds, dated as of the date of delivery of and payment for the Bonds.

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

336

(form-no signature required)
County Auditor

REGISTRATION CERTIFICATE

This Bond must be registered as to both principal and interest in the name of the owner on the books to be kept by the County Auditor of St. Louis County, Minnesota, as Bond Registrar. No transfer of this Bond shall be valid unless made on said books by the registered owner or the owner's attorney thereunto duly authorized and similarly noted on the registration books. The ownership of the unpaid principal balance of this Bond and the interest accruing thereon is registered on the books of the County Auditor in the name of the registered owner last noted below.

<u>Date</u>	<u>Registered Owner</u>	<u>Signature of County Auditor</u>
__/__/13	Cede and Co. c/o The Depository Trust Company 55 Water Street New York, NY 10041 Federal Taxpayer I.D. No. 13-2555119	<i>(form-no signature required)</i>

ASSIGNMENT

FOR VALUE RECEIVED, the undersigned sells, assigns and transfers unto _____

(Name and Address of Assignee)

_____ Social Security or Other

_____ Identifying Number of Assignee

the within Bond and all rights thereunder and does hereby irrevocably constitute and appoint _____ attorney to transfer the said Bond on the books kept for registration thereof with full power of substitution in the premises.

Dated: _____

NOTICE: The signature to this assignment must correspond with the name of the registered owner as it appears upon the face of the within Bond in every particular, without alteration or enlargement or any change whatsoever.

Signature Guaranteed:

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

337

(Bank, Trust Company, member of
National Securities Exchange)

Unless this Bond is presented by an authorized representative of The Depository Trust Company, a New York corporation ("DTC"), to the County or its agent for registration of transfer, exchange, or payment, and any Bond issued is registered in the name of Cede & Co. or in such other name as is requested by an authorized representative of DTC (and any payment is made to Cede & Co. or to such other entity as is requested by an authorized representative of DTC), ANY TRANSFER, PLEDGE, OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL, inasmuch as the registered owner hereof, Cede & Co., has an interest herein.

Section 4. Refunding; Findings; Redemption of 2004 Refunded Bonds.

4.01 A. 2004 Refunded Bonds Debt Service Fund. Proceeds of the Bonds in the amount of \$6,505,000.00 are hereby irrevocably appropriated to the 2004 General Obligation Capital Improvement Bonds, Series 2004 Debt Service Fund (the "2004 Bonds Debt Service Fund"), which funds and the monies previously appropriated and deposited in the 2004 Bonds Debt Service Fund (\$1,071,368.75) shall be segregated and shall constitute a separate trust fund to be used for no purpose other than (i) the payment of the principal and interest on the 2004 Bonds due on the 2004 Bonds Redemption Date; and (ii) the prepayment and redemption of the 2004 Refunded Bonds maturing on and after December 1, 2014, on the 2004 Bonds Redemption Date. Such proceeds, together with the other monies on deposit in the 2004 Bonds Debt Service Fund, may be invested only in direct obligations of the United States of America maturing in time to pay the principal of and interest on the entire outstanding 2004 Bonds on December 1, 2013.

B. It is hereby found and determined that the proceeds of the Bonds in the amount of \$6,505,000, together with funds on deposit in the 2004 Bonds Debt Service Fund in the amount of \$1,071,368.75, will be sufficient to (i) pay the outstanding principal (\$930,000) and interest (\$141,368.75) due on the 2004 Bonds on December 1, 2013; and (ii) to prepay and redeem the outstanding principal of the 2004 Refunded Bonds maturing on and after December 1, 2014 (\$6,505,000) on the 2004 Bonds Redemption Date.

C. The County Auditor or the designee thereof is hereby authorized and directed to send the Notice of Call for Redemption attached hereto as Exhibit B to the holders of the 2004 Refunded Bonds to be redeemed, in accordance with its terms and in accordance with the Representation Letter.

D. The County Auditor or the designee thereof is hereby authorized and directed to cause to be provided a material event notice regarding the 2004 Refunded Bonds in accordance with the Continuing Disclosure Certificate of the County dated October 1, 2004, and delivered in connection with the 2004 Bonds.

E. There is hereby appropriated any balance of the monies in the 2004 Bonds Debt Service Fund to the Debt Service Account after payment of the 2004 Refunded Bonds.

Section 5. Escrow Agreement; Escrow Agent.

5.01 U.S. Bank National Association of St. Paul, Minnesota, which is a suitable

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

338

financial institution within the State of Minnesota whose deposits are insured by the Federal Deposit Insurance Corporation whose combined capital and surplus is not less than \$500,000, is hereby designated escrow agent (the "Escrow Agent") with respect to the 2005 Refunded Bonds.

5.02 On or prior to the delivery of the Bonds, the Chair and the County Auditor are hereby authorized and directed to execute on behalf of the County an escrow agreement (the "Escrow Agreement") with the Escrow Agent in substantially the form now on file with the County Auditor. The execution and delivery of the Escrow Agreement by the Chair and the County Auditor, in the form presented to the Board with such changes, omissions, insertions and revisions as the Chair and the County Auditor deem advisable is hereby approved, and the execution by such officers shall be conclusive evidence of such approval. All essential terms and conditions of the Escrow Agreement, including payment by the County of reasonable charges for the services of the Escrow Agent, are hereby approved and adopted and made a part of this Resolution, and the County covenants that it will promptly enforce all provisions thereof in the event of default thereunder by the Escrow Agent.

5.03 Escrow Account.

A. To the Escrow Account there is hereby pledged and irrevocably appropriated and there shall be credited: (a) proceeds of the Bonds received from the Purchaser in the amount of \$2,996,089.05 and (b) investment earnings on such monies referenced in clause (a) for the payment and redemption on the 2005 Bonds Redemption Date of the 2005 Refunded Bonds and for payment of the interest to become due on the 2005 Refunded Bonds Portion of the Bonds through the 2005 Bonds Redemption Date.

B. The Escrow Account shall be maintained by the Escrow Agent pursuant to the Escrow Agreement and this Resolution. The Escrow Account shall be invested in accordance with the Act, the Escrow Agreement and this Section, in securities specified in Section 475.67, Subd. 8 of the Act, which investments will provide sufficient funds, together with any cash or other funds retained in the Escrow Account, to pay when due the interest to accrue on the 2005 Refunded Bonds Portion of the Bonds to and including the 2005 Bonds Redemption Date, and to pay on the 2005 Bonds Redemption Date the principal amount of each of the 2005 Refunded Bonds then outstanding.

C. From the Escrow Account there shall be paid: (a) all interest to be paid on the 2005 Refunded Bonds Portion of the Bonds to and including the 2005 Bonds Redemption Date; and (b) the principal of the 2005 Refunded Bonds due by reason of redemption on the 2005 Bonds Redemption Date.

D. The Escrow Account is irrevocably appropriated to the payment of the interest on the 2005 Refunded Bonds Portion of the Bonds until the monies therein are applied to repayment of the 2005 Refunded Bonds. The monies in the Escrow Account shall be used solely for the purposes herein set forth and for no other purpose, except that any surplus in the Escrow Account may be remitted to the County, all in accordance with the Escrow Agreement. Any monies remitted to the County upon termination of the Escrow Agreement shall be deposited in the Debt Service Fund.

E. Securities purchased for the Escrow Account shall be purchased simultaneously with the delivery of and payment for the Bonds. The Chair and the County Auditor or their designee are authorized and directed to purchase such securities.

F. The construction fund created in the 2005 Resolution is hereby terminated and

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

339

any monies remaining therein shall be transferred to the Debt Service Account established therein.

Section 6. Covenants; Accounts and Tax Levies.

6.01 A. Debt Service Fund. For the convenience and proper administration of the monies to be borrowed and repaid on the Bonds and to provide adequate and specific security for the Purchaser and holders from time to time of the Bonds, there is hereby created a special fund to be designated the 2013C General Obligation Capital Improvement Refunding Bonds Debt Service Fund (the "Debt Service Fund") to be administered and maintained by the County Auditor as a bookkeeping account separate and apart from all other funds maintained in the official financial records of the County. The Debt Service Fund shall be maintained in the manner herein specified until all of the Bonds and interest thereon have been fully paid.

B. To the Debt Service Fund there is hereby pledged and irrevocably appropriated and there shall be credited: (i) any balance remitted to the County upon termination of the Escrow Agreement; (ii) any balance remaining on the 2004 Bonds Redemption Date in the 2004 Bonds Debt Service Fund after the 2004 Bonds Redemption Date; (iii) any balance remaining on the 2005 Bonds Redemption Date in the 2005 Bonds Debt Service Fund after the 2005 Bonds Redemption Date; (iv) all investment earnings on funds in the Debt Service Fund; (v) accrued interest, if any, received from the Purchaser upon delivery of the Bonds to the extent not required to fund the Escrow Account (the "Accrued Interest"); (vi) any amount of additional interest permitted by Section 475.56 of the Act paid by the Purchaser (the "Additional Interest"), to the extent not required to fund the Escrow Account (\$2,932.97); (vii) all taxes pledged to repayment of the 2004 Bonds collected after the 2004 Bonds Redemption Date, which levies shall not be cancelled except as permitted by Section 475.61, Subd. 3 of the Act; (viii) all taxes pledged to repayment of the 2005 Bonds collected after the 2005 Bonds Redemption Date, which levies shall not be cancelled except as permitted by Section 475.61, Subd. 3 of the Act; (ix) any taxes levied to pay the principal and interest on the Bonds; and (x) any and all other monies which are properly available and are appropriated by the County to the Debt Service Account.

The money in the Debt Service Account shall be used for no purpose other than the payment of principal of and interest on the Bonds. If the balances in the Debt Service Fund are ever insufficient to pay all principal and interest then due on the Bonds, the County Auditor shall nevertheless provide sufficient money from any other funds of the County which are available for that purpose, and such other funds shall be reimbursed from the Debt Service Fund when the balance therein is sufficient.

6.02 A. For the prompt and full payment of the principal and interest on the 2004 Refunded Bonds Portion of the Bonds, and on the 2005 Refunded Bonds Portion of the Bonds coming due after the 2005 Bonds Redemption Date, the full faith and credit and taxing power of the County are hereby irrevocably pledged. There is hereby levied a direct annual ad valorem tax upon all taxable property in the County which shall be spread upon the tax rolls and collected with and as part of other general property taxes in the County. Said levies are for the years and in the amounts as follows:

Levy Year	Collection Year	Tax Levy
2013	2014	*\$1,182,266.00
2014	2015	\$1,727,933.00
2015	2016	\$1,737,593.00

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

2016	2017	\$1,748,933.00
2017	2018	\$1,764,683.00
2018	2019	\$1,779,488.00
2019	2020	\$556,763.00

* The levy Collection Year is reduced by \$2,932.97, which is the amount of the initial deposit, at closing, into the Debt Service Fund.

B. The tax levies are such that, if collected in full, they will produce at least 5% in excess of the amount needed to meet when due the principal and interest payments on the 2004 Refunded Bonds Portion of the Bonds and on the 2005 Refunded Bonds Portion of the Bonds coming due after the 2005 Bonds Redemption Date.

C. The tax levies shall be irrevocable so long as any of the Bonds are outstanding and unpaid; provided, however, that on November 30 of each year, while any Bonds issued hereunder remain outstanding, the Board shall reduce or cancel the above levies to the extent of funds available in the Debt Service Fund to pay principal and interest due during the ensuing year.

6.03 Proceeds of the Bonds in the amount of \$51,957.35 shall be used by the County to pay costs of issuance of the Bonds.

Section 7. Refunding; Findings; Redemption of 2005 Refunded Bonds.

7.01 A. It is hereby found and determined, based upon information presently available from the County's financial advisors, that as of the 2005 Bonds Redemption Date, the issuance of the 2005 Refunded Bonds Portion of the Bonds will result in a reduction of debt service costs to the County on the 2005 Refunded Bonds. In accordance with Section 475.67 of the Act, as of the 2005 Bonds Redemption Date, the present value of the dollar amount of the debt service on the 2005 Refunded Bonds Portion of the Bonds, computed to their stated maturity dates, after deducting any premium, is lower by at least three percent than the present value of the dollar amount of debt service on the 2005 Refunded Bonds, exclusive of any premium, computed to their stated maturity dates. (Present value of the dollar amount of debt service means the dollar amount of debt service to be paid, discounted to the nominal date of the Bonds at a rate equal to the yield on the Bonds.)

B. It is hereby found and determined that the proceeds of the Bonds and funds of the County available and appropriated to the Escrow Account will be sufficient, together with the permitted earnings on the investment of the Escrow Account, to pay all of the principal of the 2005 Refunded Bonds on the 2005 Bonds Redemption Date, and all interest coming due on the 2005 Refunded Bonds Portion of the Bonds through the 2005 Bonds Redemption Date.

C. The proceeds of the 2005 Bonds have been fully expended for the governmental purposes for which such bonds were issued.

7.02 A. The County Auditor or the designee is hereby authorized and directed to provide a material event notice with respect to the 2005 Refunded Bonds in accordance with the Continuing Disclosure Certificate of the County dated November 22, 2005, and delivered in connection the 2005 Bonds.

B. The 2005 Refunded Bonds shall be redeemed and prepaid in accordance with:

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

341

(i) their terms; (ii) with the terms and conditions set forth in the form of Notice of Call for Redemption attached to the Escrow Agreement; and (iii) with the terms and conditions of the Representation Letter, all of which terms and conditions are hereby approved and incorporated herein by reference.

Section 8. Tax Covenants.

8.01 The County covenants and agrees with the holders of the Bonds that the County will (i) take all action on its part necessary to cause the interest on the Bonds to be exempt from federal income taxes including, without limitation, restricting, to the extent necessary, the yield on investments made with the proceeds of the Bonds and investment earnings thereon, making required payments to the federal government, if any, and maintaining books and records in a specified manner, where appropriate, and (ii) refrain from taking any action which would cause interest on the Bonds to be subject to federal income taxes, including, without limitation, refraining from spending the proceeds of the Bonds and investment earnings thereon on certain specified purposes.

8.02 A. No portion of the proceeds of the Bonds shall be used directly or indirectly to acquire higher yielding investments or to replace funds which were used directly or indirectly to acquire higher yielding investments, except (i) for a reasonable temporary period until such proceeds are needed for the purpose for which the Bonds were issued, and (ii) in addition to the above, in an amount not greater than the lesser of five percent of the proceeds of the Bonds or \$100,000. To this effect, any proceeds of the Bonds and any sums from time to time held in the Debt Service Fund (or any other County account which will be used to pay principal and interest to become due on the Bonds) in excess of amounts which under the applicable federal arbitrage regulations may be invested without regard as to yield shall not be invested at a yield in excess of the applicable yield restrictions imposed by the arbitrage regulations on such investments after taking into account any applicable temporary periods of minor portion made available under the federal arbitrage regulations.

B. In addition, the proceeds of the Bonds and money in the Debt Service Fund shall not be invested in obligations or deposits issued by, guaranteed by or insured by the United States or any agency or instrumentality thereof if and to the extent that such investment would cause the Bonds to be federally guaranteed within the meaning of Section 149(b) of the Internal Revenue Code of 1986, as amended (the "Code").

C. The County hereby covenants not to use the proceeds of the Bonds, or to cause or permit them to be used, in such a manner as to cause the Bonds to be "private activity bonds" within the meaning of Sections 103 and 141 through 150 of the Code.

8.03 A. The County covenants and certifies to and for the benefit of the owners of the Bonds that no use will be made of the proceeds of the Bonds which will cause the Bonds to be arbitrage bonds within the meaning of Section 148(a) of the Code and the Treasury Regulations promulgated thereunder.

B. The Bonds are a "multi-purpose issue" within the meaning of Treas. Reg. § 1.148-9(h) because the Bonds are issued to refund the 2004 Refunded Bonds and the 2005 Refunded Bonds. For purposes of the arbitrage regulations, the 2004 Refunded Bonds Portion of the Bonds and the 2005 Refunded Bonds Portion of the Bonds are treated as separate issues.

C. The County expects all proceeds of the 2004 Refunded Bonds Portion of the Bonds will be spent within six months of the date of closing and delivery of the Bonds

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

342

and no rebate of arbitrage profits will be required. In the event proceeds of the 2004 Refunded Bonds Portion of the Bonds are not so spent, the County will compute and cause the payment to the United States of all amounts required under the rebate requirement of Section 148(f) of the Code and the Regulations issued thereunder.

D. The County covenants to compute and cause the payment to the United States of all amounts required under the rebate requirement of Code Section 148(f) and the Regulations issued thereunder with regard to the 2005 Refunded Bonds Portion of the Bonds. To this end, the County agrees to:

- (1) maintain records identifying all "gross proceeds" as defined in Code Section 148(f)(6)(B) attributable to the 2005 Refunded Bonds Portion of the Bonds, the yield at which such gross proceeds are invested, any arbitrage profit derived therefrom (earnings in excess of the yield on the Bonds) and any earnings derived from the investment of such arbitrage profit;
- (2) make, or cause to be made within 30 days after the close of each fifth bond year and upon payment in full of the 2005 Refunded Bonds Portion of the Bonds, the annual determination of the amount, if any, of excess arbitrage required to be paid to the United States by the County (the "Rebate Amount");
- (3) pay, or cause to be paid, to the United States at least once every five bond years the Rebate Amount, if any, including the last installment which must be made no later than 60 days after the day on which the 2005 Refunded Bonds Portion of the Bonds are paid in full; and
- (4) retain all records of the annual determination of the foregoing amounts until six years after the 2005 Refunded Bonds Portion of the Bonds have been fully paid.

8.04 In addition to the Bonds, the County is selling, pursuant to a single offering document and on the same date, the following obligations: (i) General Obligation Capital Improvement Bonds, Series 2013A (the "Series 2013A Bonds"); (ii) General Obligation Capital Equipment Notes, Series 2013B (the "Series 2013B Notes"); and (iii) General Obligation Capital Improvement Refunding Bonds, Series 2013D (the "Series 2013D Bonds"). The Bonds will be paid out of substantially the same source as the Series 2013A Bonds, the Series 2013B Notes and the Series 2013D Bonds; consequently, the Bonds, the Series 2013A Bonds, the Series 2013B Notes and the 2013D Bonds are a single issue under Treasury Regulations Section 1.150-1(c).

Section 9. Miscellaneous.

9.01 The County Auditor is directed to file a certified copy of this Resolution and such other information as may be required, and to provide to bond counsel a certificate stating that the Bonds herein authorized have been duly entered on his register.

9.02 The officers of the County are authorized and directed to prepare and furnish to the Purchaser and to bond counsel, certified copies of all proceedings and records of the County relating to the legality and marketability of the Bonds, as such facts appear from the official books and records in the officers' custody or are otherwise known to them. All such certified copies, Bonds, and affidavits, including any heretofore furnished, constitute representations of the County as to the correctness of the facts recited therein and the action stated therein to have been taken.

9.03 The Chair and the County Auditor are hereby authorized and directed to

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

343

certify that they have examined the Official Statement prepared and circulated in connection with the issuance and sale of the Bonds and that to the best of their knowledge and belief the Official Statement is a complete and accurate representation of the facts and representations made therein as of the date of the Official Statement.

9.04 In the event of the absence or disability of the Chair or the County Auditor, such officers as in the opinion of the County Attorney may act in their behalf shall, without further act or authorization, execute and deliver the Bonds, and do all things and execute all instruments and documents required to be done or executed by such absent or disabled officers.

Section 10. Continuing Disclosure. The County acknowledges that the Bonds are subject to the continuing disclosure requirements of Rule 15c2-12 promulgated by the Securities and Exchange Commission under the Securities Exchange Act of 1934 (17 C.F.R. § 240.15c2-12) (the "Rule"). The Rule governs the obligations of certain underwriters to require that issuers of municipal bonds enter into agreements for the benefit of the bondholders to provide continuing disclosure with respect to the bonds. To provide for the public availability of certain information relating to the Bonds and the security therefor and to permit underwriters of the Bonds to comply with the Rule, which will enhance the marketability of the Bonds, the Chair and the County Auditor are hereby authorized and directed to execute a Continuing Disclosure Certificate substantially in the form of the Certificate currently on file in the office of the County Auditor.

Section 11. Post-Issuance Compliance Policy and Procedures. The Board has previously approved a Post-Issuance Debt Compliance Policy and Post-Issuance Debt Compliance Procedures which applies to qualifying obligations to provide for compliance with all applicable federal regulations for tax-exempt obligations or tax-advantaged obligations (collectively, the "Policy and Procedures"). The Board hereby approves the Policy and Procedures for the Bonds. The County Auditor continues to be designated to be responsible for post-issuance compliance in accordance with the Policy and Procedures.

Adopted: August 6, 2013.

EXHIBIT A

**PORTION OF THE MATURITIES AND MANDATORY REDEMPTION
PAYMENTS ALLOCATED TO THE REFUNDING PORTION OF THE BONDS**

Date (December 1)	Portion Allocable to the 2004 Refunded Bonds Portion of the Bonds	Portion Allocable to the 2005 Refunded Bonds Portion of the Bonds	Total
2014	\$900,000.00	--	\$900,000.00
2015	\$975,000.00	\$420,000.00	\$1,395,000.00
2016	\$1,020,000.00	\$440,000.00	\$1,460,000.00
2017	\$1,045,000.00	\$455,000.00	\$1,500,000.00
2018	\$1,080,000.00	\$465,000.00	\$1,545,000.00
2019	\$1,115,000.00	\$475,000.00	\$1,590,000.00
2020	--	\$505,000.00	\$505,000.00
TOTAL	\$6,135,000.00	\$2,760,000.00	\$8,895,000.00

EXHIBIT B

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

344

NOTICE OF CALL FOR REDEMPTION

\$13,785,000 General Obligation Capital Improvement Bonds, Series 2004A
of St. Louis County, Minnesota

NOTICE IS HEREBY GIVEN that, by order of the Board of Commissioners of St. Louis County, Minnesota (the "Board"), there have been called for redemption and prepayment on

December 1, 2013

all outstanding bonds of the County designated as the \$13,785,000 General Obligation Capital Improvement Bonds, Series 2004A, dated October 1, 2004, which mature on the following dates:

Number	Maturity Date (December 1)	Principal Amount*	Interest Rate	CUSIP Number**
R-10	2014	\$970,000	3.50%	791230 LK9
R-11	2015	\$1,010,000	3.75%	791230 LL7
R-12	2016	\$1,055,000	3.75%	791230 LM5
R-13	2017	\$1,100,000	4.00%	791230 LN3
R-14	2018	\$1,155,000	4.00%	791230 LP8
R-15	2019	\$1,215,000	4.00%	791230 LQ6

The Bonds are being called at a price of par plus accrued interest to December 1, 2013, on which date they will cease to bear interest. Holders of the Bonds hereby called for redemption should present their Bonds for payment at the office of the County Auditor, St. Louis County, Minnesota, 100 North 5th Avenue West, Duluth, Minnesota 55802.

BY ORDER OF THE BOARD OF COMMISSIONERS
OF ST. LOUIS COUNTY, MINNESOTA

It is recommended that you mail your Bond registered or certified mail to guard against loss.

Important Notice: In compliance with the Economic Growth and Tax Relief Reconciliation Act of 2001, federal backup withholding tax will be withheld at the applicable backup withholding rate in effect at the time the payment by the redeeming institutions if they are not provided with your social security number or federal employer identification number, properly certified. This requirement is fulfilled by submitting a W-9 Form, which may be obtained at a bank or other financial institution.

* Indicates full call of stated maturity.

** Neither the Issuer nor the Bond Registrar/Paying Agent shall be responsible for the selection of or use of the CUSIP number, and no representation is made as to its correctness indicated in the Notice of Call for Redemption. CUSIP numbers are included solely for the convenience of the Holders.

Unanimously adopted August 6, 2013. No. 13-511

BY COMMISSIONER FORSMAN:

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

345

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF
ST. LOUIS COUNTY, MINNESOTA, PROVIDING FOR THE ISSUANCE, SALE
AND DELIVERY OF \$5,495,000 GENERAL OBLIGATION CAPITAL
IMPROVEMENT REFUNDING BONDS, SERIES 2013D; ESTABLISHING THE
TERMS AND FORM THEREOF; CREATING A DEBT SERVICE FUND
THEREFOR; AND AWARDING THE SALE THEREOF**

BE IT RESOLVED, by the Board of Commissioners (the "Board") of St. Louis County, Minnesota (the "County"), as follows:

Section 1. Purpose and Authorization.

1.01 Under and pursuant to the authority contained in Minnesota Statutes, Section 373.40, and Minnesota Statutes, Chapter 475 (collectively the "Act"), the County previously issued its \$7,135,000 Taxable General Obligation Capital Improvement Bonds, Series 2010A (Build America Bonds-Direct Pay), dated December 9, 2010 (the "2010 Bonds") as authorized by a resolution adopted by the Board on November 9, 2010 (the "2010 Resolution"). The 2010 Bonds were issued to finance capital improvements under the County's capital improvement plan for the years 2010 through 2014 (the "2010 Plan"), adopted by the Board on October 5, 2010.

1.02 The 2010 Resolution contains an extraordinary redemption provision which permits the County to redeem the outstanding principal of the 2010 Bonds on any date after the occurrence of a Determination of Ineligibility. A Determination of Ineligibility includes four events, one of which is "(iii) the federal government reduces the Build America Bonds direct payment percentage with retroactive applicability to bonds (including the 2010 Bonds) issued prior to the date of the reduction of such direct payment." On about May 13, 2013, the County received a notice from the Department of Treasury, Internal Revenue Service, that the Build America Bonds direct payment amount for the June 1, 2013 interest payment on the 2010 Bonds would be reduced by 8.7%. The County has received the reduced Build America Bonds direct payment, in the reduced percentage for the 2010 Bonds June 1, 2013 interest payment. The Board hereby finds that the above described Determination of Ineligibility has occurred and hereby calls for the 2010 Bonds to be prepaid and redeemed as hereinafter provided.

1.03 Under and pursuant to the provisions of the Act, specifically Section 475.67, Subd. 1 through 4 of the Act, the County is authorized to issue and sell its general obligation refunding bonds to refund the 2010 Bonds in advance of their scheduled maturities on a current refunding basis, if consistent with covenants made with the holders thereof, when determined by the Board to be necessary or desirable for the reduction of debt service costs to the County.

1.04 The Board hereby finds and determines that it is necessary and desirable, in order to reduce debt service costs, that the County issue its \$5,495,000 General Obligation Capital Improvement Refunding Bonds, Series 2013D (the "Bonds"), to provide for the refunding of the 2013 through 2025 maturities of the 2010 Bonds, of which \$6,275,000 in principal amount are outstanding and subject to prepayment and redemption on October 15, 2013 (the "Refunded Bonds") (October 15, 2013 is herein referred to as the "Redemption Date").

1.05 The County has solicited proposals for the sale of the Bonds and has received and considered all proposals presented pursuant to the Terms of Proposal and has determined that the most favorable proposal is that of Hutchinson, Shockey, Erley & Co.

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

of Chicago, Illinois (the "Purchaser"), to purchase the Bonds at a cash price of \$5,852,787.50, and upon condition that the Bonds mature and bear interest at the times and annual rates set forth in Section 2. The County, after due consideration, finds such offer reasonable and proper and the offer of the Purchaser is hereby accepted. The Chair and the County Auditor are authorized and directed to execute on the part of the County a contract for the sale of the Bonds in accordance with the Purchaser's proposal. All actions of the Chair, the County Auditor, the Administrator and Springsted Incorporated, independent financial advisor to the County, taken with regard to the sale of the Bonds are hereby ratified and approved.

Section 2. Terms, Execution, and Delivery of the Bonds.

2.01 The Bonds to be issued hereunder shall be dated the date of issuance of the Bonds, as the date of original issue, shall be issued in the denomination of \$5,000, or any integral multiple thereof, in fully registered form and lettered and numbered R-1 and upward. The Bonds shall mature on December 1 in the respective years and amounts stated and shall bear interest at the annual rates as follows:

Year	Amount	Interest Rate
2014	\$335,000	3.00%
2015	\$395,000	4.00%
2016	\$415,000	2.00%
2017	\$420,000	2.00%
2018	\$430,000	2.00%
2019	\$440,000	4.00%
2020	\$455,000	5.00%
2021	\$480,000	5.00%
2022	\$505,000	4.00%
2023	\$525,000	3.00%
2024	\$540,000	3.50%
2025	\$555,000	3.50%

2.02 The Bonds maturing in the years 2014 through 2021 shall not be subject to redemption and prepayment before maturity, but those maturing in the year 2022 and in subsequent years shall each be subject to redemption and prepayment at the option of the County on December 1, 2021, and on any day thereafter, in whole or in part, and if in part, at the option of the County and in such manner as the County shall determine. If less than all the Bonds of a maturity are called for redemption, the County, through the Bond Registrar, will notify The Depository Trust Company, New York, New York ("DTC") of the particular amount of such maturity to be prepaid. DTC will determine by lot the amount of each participant's interest in such maturity to be redeemed and each participant will then select by lot the beneficial ownership interest in such maturity to be redeemed. All payments shall be at a price equal to the principal amount thereof plus accrued interest. No more than 60 days and no fewer than 30 days prior to the date fixed for redemption and prepayment of any Bonds, notice of redemption shall be mailed to each registered owner of a Bond to be redeemed, at the address shown on the registration books of the County.

2.03 The interest shall be payable semiannually on June 1 and December 1 in each year (each referred to herein as an "Interest Payment Date"), commencing June 1, 2014. Interest will be computed upon the basis of a 360-day year of twelve 30-day months and will be rounded pursuant to the rules of the Municipal Securities Rulemaking Board. The

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

347

Bond Registrar designated below shall make all interest payments with respect to the Bonds by check or draft mailed to the registered owners of the Bonds shown on the bond registration records maintained by the Bond Registrar at the close of the business on the 15th day (whether or not on a business day) of the month next preceding the Interest Payment Date at such owners' addresses shown on such bond registration records.

2.04 A. The Bonds shall be prepared for execution in accordance with the approved form and shall be signed by the facsimile or manual signature of the Chair and attested by the manual or facsimile signature of the County Auditor. In case any officer whose signature shall appear on the Bonds shall cease to be an officer before delivery of the Bonds, such signature shall nevertheless be valid and sufficient for all purposes, the same as if such officer had remained in office until delivery.

B. The County Auditor is authorized and directed to obtain a copy of the proposed approving legal opinion of Fryberger, Buchanan, Smith & Frederick, P.A., Duluth, Minnesota, which is to be complete except as to dating thereof and cause the opinion to be printed on or attached to each Bond.

2.05 A. The Board hereby appoints the County Auditor, as registrar, paying agent, authenticating agent and transfer agent for the Bonds (the "Bond Registrar"). The County reserves the right to name a substitute, successor Bond Registrar upon giving prompt written notice to each registered bond holder. The manual signature of the County Auditor on the Bonds shall be conclusive evidence that it has been executed and delivered under this Resolution.

B. The County shall cause to be kept by the Bond Registrar at its principal office, a bond register in which, subject to such reasonable regulations as the Bond Registrar may prescribe, the County shall provide for the registration of the Bonds and the registration of transfers of the Bonds entitled to be registered or transferred as herein provided. In the event of the resignation or removal of the Bond Registrar or its incapability of acting as such, the bond registration records shall be maintained at the office of the successor Bond Registrar as may be appointed by the Board.

2.06 Book-Entry System.

A. In order to make the Bonds eligible for the services provided by DTC, the County has previously agreed to the applicable provisions set forth in the Blanket Issuer Letter of Representations which has been executed by the County and DTC (the "Representation Letter").

B. Notwithstanding any provision herein to the contrary, so long as the Bonds shall be in Book-Entry Form, the provisions of this Section 2.06 shall govern.

C. All of the Bonds shall be registered in the name of Cede & Co., as nominee for DTC. Payment of interest on and principal of any Bond registered in the name of Cede & Co. shall be made by wire transfer or New York Clearing House or equivalent same day funds by 10:00 a.m. CT or as soon as possible thereafter following the Bond Registrar's receipt of funds from the County on each Interest Payment Date to the account of Cede & Co. on each Interest Payment Date at the address indicated in or pursuant to the Representation Letter.

D. DTC (or its nominees) shall be and remain recorded on the Bond Register as the holder of all Bonds which are in Book-Entry Form. No transfer of any Bond in Book-Entry Form shall be made, except from DTC to another depository (or its nominee) or

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

348

except to terminate the Book-Entry Form. All Bonds of such stated maturity of any Bonds in Book-Entry Form shall be issued and remain in a single Bond certificate registered in the name of DTC (or its nominee); provided, however, that upon termination of the Book-Entry Form pursuant to the Representation Letter, the County shall, upon delivery of all Bonds of such series from DTC, promptly execute, and the Bond Registrar shall thereupon authenticate and deliver, Bonds of such series to all persons who were beneficial owners thereof immediately prior to such termination; and the Bond Registrar shall register such beneficial owners as holders of the applicable Bonds.

The Bond Registrar shall maintain accurate books and records of the principal balance, if any, of each such outstanding Bond in Book-Entry Form, which shall be conclusive for all purposes whatsoever. Upon the execution or the authentication of any new Bond in Book-Entry Form in exchange for a previous Bond, the Bond Registrar shall designate thereon the principal balance remaining on such bond according to the Bond Registrar's books and records.

No beneficial owner (other than DTC) shall be registered as the holder on the Bond Register for any Bond in Book-Entry Form or entitled to receive any bond certificate. The beneficial ownership interest in any Bond in Book-Entry Form shall be recorded, evidenced and transferred solely in accordance with the Book-Entry System.

Except as expressly provided to the contrary herein, the County and the Bond Registrar may treat and deem DTC to be the absolute owner of all Bonds of each series which are in Book-Entry Form (i) for the purpose of payment of the principal of and interest on such Bond, (ii) for the purpose of giving notices hereunder, and (iii) for all other purposes whatsoever.

E. The County and the Bond Registrar shall each give notices to DTC of such matters and at such times as are required by the Representation Letter, including the following:

(i) with respect to notices of redemption; and

(ii) with respect to any other notice required or permitted under this Bond Resolution to be given to any holder of a Bond.

All notices of any nature required or permitted hereunder to be delivered to a holder of a Bond in Book-Entry Form shall be transmitted to beneficial owners of such Bonds at such times and in such manner as shall be determined by DTC, the participants and indirect participants in accordance with the Book-Entry System and the Representation Letter.

F. All payments of principal, redemption price of and interest on any Bonds in Book-Entry Form shall be paid to DTC (or Cede & Co.) in accordance with the Book-Entry System and the Representation Letter in same day funds by wire transfer.

2.07 The principal of and interest on the Bonds shall be payable by the Bond Registrar in such funds as are legal tender for the payment of debts due the United States of America. The County shall pay the reasonable and customary charges of the Bond Registrar for the disbursement of principal and interest.

2.08 If a Bond becomes mutilated or is destroyed, stolen, or lost, the Bond Registrar will deliver a new Bond of like amount, number, maturity date, and tenor in exchange and substitution for and upon cancellation of the mutilated Bond or in lieu of

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

350

America by check or draft at the main office of the County Auditor, as registrar, paying agent, authenticating agent and transfer agent (the "Bond Registrar"), or at the office of such successor registrar as may be designated by the Board of Commissioners. The Bond Registrar shall make all interest payments with respect to this Bond directly to the registered owner hereof shown on the bond registration records maintained on behalf of the County by the Bond Registrar at the close of business on the 15th day of the month next preceding the Interest Payment Date (whether or not a business day) at such owner's address shown on said bond registration records, without, except for payment of principal on the Bond, the presentation or surrender of this Bond, and all such payments shall discharge the obligations of the County to the extent of the payments so made. Payment of principal shall be made upon presentation and surrender of this Bond to the Bond Registrar when due. For the prompt and full payment of such principal and interest as they become due, the full faith and credit of the County are irrevocably pledged.

This Bond is one of a series issued by the County in the aggregate amount of \$5,495,000, all of like date and tenor, except as to number, amount, maturity date and interest rate, pursuant to the authority contained in Minnesota Statutes, Chapter 475, Section 475.67, Subd. 1 through 4, and all other laws thereunto enabling, and pursuant to an authorizing resolution adopted by the governing body of the County on August 6, 2013 (the "Resolution"). This Bond is issued for the purpose of providing funds to refund in advance of maturity the 2013 through 2025 maturities of the County's \$7,135,000 Taxable General Obligation Capital Improvement Bonds, Series 2010A (Build America Bonds-Direct Pay), dated December 9, 2010 (the "Refunded Bonds"). The County has levied a direct, annual ad valorem tax upon all taxable property within the County which shall be extended upon the tax rolls for the years and in the amounts sufficient to produce sums not less than five percent in excess of the amounts of principal and interest on the Bonds, as such principal and interest respectively come due.

The Bonds of this series maturing in the years 2014 through 2021 are not subject to optional redemption before maturity, but those maturing in the year 2022 and in subsequent years are each subject to redemption and prepayment at the option of the County on December 1, 2021, and on any day thereafter, in whole or in part, and if in part at the option of the County and in such manner as the County shall determine and by lot as to Bonds maturing in the same year, at a price of par plus accrued interest. Not less than 30 days nor more than 60 days prior to the date fixed for redemption and prepayment of any Bonds, notice of redemption shall be mailed to each registered owner of a Bond to be redeemed; however, so long as the Bonds are registered in the name of Cede & Co., as nominee for The Depository Trust Company, New York, New York ("DTC"), notice of redemption shall be given in accordance with the terms of the Blanket Issuer Letter of Representations executed by the County and DTC. If any Bond is redeemed in part, upon surrender of the Bond being redeemed, the County shall deliver or cause to be delivered to the registered owner of such Bond, a Bond in like form in the principal amount equal to that portion of the Bond so surrendered not being redeemed.

The Bonds of this series are issued as fully registered obligations without coupons, in the denomination of \$5,000 or any integral multiple thereof. Subject to limitations set forth in the Resolution, the County will, at the request of the registered owner, issue one or more new fully registered Bonds in the name of the registered owner in the aggregate principal amount equal to the unpaid principal balance of this Bond, and of like tenor except as to number and principal amount. This Bond is transferable by the registered owner hereof upon surrender of this Bond for transfer at the principal corporate office of the Bond Registrar, duly endorsed or accompanied by a written instrument of transfer in form satisfactory to the Bond Registrar and executed by the registered owner hereof or the owner's attorney duly authorized in writing. Thereupon the County shall execute and

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

351

the Bond Registrar shall authenticate if required by law or the Resolution, and deliver, in exchange for this Bond, one or more new fully registered Bonds in the name of the transferee, of an authorized denomination, in an aggregate principal amount equal to the unpaid principal amount of this Bond, of the same maturity, and bearing interest at the same rate. No service charge shall be made for any transfer or exchange hereinbefore referred to but the County may require payment of a sum sufficient to cover any tax or other governmental charge payable in connection therewith.

IT IS CERTIFIED AND RECITED that all acts and conditions required by laws and the Constitution of the State of Minnesota to be done and to exist precedent to and in the issuance of this Bond, in order to make it a valid and binding general obligation of the County in accordance with its terms, have been done and do exist in form, time and manner as so required; that all taxable property within the corporate limits of the County is subject to the levy of ad valorem taxes to the extent needed to pay the principal hereof and the interest thereon when due, without limitation as to rate or amount; and that the issuance of this Bond does not cause the indebtedness of the County to exceed any charter, constitutional or statutory limitation.

IN WITNESS WHEREOF, St. Louis County, Minnesota, by its governing body, has caused this Bond to be executed in its name by the manual or facsimile signatures of the Chair and the County Auditor.

Date of Execution: _____

ATTEST:

(form-no signature required)
County Auditor

(form-no signature required)
Chair

Certificate as to Legal Opinion

I certify that the above is a full, true and correct copy of the legal opinion rendered by Bond Counsel on the issuance of the Bonds, dated as of the date of delivery of and payment for the Bonds.

(form-no signature required)
County Auditor

REGISTRATION CERTIFICATE

This Bond must be registered as to both principal and interest in the name of the owner on the books to be kept by the County Auditor of St. Louis County, Minnesota, as Bond Registrar. No transfer of this Bond shall be valid unless made on said books by the registered owner or the owner's attorney thereunto duly authorized and similarly noted on the registration books. The ownership of the unpaid principal balance of this Bond and the interest accruing thereon is registered on the books of the County Auditor in the name of the registered owner last noted below.

Date Registered Owner

Signature of
County Auditor

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

352

<u>Date</u>	<u>Registered Owner</u>	<u>Signature of County Auditor</u>
___/___/13	Cede and Co. c/o The Depository Trust Company 55 Water Street New York, NY 10041 Federal Taxpayer I.D. No. 13-2555119	<i>(form-no signature required)</i>

ASSIGNMENT

FOR VALUE RECEIVED, the undersigned sells, assigns and transfers unto _____

(Name and Address of Assignee)

_____ Social Security or Other

_____ Identifying Number of Assignee

the within Bond and all rights thereunder and does hereby irrevocably constitute and appoint _____ attorney to transfer the said Bond on the books kept for registration thereof with full power of substitution in the premises.

Dated: _____

NOTICE: The signature to this assignment must correspond with the name of the registered owner as it appears upon the face of the within Bond in every particular, without alteration or enlargement or any change whatsoever.

Signature Guaranteed:

(Bank, Trust Company, member of
National Securities Exchange)

Unless this Bond is presented by an authorized representative of The Depository Trust Company, a New York corporation ("DTC"), to the County or its agent for registration of transfer, exchange, or payment, and any Bond issued is registered in the name of Cede & Co. or in such other name as is requested by an authorized representative of DTC (and any payment is made to Cede & Co. or to such other entity as is requested by an authorized representative of DTC), ANY TRANSFER, PLEDGE, OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL, inasmuch as the registered owner hereof, Cede & Co., has an interest herein.

Section 4. Refunding; Findings; Redemption of Refunded Bonds.

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

353

4.01 A. Refunded Bonds Debt Service Fund. Proceeds of the Bonds in the amount of \$5,819,675.08 are hereby irrevocably appropriated to the Taxable General Obligation Capital Improvement Bonds, Series 2010 Debt Service Fund (the "2010 Bonds Debt Service Fund"), which funds and the monies previously appropriated and deposited in the 2010 Bonds Debt Service Fund (\$529,097.50) shall be segregated and shall constitute a separate trust fund to be used for no purpose other than the prepayment and redemption of the Refunded Bonds maturing on and after December 1, 2013, on the Redemption Date. Such proceeds, together with the other monies on deposit in the 2010 Bonds Debt Service Fund, may be invested only in direct obligations of the United States of America maturing in time to pay the principal of and interest on the entire outstanding Refunded Bonds on the Redemption Date.

B. It is hereby found and determined that the proceeds of the Bonds in the amount of \$5,819,675.08, together with funds on deposit in the 2010 Bonds Debt Service Fund in the amount of \$529,097.50, will be sufficient (i) to pay the interest (\$73,772.58) due on the Refunded Bonds on the Redemption Date; and (ii) to prepay and redeem the outstanding principal (\$6,275,000) of the Refunded Bonds maturing on and after December 1, 2013 on the Redemption Date.

C. The County Auditor or the designee thereof is hereby authorized and directed to send the Notice of Call for Redemption attached hereto as Exhibit A to the holders of the Refunded Bonds to be redeemed, in accordance with its terms and in accordance with the Representation Letter.

D. The County Auditor or the designee thereof is hereby authorized and directed to cause to be provided a material event notice regarding the Refunded Bonds in accordance with the Continuing Disclosure Certificate of the County dated December 9, 2010, and delivered in connection with the 2010 Bonds.

E. There is hereby appropriated any balance of the monies in the 2010 Bonds Debt Service Fund to the Debt Service Fund after payment of the Refunded Bonds.

Section 5. Covenants; Accounts and Tax Levies.

5.01 A. Debt Service Fund. For the convenience and proper administration of the monies to be borrowed and repaid on the Bonds and to provide adequate and specific security for the Purchaser and holders from time to time of the Bonds, there is hereby created a special fund to be designated the 2013D General Obligation Capital Improvement Refunding Bonds Debt Service Fund (the "Debt Service Fund") to be administered and maintained by the County Auditor as a bookkeeping account separate and apart from all other funds maintained in the official financial records of the County. The Debt Service Fund shall be maintained in the manner herein specified until all of the Bonds and interest thereon have been fully paid.

B. To the Debt Service Fund there is hereby pledged and irrevocably appropriated and there shall be credited: (i) any balance remaining after the Redemption Date in the 2010 Bonds Debt Service Fund; (ii) all investment earnings on funds in the Debt Service Fund; (iii) accrued interest, if any; (iv) any taxes levied to pay the principal and interest on the Bonds; and (v) any and all other monies which are properly available and are appropriated by the County to the Debt Service Account.

The money in the Debt Service Fund shall be used for no purpose other than the payment of principal of and interest on the Bonds. If the balances in the Debt Service Fund are ever insufficient to pay all principal and interest then due on the Bonds, the

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

County Auditor shall nevertheless provide sufficient money from any other funds of the County which are available for that purpose, and such other funds shall be reimbursed from the Debt Service Fund when the balance therein is sufficient.

5.02 A. For the prompt and full payment of the principal and interest on the Bonds, the full faith and credit and taxing power of the County are hereby irrevocably pledged. To assure sufficient monies for the payment of principal and interest on the Bonds, there is hereby levied a direct, annual, ad valorem tax upon all taxable property in the County which shall be extended upon the tax rolls and collected with and as part of the other general property taxes in the County for the years and in the amounts as follows:

Levy Year	Collection Year	Tax Levy
2013	2014	*\$598,421.00
2014	2015	\$603,462.00
2015	2016	\$607,872.00
2016	2017	\$604,407.00
2017	2018	\$606,087.00
2018	2019	\$607,557.00
2019	2020	\$604,827.00
2020	2021	\$607,189.00
2021	2022	\$608,239.00
2022	2023	\$608,029.00
2023	2024	\$607,242.00
2024	2025	\$603,147.00

* The levy Collection Year 2014 is reduced by \$195.07, which is the amount of the initial deposit, at closing, into the Debt Service Fund.

B. The tax levies are such that if collected in full they, together with the accrued interest, if any, will produce at least five percent in excess of the amount needed to meet when due the principal and interest payments on the Bonds. Such tax receipts shall be deposited in the Debt Service Fund. If the tax receipts from such levies are ever insufficient to pay all principal and interest on the Bonds when due, the County Auditor shall, nevertheless, provide sufficient monies from other funds of the County which are available and such other funds shall be reimbursed from such tax collections when received.

C. Such tax levies shall be irrevocable as long as any of the Bonds issued hereunder are outstanding and unpaid; provided, however, that prior to November 30 of each year, while any Bonds issued hereunder remain outstanding, the Board may reduce or cancel the above levies to the extent of the amount on deposit in and which has been appropriated to the Debt Service Fund to pay the principal of and interest on the Bonds, and may direct the County Auditor to reduce the levy for such year by that amount.

5.03 Monies on deposit in the Debt Service Fund may, at the discretion of the County, be invested in securities permitted by Minnesota Statutes, Chapter 118A; provided, that any such investments shall mature at such times and in such amounts as will permit for payment of the principal and interest on the Bonds when due.

5.04 Proceeds of the Bonds in the amount of \$32,917.35 shall be used by the County to pay costs of issuance of the Bonds.

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

355

Section 6. Tax Covenants.

6.01 The County covenants and agrees with the holders of the Bonds that the County will (i) take all action on its part necessary to cause the interest on the Bonds to be exempt from federal income taxes including, without limitation, restricting, to the extent necessary, the yield on investments made with the proceeds of the Bonds and investment earnings thereon, making required payments to the federal government, if any, and maintaining books and records in a specified manner, where appropriate, and (ii) refrain from taking any action which would cause interest on the Bonds to be subject to federal income taxes, including, without limitation, refraining from spending the proceeds of the Bonds and investment earnings thereon on certain specified purposes.

6.02 A. No portion of the proceeds of the Bonds shall be used directly or indirectly to acquire higher yielding investments or to replace funds which were used directly or indirectly to acquire higher yielding investments, except (i) for a reasonable temporary period until such proceeds are needed for the purpose for which the Bonds were issued, and (ii) in addition to the above, in an amount not greater than the lesser of five percent of the proceeds of the Bonds or \$100,000. To this effect, any proceeds of the Bonds and any sums from time to time held in the Debt Service Fund (or any other County account which will be used to pay principal and interest to become due on the Bonds) in excess of amounts which under the applicable federal arbitrage regulations may be invested without regard as to yield shall not be invested at a yield in excess of the applicable yield restrictions imposed by the arbitrage regulations on such investments after taking into account any applicable temporary periods of minor portion made available under the federal arbitrage regulations.

B. In addition, the proceeds of the Bonds and money in the Debt Service Fund shall not be invested in obligations or deposits issued by, guaranteed by or insured by the United States or any agency or instrumentality thereof if and to the extent that such investment would cause the Bonds to be federally guaranteed within the meaning of Section 149(b) of the Internal Revenue Code of 1986, as amended (the "Code").

C. The County hereby covenants not to use the proceeds of the Bonds, or to cause or permit them to be used, in such a manner as to cause the Bonds to be "private activity bonds" within the meaning of Sections 103 and 141 through 150 of the Code.

6.03 A. The County covenants and certifies to and for the benefit of the owners of the Bonds that no use will be made of the proceeds of the Bonds which will cause the Bonds to be arbitrage bonds within the meaning of Section 148(a) of the Code and the Treasury Regulations promulgated thereunder.

B. The County expects all proceeds of the Bonds will be spent within six months of the date of closing and delivery of the Bonds and no rebate of arbitrage profits will be required. In the event proceeds of the Bonds are not so spent, the County will compute and cause the payment to the United States of all amounts required under the rebate requirement of Section 148(f) of the Code and the Regulations issued thereunder.

6.04 In addition to the Bonds, the County is selling, pursuant to a single offering document and on the same date, the following obligations: (i) General Obligation Capital Improvement Bonds, Series 2013A (the "Series 2013A Bonds"); (ii) General Obligation Capital Equipment Notes, Series 2013B (the "Series 2013B Notes"); and (iii) General Obligation Capital Improvement Refunding Bonds, Series 2013C (the "Series 2013C Bonds"). The Bonds will be paid out of substantially the same source as the Series

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

356

2013A Bonds, the Series 2013B Notes and the Series 2013C Bonds; consequently, the Bonds, the Series 2013A Bonds, the Series 2013B Notes and the 2013C Bonds are a single issue under Treasury Regulations Section 1.150-1(c).

Section 7. Miscellaneous.

7.01 The County Auditor is directed to file a certified copy of this Resolution and such other information as may be required, and to provide to bond counsel a certificate stating that the Bonds herein authorized have been duly entered on his register.

7.02 The officers of the County are authorized and directed to prepare and furnish to the Purchaser and to bond counsel, certified copies of all proceedings and records of the County relating to the legality and marketability of the Bonds, as such facts appear from the official books and records in the officers' custody or are otherwise known to them. All such certified copies, Bonds, and affidavits, including any heretofore furnished, constitute representations of the County as to the correctness of the facts recited therein and the action stated therein to have been taken.

7.03 The Chair and the County Auditor are hereby authorized and directed to certify that they have examined the Official Statement prepared and circulated in connection with the issuance and sale of the Bonds and that to the best of their knowledge and belief the Official Statement is a complete and accurate representation of the facts and representations made therein as of the date of the Official Statement.

7.04 In the event of the absence or disability of the Chair or the County Auditor, such officers as in the opinion of the County Attorney may act in their behalf shall, without further act or authorization, execute and deliver the Bonds, and do all things and execute all instruments and documents required to be done or executed by such absent or disabled officers.

Section 8. Continuing Disclosure. The County acknowledges that the Bonds are subject to the continuing disclosure requirements of Rule 15c2-12 promulgated by the Securities and Exchange Commission under the Securities Exchange Act of 1934 (17 C.F.R. § 240.15c2-12) (the "Rule"). The Rule governs the obligations of certain underwriters to require that issuers of municipal bonds enter into agreements for the benefit of the bondholders to provide continuing disclosure with respect to the bonds. To provide for the public availability of certain information relating to the Bonds and the security therefor and to permit underwriters of the Bonds to comply with the Rule, which will enhance the marketability of the Bonds, the Chair and the County Auditor are hereby authorized and directed to execute a Continuing Disclosure Certificate substantially in the form of the Certificate currently on file in the office of the County Auditor.

Section 9. Post-Issuance Compliance Policy and Procedures. The Board has previously approved a Post-Issuance Debt Compliance Policy and Post-Issuance Debt Compliance Procedures which applies to qualifying obligations to provide for compliance with all applicable federal regulations for tax-exempt obligations or tax-advantaged obligations (collectively, the "Policy and Procedures"). The Board hereby approves the Policy and Procedures for the Bonds. The County Auditor continues to be designated to be responsible for post-issuance compliance in accordance with the Policy and Procedures.

Adopted: August 6, 2013.

EXHIBIT A

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

357

NOTICE OF CALL FOR REDEMPTION

\$7,135,000 Taxable General Obligation Capital Improvement Bonds,
Series 2010A (Build America Bonds-Direct Pay)
of St. Louis County, Minnesota

NOTICE IS HEREBY GIVEN that, by order of the Board of Commissioners of St. Louis County, Minnesota (the "Board"), there have been called for redemption and prepayment on

October 15, 2013

all outstanding bonds of the County designated as the \$7,135,000 Taxable General Obligation Capital Improvement Bonds, Series 2010A (Build America Bonds-Direct Pay), dated December 9, 2010, which mature on the following dates:

Number	Maturity Date (December 1)	Principal Amount*	Interest Rate	CUSIP Number**
R-3	2013	\$430,000	1.20%	791230 PK5
R-4	2014	\$435,000	1.45%	791230 PL3
R-5	2015	\$440,000	1.90%	791230 PM1
R-6	2016	\$450,000	2.20%	791230 PN9
R-7	2017	\$455,000	2.55%	791230 PP4
R-8	2018	\$465,000	2.85%	791230 PQ2
R-9	2019	\$475,000	3.15%	791230 PR0
R-10	2020	\$490,000	3.50%	791230 PS8
R-11	2021	\$500,000	3.75%	791230 PT6
R-12	2022	\$515,000	4.00%	791230 PU3
R-13	2023	\$525,000	4.25%	791230 PV1
R-14	2024	\$540,000	4.45%	791230 PW9
R-15	2025	\$555,000	4.65%	791230 PX7

The Bonds are being called at a price of par plus accrued interest to October 15, 2013, on which date they will cease to bear interest. Holders of the Bonds hereby called for redemption should present their Bonds for payment at the office of the County Auditor, St. Louis County, Minnesota, 100 North 5th Avenue West, Duluth, Minnesota 55802.

BY ORDER OF THE BOARD OF COMMISSIONERS
OF ST. LOUIS COUNTY, MINNESOTA

It is recommended that you mail your Bond registered or certified mail to guard against loss.

Important Notice: In compliance with the Economic Growth and Tax Relief Reconciliation Act of 2001, federal backup withholding tax will be withheld at the applicable backup withholding rate in effect at the time the payment by the redeeming institutions if they are not provided with your social security number or federal employer identification number, properly certified. This requirement is fulfilled by submitting a W-9 Form, which may be obtained at a bank or other financial institution.

* Indicates full call of stated maturity.

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

358

** Neither the Issuer nor the Bond Registrar shall be responsible for the selection of or use of the CUSIP number, and no representation is made as to its correctness indicated in the Notice of Call for Redemption. CUSIP numbers are included solely for the convenience of the Holders.

Unanimously adopted August 6, 2013. No. 13-512

BY COMMISSIONER JEWELL:

WHEREAS, The St. Louis County master space plan for the Duluth area offices has been in place since 1995 with the Government Services Center (GSC) being the primary site for consolidation of county provided services; and

WHEREAS, State of Minnesota tenants have vacated the building and the next phase of the master space plan is to develop construction and bid documents for the GSC remodeling project as the basis for the most accurate bond amount possible; and

WHEREAS, The Purchasing Division solicited proposals in December 2011; and

WHEREAS, The design team offering the best product/service at the best value was Perkins & Will of Minneapolis, Minnesota, Krech-Ojard & Associates of Duluth, Minnesota, and Gausman & Moore Engineers of Duluth, Minnesota; and

WHEREAS, The County structured this contract in phases and two phases are complete with the final phase being construction administration, close out and commissioning of the Duluth GSC; and

WHEREAS, the St. Louis County Board has authorized the sale of bonds to finance this Capital Improvement Project;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the appropriate county officials to enter into a Phase III contract with Perkins & Will of Minneapolis, Minnesota, for construction administration, close out, and commissioning phases for the Duluth GSC infrastructure replacement and general remodeling project in the amount of \$585,375, payable from 2013 Capital Improvement bond proceeds in Fund 440, Agency 440001.

Unanimously adopted August 6, 2013. No. 13-513

BY COMMISSIONER STAUBER:

WHEREAS, The St. Louis County master space plan for the Duluth area offices has been in place since 1995 with the Government Services Center (GSC) being the primary site for consolidation of county provided services; and

WHEREAS, State of Minnesota tenants have vacated the building and the next phase of the master space plan is to develop construction and bid documents for the GSC remodeling project as the basis for the most accurate bond amount possible; and

WHEREAS, The Purchasing Division solicited proposals in December 2012; and

WHEREAS, The construction firm offering the best product/service at the best value was Johnson Wilson Constructors of Duluth, Minnesota; and

WHEREAS, the St. Louis County Board has authorized the sale of bonds to finance this Capital Improvement Project;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the appropriate county officials to enter into a contract with Johnson Wilson of Duluth, Minnesota, for Construction Management At-Risk services for the Duluth GSC infrastructure replacement and general remodeling project in the amount of \$17,413,000, which includes all hard project construction costs, a general project contingency, and Construction Management At-Risk fees of \$498,847, payable from 2013 Capital Improvement bond proceeds in Fund 440, Agency 440001.

Unanimously adopted August 6, 2013. No. 13-514

BY COMMISSIONER RAUKAR:

WHEREAS, The State of Minnesota recently solicited requests for 2014 Capital Appropriations; and

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

359

WHEREAS, Arrowhead Economic Opportunity Agency (AEOA) and Range Mental Health Center (RMHC) submitted a request for \$10,000,000 for a new office facility located in the City of Virginia in St. Louis County; and

WHEREAS, The Capital Appropriation would finance up to 50% of the joint project cost, and AEOA/RMHC have committed to funding the project match;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board declares its support for the 2014 Capital Appropriation request of \$10,000,000 for the AEOA/RMHC new office facility, consistent with St. Louis County's Purchasing Rules and project labor agreements;

RESOLVED FURTHER, That the St. Louis County Board designates this as its second priority State bonding project for 2014.

Yeas – Commissioners Jewell, Forsman, Stauber, Nelson and Raukar - 5

Nays – Chair Dahlberg - 1

Vacant – Second District Seat – 1

Adopted August 6, 2013. No. 13-515

At 11:54 p.m., August 6, 2013, Commissioner Nelson, supported by Commissioner Jewell, moved to adjourn. The motion passed; six yeas, zero nays.

Chris Dahlberg, 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)

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

360

**OFFICIAL PROCEEDINGS OF THE MEETING
OF THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF ST. LOUIS, MINNESOTA,
HELD ON AUGUST 13, 2013**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 13th day of August 2013, at 9:32 a.m., at the St. Louis County Courthouse, Duluth, Minnesota, with the following members present: Commissioners Frank Jewell, Mike Forsman, Pete Stauber, Keith Nelson, Steve Raukar, and Chair Chris Dahlberg - 6. Absent: - 0. Second District Seat: Vacant - 1.

Chair Dahlberg asked for a moment of silence for all those who serve our country and for those who pay the ultimate sacrifice.

Chair Dahlberg opened the meeting to persons who wanted to address the Board concerning issues not on the agenda, and no one came forth.

Pursuant to Resolution No. 13-300, adopted May 14, 2013, the St. Louis County Board considered bids received for the sale of surplus fee owned land located in Grand Lake Township. Commissioner Nelson, supported by Commissioner Forsman, moved to approve the sale of surplus fee owned land. Since no bids were received, Commissioner Nelson, supported by Commissioner Forsman, withdrew the motion and no further action was taken by the Board.

Commissioner Jewell, supported by Commissioner Raukar, moved to approve the consent agenda. The motion passed; six yeas, zero nays.

At 9:45 a.m., a public hearing was conducted pursuant to Resolution No. 13-452, adopted July 9, 2013, to consider penalties and/or suspension of liquor licenses for a liquor law violation by Wilbert, Inc., d/b/a Wilbert Café & El Toro Lounge, Cotton Township. County Attorney Mark Rubin submitted a packet to the Board that included the resolution for the public hearing, required notices, and affidavits of mailing. County Attorney Rubin explained that an agreement with Sandra and Steven Simek had been established prior to the board meeting. County Attorney Rubin read the agreement. Chair Dahlberg opened the floor up for public comment and no one chose to do so. At 9:49 a.m., Commissioner Nelson, supported by Commissioner Jewell, moved to close the public hearing; six yeas, zero nays.

Commissioner Nelson, supported by Commissioner Stauber, moved that combination On/Off-Sale Intoxicating Liquor License No. CMB1485 and Sunday On-Sale Intoxicating Liquor License No. SUN1485, issued to Wilbert, Inc., d/b/a Wilbert Café & El Toro Lounge, Cotton Township, shall be suspended for ten (10) days and a \$1,000.00 civil penalty shall be assessed; nine (9) days of the suspension and \$1,000.00 of the civil penalty shall be stayed for one year with no same or similar violations during that period; the date of the one-day suspension will be September 9, 2013; and that a new violation within the next year (ending August 13, 2014) will result in the imposition of the remainder of the suspension and civil penalty, and may also be cause for additional action against the liquor license of the licensee pursuant to St. Louis County Ordinance Number 28, Section 13. The motion passed; six yeas, zero nays. Resolution No. 13-529.

At 9:51 a.m., a public hearing was conducted pursuant to Resolution No. 13-468, adopted July 30, 2013, to receive public testimony concerning the qualifications of prospective appointees to fill the vacancy existing in the office of Second District County Commissioner. As required by Minnesota Statutes 375.101, subd. 5, St. Louis County

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

361

Auditor Donald Dicklich submitted a packet to the Board that included a listing of public officials contacted regarding the public hearing, a copy of the letter mailed to the public officials, certified copies of resolutions numbered 13-466, 13-467, 13-468, and a copy of Minnesota statutes 375.101.

Chair Dahlberg opened the floor up for comment from other affected governmental entities. Sharla Gardner, City of Duluth Councilor, discussed past experiences of the Duluth City Council filling vacant seats and asked the Board to honor the values of Commissioner O'Neil when making an appointment.

Chair Dahlberg then opened the floor up for public comment. Angie Miller, Duluth, MN, thanked the Board and St. Louis County for all of their support during Commissioner O'Neil's illness. Ms. Miller submitted her name for consideration and stated that she had no intention of running in the special election. Jim Laumeier submitted his name for consideration, discussed his qualification, and submitted a resume to the Board. Mr. Laumeier of Duluth, MN, also stated that he had no intention of running in the special election. Brian Marsolek of Duluth, MN, said he felt that the seat should be filled with a person of similar political persuasion as Steve O'Neil. Deborah Taylor of Duluth, MN, asked that the Board not fill the seat and wait for the special election to take place. Ms. Taylor submitted a copy of Steve O'Neil's 2012 campaign brochure to the Board. Andrew Fena of Duluth, MN, said he believes voters should make the decision during the special election. Rick Edwards of Duluth, MN, asked that the decision to fill the seat be left to the voters. Mr. Edwards stated that if the Board decides to appoint, they should keep in mind the values of Steve O'Neil and was supportive of Angie Miller. Richard Hulderson of Duluth, MN, discussed the tradition of having the spouse of the deceased individual fill the seat and expressed his support of Angie Miller. Joel Heller of Duluth, MN, said that the appointed person should represent similar values of Steve O'Neil. Kevin Skwira-Brown of Duluth, MN, applauded the response of the Commissioners in dealing with the passing of Steve O'Neil and asked that they not bias the special election by appointing someone who is intending to run in the special election. St. Louis County Deputy Administrator, Gary Eckenberg, said that Greg Gilbert had expressed interest in the seat yesterday; however, Mr. Gilbert has withdrawn his name from consideration, as he was not previously aware that Angie Miller was interested in filling the position. Deputy Administrator Eckenberg submitted copy of the email he received from Greg Gilbert to the Board. At 10:22 a.m., Commissioner Nelson, supported by Commissioner Jewell, moved to close the public hearing; six yeas, zero nays.

Commissioner Forsman, supported by Commissioner Nelson, moved that if the St. Louis County Board determines that there is to be an appointment to fill the Second District Commissioner vacancy, it will occur after the special election filing/withdrawal period closes on September 5, 2013. Commissioner Forsman, supported by Commissioner Jewell, offered an amendment that if an appointment is made, it would not occur until the September 10, 2013, Board meeting. After further discussion, the amendment passed; six yeas, zero nays. Commissioner Nelson, supported by Commissioner Jewell, offered a second amendment that those individuals who stated at the August 13, 2013, public hearing that they would not run in the special election, may be considered for appointment prior to September 10, 2013. The second amendment passed; five yeas, one nay (Raukar). After further discussion, the amended motion passed; six yeas, zero nays. Resolution No. 13-530.

A recess was taken from 10:43 a.m. to 10:52 a.m.

Commissioner Jewell, supported by Commissioner Raukar, moved to consider a resolution detailing an appointment process for filing the Second District Commissioner

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

362

vacancy; item has not been to Committee of the Whole. The motion failed; two yeas, four nays (Forsman, Stauber, Nelson, Dahlberg).

At 10:58 a.m., the County Board recessed into a Committee of the Whole session.

At 1:40 p.m., the County Board re-convened with the following members present: Commissioners Frank Jewell, Mike Forsman, Pete Stauber, Keith Nelson, Steve Raukar, and Chair Chris Dahlberg - 6. Absent: - 0. Second District Seat: Vacant - 1

Commissioner Raukar, supported by Commissioner Nelson, moved to approve the consent agenda consisting of items passed at the Committee of the Whole meeting. The motion passed; six 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, Mark Weber, Land and Minerals Director, and Donald Dicklich, County Auditor, submitting Board Letter No. 13-327, Special Sale - Brokaw - Occupancy Trespass.—[59704](#)

Kevin Gray, County Administrator, submitting Board Letter No. 13-347, Reappointment to Cook-Orr Healthcare District Board of Directors.—[59705](#)

Kevin Gray, County Administrator, and Donald Dicklich, County Auditor, submitting Board Letter No. 13-349, Establish Public Hearing to Consider Off-Sale Intoxicating Liquor License - Alborn Rail Station (Alborn Township).—[59706](#)

Kevin Gray, County Administrator, Donald Dicklich, County Auditor, and Mark Rubin, County Attorney, submitting Board Letter No. 13-350, Establish Public Hearing to Consider Allegations of Liquor Law Violation - The Ledge Liquor Store (Vermilion Lake Township).—[59707](#)

Kevin Gray, County Administrator, and Donald Dicklich, County Auditor, submitting Board Letter No. 13-351, Establish Public Hearing on an Amendment to the Capital Improvement Plan and Intent to Issue Capital Improvement Bonds.—[59708](#)

Kevin Gray, County Administrator, and Donald Dicklich, County Auditor, submitting Board Letter No. 13-352, ARC Board Request for NERCC Capital Improvement Bonding.—[59709](#)

Agreement for Professional Services between the County of St. Louis and Northland Consulting Engineers, LLP, Duluth, MN, for a Facility Condition Review of the Duluth Motor Pool Building.—[13-717](#)

Agreement for Professional Services between the County of St. Louis and Northland Consulting Engineers, LLP, Duluth, MN, for a Facility Condition Review of the Duluth Courthouse Parking Ramp.—[13-718](#)

Service Contract No. 5090-A between the County of St. Louis and Mahkahta Trucking, Eveleth, MN, for Demolition Waste Haulage for the Brookston, Cook, Aurora, Northwoods (Ely), and Hibbing Transfer Stations.—[13-719](#)

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

363

Service Contract No. 5090-B between the County of St. Louis and G-Men, Inc., Ely, MN, for Demolition Waste Haulage for the Regional Landfill.—[13-720](#)

Service Contract No. 5103 between the County of St. Louis and General Waste, Inc., Keewatin, MN, for disposal services of Class I demolition waste.—[13-721](#)

Amendment No. 2, Original Damion Contract 2011-006560, between the County of St. Louis and Industrial Fluid Technologies, LLC, for Lubricating Oils, Greases, Coolants and Fluids.—[13-722](#)

Contract for County-State Aid Highway (CSAH) Project between the County of St. Louis and AAA Striping Service, St. Michael, MN, for Ground-in-Wet-Reflective Edgeline and Centerline Markings on various CSAH highways within St. Louis County (SAP 69-030-027, CP 0000-187071).—[13-723](#)

Contract for County-State Aid Highway Project between the County of St. Louis and Utility Systems of America, Inc., Eveleth, MN, for Bridge No. 69K09 and Approaches over the Beaver River on Township Road (TR) 2903 in Rice Lake Township (SAP 69-598-038, WO 177733 Storm).—[13-724](#)

Contract for County-State Aid Highway Project between the County of St. Louis and Mesabi Bituminous, Inc., Gilbert, MN, for Mill Bituminous Surface, Plant Mix Bituminous Surface, Curb & Gutter, and Aggregate Shouldering on CSAH 67 in Chisholm (SAP 69-667-006, CP 0067-174509).—[13-725](#)

Contract for County-State Aid Highway Project between the County of St. Louis and Utility Systems of America, Inc., Eveleth, MN, for Bridge No. 69K03 and Approach Grading on CSAH 133 in Meadowlands Township (SAP 69-598-048).—[13-726](#)

Contract for County-State Aid Highway Project between the County of St. Louis and Watters and Sons Excavating, LLC, Duluth, MN, for Culvert Replacement and Plant Mixed Bituminous Patches on CSAH 36 in Rice Lake Township (CP 0036-180241).—[13-727](#)

Contract for County-State Aid Highway Project between the County of St. Louis and Utility Systems of America, Inc., Eveleth, MN, for Lining Centerline Culvert Pipes, Salvage Concrete Pipe Culvert, and Install Pipe Culvert on CSAH 13 in Hermantown (SP 69-613-037, WO 162555 Storm, MN Proj. # ER MN 12(255)).—[13-728](#)

Payment and Performance Bond for Federal, State, or County Highway Construction and Maintenance Projects, Bond #61745369, from A Plus Landscaping, LLC, for Culvert Replacement on CR 831 (Storm WO 163891).—[13-729](#)

Payment and Performance Bond for Federal, State, or County Highway Construction and Maintenance Project, Bond #MNC58324, from Hydro-Klean, LLC, for Storm Sewer System Televising and Cleaning on CSAH 3, CSAH 11, CSAH 14, CR 161, CR 284, CR 291, and CR 696 (Storm WO 161489H).—[13-730](#)

Payment and Performance Bond for Federal, State, or County Highway Construction and Maintenance Project, Bond #MNC58325, from Hydro-Klean, LLC, for Storm Sewer

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

364

System Televising and Cleaning on CSAH 4, CSAH 17, CSAH 34, CSAH 48, CSAH 121, CR 162, CR 234, CR 244, CR 248, CR 296, CR 297, CR 601, CR 694, and CR 724 (Storm WO 161489D).—[13-731](#)

Payment and Performance Bond for Federal, State, or County Highway Construction and Maintenance Project, Bond #MNC66170, from Infrastructure Technologies, Inc., for Storm Sewer System Televising and Cleaning on CSAH 9 and various CSAH and CR along the North Shore to French River (Storm WO 161489J).—[13-732](#)

Payment and Performance Bond for Federal, State, or County Highway Construction and Maintenance Project, Bond #MNC58323, from Hydro-Klean, LLC, for Storm Sewer System Television and Cleaning on CSAH 91 (Storm WO 161489D).—[13-733](#)

Agreement for Purchase of Services No. 13-008030 between the County of St. Louis and Arrowhead Regional Corrections (ARC) for the St. Louis County Female Offender Program Enhancement.—[13-734](#)

Service Agreement between St. Louis County and OMNILERT, LLC, Leesburg, Virginia, for Amerilert Services (a mass notification system).—[13-735](#)

Group Residential Housing Rate Agreement, Contract No. 51711, between the St. Louis County Board of Commissioners and Autio Homes.—[13-736](#)

Group Residential Housing Rate Agreement, Contract No. 51712, between the St. Louis County Board of Commissioners and Autio Homes – Fir Street.—[13-737](#)

Group Residential Housing Rate Agreement, Contract No. 51739, between the St. Louis County Board of Commissioners and Better Living - Crestline.—[13-738](#)

Group Residential Housing Rate Agreement, Contract No. 51720, between the St. Louis County Board of Commissioners and Covenant Enabling Residences of Minnesota, Inc., 1623 North Place.—[13-739](#)

Group Residential Housing Rate Agreement, Contract No. 51721, between the St. Louis County Board of Commissioners and Covenant Enabling Residences of Minnesota, Inc., 1625 North Place.—[13-740](#)

Group Residential Housing Rate Agreement, Contract No. 51718, between the St. Louis County Board of Commissioners and Covenant Enabling Residences of Minnesota, Inc. - Our Place A.—[13-741](#)

Group Residential Housing Rate Agreement, Contract No. 51719, between the St. Louis County Board of Commissioners and Covenant Enabling Residences of Minnesota, Inc. – Our Place B.—[13-742](#)

Group Residential Housing Rate Agreement, Contract No. 51789, between the St. Louis County Board of Commissioners and Transitional Senior Housing.—[13-743](#)

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

365

Group Residential Housing Rate Agreement, Contract No. 51786, between the St. Louis County Board of Commissioners and Mona Nelson and Mark Nelson d/b/a Bayside Adult Foster Home.—13-744

Group Residential Housing Rate Agreement, Contract No. 51742, between the St. Louis County Board of Commissioners and Virginia Tuominen.—13-745

Group Residential Housing Rate Agreement, Contract No. 51792, between the St. Louis County Board of Commissioners and Brooke Manor.—13-746

Group Residential Housing Rate Agreement, Contract No. 51793, between the St. Louis County Board of Commissioners and Brooke Manor.—13-747

Group Residential Housing Rate Agreement, Contract No. 51772, between the St. Louis County Board of Commissioners and Joseph and Holly Macor (Comfort Living AFC Homes).—13-748

Group Residential Housing Rate Agreement, Contract No. 51790, between the St. Louis County Board of Commissioners and McCarthy Manor.—13-749

Group Residential Housing Rate Agreement, Contract No. 51698, between the St. Louis County Board of Commissioners and Carlson Hall.—13-750

Upon motion by Commissioner Jewell, supported by Commissioner Raukar, resolutions numbered 13-516 through 13-528, as submitting on the consent agenda, were unanimously adopted as follows:

BY COMMISSIONER JEWELL:

RESOLVED, That the official proceedings of the St. Louis County Board of Commissioners for the meeting of July 30, 2013, are hereby approved.
Adopted August 13, 2013. No. 13-516

WHEREAS, Fairview Range Medical Center (Hibbing Fairview Hospital) is a Minnesota not-for-profit hospital that provides a disproportionate share of healthcare services to the Medicare population, in addition to supporting many programs that benefit the indigent, uninsured, or underinsured population in Minnesota; and

WHEREAS, Hibbing Fairview Hospital desires to participate in the drug discount program established under Section 340B of the Public Health Services Act (the “340B Program”); and

WHEREAS, In order to participate in the 340B Program, Hibbing Fairview Hospital must enter into an agreement with a unit of government pursuant to which the hospital commits to provide health care services to low income individuals who are not entitled to Medicare or Medicaid benefits at no reimbursement, or considerably less than full reimbursement, from these patients; and

WHEREAS, Hibbing Fairview Hospital desires to make such a formal commitment to St. Louis County;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the appropriate county officials to execute a Memorandum of Agreement with Fairview Range Medical Center (Hibbing Fairview Hospital) to allow it to qualify for participation in the 340B Discount Drug Program.

Adopted August 13, 2013. No. 13-517

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

366

WHEREAS, St. Louis County received \$125,000 from the Minnesota Housing Finance Agency (MHFA) Family Homeless Prevention and Assistance Program (FHPAP) to assist households impacted by the June 2012 floods through a Special Disaster Relief Session of the Legislature; and

WHEREAS, St. Louis County expended all of its flood disaster fund allotment by June 30, 2013; and

WHEREAS, MHFA is now offering an additional \$62,500, originally allocated to Carlton County but left unspent; and

WHEREAS, Funds are restricted to FHPAP eligible households under the same terms and conditions as the previous allotment;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board accepts \$62,500 from the Minnesota Housing Finance Agency by amending its current contract for the period July 1, 2013 to June 30, 2014 to assist households impacted by the June 2012 floods;

RESOLVED FURTHER, That the St. Louis County Board authorizes the appropriate county officials to execute a contract agreement with the Salvation Army and the Arrowhead Economic Opportunity Agency to deliver services funded by the Special Disaster Relief Session to Family Homeless Prevention and Assistance Program eligible households, to be paid from 230-232001-607200-23204-99999999-2013.

Budget Reference:

230-232001-530701-23204-99999999-2013 Revenue

230-232001-607200-23204-99999999-2013 Expense

Adopted August 13, 2013. No. 13-518

WHEREAS, In 2005, 38 counties agreed to participate in a Parent Support Outreach Program (PSOP) pilot and the rigorous program evaluation showed strong improvement in family wellbeing and a decrease in child maltreatment reports; and

WHEREAS, As a result of these findings, the 2013 Minnesota Legislature appropriated \$4.5 million for the biennium for statewide expansion of the PSOP beginning July 1, 2013; and

WHEREAS, The St. Louis County Public Health and Human Services Department (PHHS) was notified that its allocation for the statewide expansion of PSOP is \$132,500 for the period July 1, 2013, through December 31, 2013, and \$265,000 for calendar year 2014; and

WHEREAS, This funding will allow PHHS to hire 3.0 FTE social workers to provide prevention services to children and their families;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board increases the Public Health and Human Services (PHHS) 2013 budget by \$132,500 in Fund 230, Agency 232008, Revenue Object 530660, the amount of the county's allocation for the Parent Support Outreach Program (PSOP) for the period July 1, 2013, through December 31, 2013;

RESOLVED FURTHER, That the Board authorizes an increase to the PHHS staffing complement by 3.0 FTE social workers and make associated budgetary changes in Fund 230, Agency 232008, Object 610100 and 629900, with the understanding that if the state allocation is discontinued, the positions will be eliminated;

RESOLVED FURTHER, That the Board directs PHHS to work with County Administration to include the 2014 allocation of \$265,000 into its 2014 budget which is currently under development.

Adopted August 13, 2013. No. 13-519

WHEREAS, The State of Minnesota has appropriated money to fund supportive services in the housing programs that serve individuals, unaccompanied youth, and families experiencing homelessness; and

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

367

WHEREAS, A regional proposal submitted by Aitkin, Carlton, Cook, Itasca, Koochiching, Lake, and St. Louis Counties, and the Bois Forte, Fond du Lac, and Grand Portage Bands of the Minnesota Chippewa Tribe was awarded grant funds to provide services to end long-term homelessness; and

WHEREAS, The State of Minnesota wishes to contract with St. Louis County to serve as fiscal agent for the Northeast Minnesota Project to End Long-Term Homelessness; and

WHEREAS, Hearth Connection, a Minnesota nonprofit organization, wishes to contract with St. Louis County to manage and administer the Northeast Minnesota Project to End Long-Term Homelessness;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the Public Health and Human Services Department (PHHS) to contract with the State of Minnesota to receive \$1,448,926 for the Northeast Minnesota Project to End Long-Term Homelessness from July 1, 2013 to June 30, 2015, with funds to be deposited into Fund 230, Agency 232001, Object 607200, Grant 23205, Project 99999999, Grant Year 2013 in the amount of \$362,231;

RESOLVED FURTHER, That PHHS will work with County Administration to place \$724,463, for the period of January 1, 2014 through December 31, 2014, in the department's 2014 budget;

RESOLVED FURTHER, That PHHS will work with County Administration to place \$362,232, for the period of January 1, 2015 through June 30, 2015, in the Department's 2015 budget;

RESOLVED FURTHER, That the appropriate St. Louis County officials are authorized to contract with Hearth Connections to manage and administer the Northeast Minnesota Project to End Long-Term Homelessness, and the county will pay Hearth Connection based on invoices submitted for services performed from July 1, 2013 to June 30, 2015, to be paid from Fund 230, Agency 232001, Object 607200, Grant 23205, Project 99999999, Grant Year 2013.

Adopted August 13, 2013. No. 13-520

WHEREAS, Minnesota Session Laws 2013, Chapter 73, authorizes the public and private sale of state tax forfeited land bordering public water subject to the establishment of permanent conservation easements to provide riparian protection and access for anglers and for future restoration work; and

WHEREAS, Minn. Stat. § 282.37 authorizes the Commissioner of Revenue, upon recommendation from a county board, to grant permanent easements on state tax forfeited lands bordering lakes and streams to be held in the name of the State Department of Natural Resources;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board recommends that the Commissioner of Revenue grant the following permanent easements to the State Department of Natural Resources to provide riparian protection and angler access:

1. Lot 440, Homcroft Park, Town of Rice Lake, Section 34, Township 51 North, Range 14 West (parcel 520-0130-00460). The easement shall be 75 feet in width, lying southerly of the centerline of the stream.
2. Lot 493, Homcroft Park, Town of Rice Lake, Section 34, Township 51 North, Range 14 West (parcel 520-0130-01020). The easement shall be 75 feet in width, lying southerly of the centerline of the stream.
3. Lot 533, Homcroft Park, Town of Rice Lake, Section 34, Township 51 North, Range 14 West (parcel 520-0130-01430). The easement shall be 75 feet in width, lying northerly of the centerline of the stream.
4. The northerly 435.6 feet of the Northeast Quarter of the Northeast Quarter, except the westerly 400 feet, Town of Rice Lake, Section 12, Township 51 North, Range 14 West (parcel 520-0012-00555). The easement shall lie southerly of the centerline of the stream and 75 feet in width lying northerly of the centerline of the stream.
5. The North Half of the North Half of the Southwest Quarter of the Northwest

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

368

Quarter, Town of Rice Lake, Section 15, Township 51 North, Range 14 West (parcel 520-0012-01460). The easement shall be 150 feet in width, lying 75 feet on each side of the centerline of the stream.

6. Lots 477 to 479, Homcroft Park, Town of Rice Lake, Section 34, Township 51 North, Range 14 West (parcel 520-0130-00840). The easement shall be 75 feet in width, lying northerly of the centerline of the stream.
7. Lot 534, Homcroft Park, Town of Rice Lake, Section 34, Township 51 North, Range 14 West (parcel 520-0130-01440). The easement shall be 75 feet in width, lying southerly of the centerline of the stream.
8. Lot 543, Homcroft Park, Town of Rice Lake, Section 34, Township 51 North, Range 14 West (parcel 520-0130-01530). The easement shall be 75 feet in width, lying southerly of the centerline of the stream.
9. Lot 544, Homcroft Park, Town of Rice Lake, Section 34, Township 51 North, Range 14 West (parcel 520-0130-01540). The easement shall be 75 feet in width, lying northerly of the centerline of the stream.

Adopted August 13, 2013. No. 13-521

WHEREAS, Pursuant to Laws of Minnesota 2013, Chapter 73, Section 32(3) (vi), St. Louis County may sell by private sale the following described state tax forfeited land to remedy a trespass:

SW1/4 OF SE1/4 EX R.R. R.O.W. 2.90 AC & EX 2 AC FOR STATE HWY & EX PART NELY OF HWY & EX THAT PART OF N 400 FT LYING WLY OF HWY & EX S 320 FT OF N 720 FT & EX THAT PART LYING S OF N 1020 FT
Township 65 North, Range 20 West, Section 24

Parcel Code: 425-0040-04030;

and

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

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

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves the sale of this state tax forfeited land to Kenneth Brokaw to remedy a trespass, for the appraised value of \$8,900, plus 3% assurance fee of \$267, appraisal fee of \$600, deed fee of \$25, deed tax of \$29.37, and recording fee of \$46, for a total of \$9,867.37 to be deposited in Fund 240 (Forfeited Tax Fund).

Adopted August 13, 2013. No. 13-522

WHEREAS, The Public Works Department equipment budget includes one field service truck package for a truck chassis purchased separately; and

WHEREAS, Towmaster, Inc., of Litchfield, MN, responded with the only acceptable quotation for this purchase in the amount of \$78,060.00;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the purchase and installation of one field service truck equipment package from Towmaster, Inc., of Litchfield, MN, for \$78,060.00, payable from Fund 407, Agency 407001, Object 665900.

Adopted August 13, 2013. No. 13-523

RESOLVED, That the St. Louis County Board authorizes an agreement, and any amendments authorized by the County Attorney, whereby the county will purchase the services of MSA Professional Services, Inc., of Duluth, MN, for a culvert survey, Phase I, CP 000-197187, contingent upon confirmation of the Minnesota Department of Natural Resources Lake Superior Coastal Grant. The total cost of these services is not to exceed

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

369

\$74,542, payable from Fund 200, Object 626600, with a local match not to exceed \$38,000.

Adopted August 13, 2013. No. 13-524

RESOLVED, That the St. Louis County Board authorizes an agreement, and any amendments authorized by the County Attorney, whereby the county will purchase the services of MSA Professional Services, Inc., of Duluth, MN, for a culvert survey, Phase I, CP 000-197187, contingent upon confirmation of the Minnesota Department of Natural Resources Lake Superior Coastal Grant. The total cost of these services is not to exceed \$74,542, payable from Fund 200, Object 626600, with a local match not to exceed \$38,000.

Adopted August 13, 2013. No. 13-525

WHEREAS, The St. Louis County Sheriff's Office is a member of the Lake Superior Drug and Violent Crime Task Force (LSDVCTF); and

WHEREAS, Members of the LSDVCTF wish to include U.S. Immigration & Customs Enforcement as a member; and

WHEREAS, The addition to membership requires an amendment to the Joint Powers Agreement;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes an amendment to the Lake Superior Drug and Violent Crime Task Force Joint Powers Agreement by adding U.S. Immigration & Customs Enforcement as a member;

RESOLVED FURTHER, That the St. Louis County Board authorizes the appropriate county officials to sign any associated contract documents.

Adopted August 13, 2013. No. 13-526

WHEREAS, On June 7, 2011, the St. Louis County Board adopted Resolution No. 11-316 accepting an Allied Radio Matrix for Emergency Response (ARMER) Integration grant for Interoperable Communications equipment from the Minnesota Department of Public Safety, Division of Emergency Communications Networks; and

WHEREAS, The State of Minnesota Department of Public Safety through the Division of Emergency Communication Networks has extended the original grant agreement to September 30, 2013;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes acceptance of the Allied Radio Matrix for Emergency Response (ARMER) Integration grant extension from the State of Minnesota Department of Public Safety, Division of Emergency Communications Networks, to September 30, 2013, which is accounted for in Fund 100, Agency 136999, Grant 13603, Grant Year 2010;

RESOLVED FURTHER, That the St. Louis County Board authorizes the appropriate county officials to sign any associated contract documents.

Adopted August 13, 2013. No. 13-527

WHEREAS, The Sheriff's Office responds to water accidents, searches and drownings throughout St. Louis County and the region and is in need of a Water Operations Vehicle to replace a vehicle far beyond its serviceable life; and

WHEREAS, Sheriff's Office staff has performed its due diligence in research, planning, and design to find a custom-built water operations vehicle that will serve St. Louis County for decades to come; and

WHEREAS, The Sheriff's Office has determined that LDV, Inc., of Burlington, WI, offers unique design and build features in specialty public safety vehicles that are best suited to its needs;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the purchase of a customized F-450 Water Operations Vehicle as specified by LDV Model #C24EEQ1482412-10 from LDV, Inc., of Burlington, WI, for a total of \$109,035, to be

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

370

accounted for as follows:

Fund 100, Agency 130999, Grant 13001, Year 2013	\$85,000
Fund 100, Agency 133001, Object 666900 (Rescue)	\$24,035

RESOLVED FURTHER, That the St. Louis County Board authorizes the appropriate county officials to sign all related contracts.

Adopted August 13, 2013. No. 13-528

BY COMMISSIONER NELSON:

WHEREAS, The St. Louis County Liquor Licensing Committee met on July 2, 2013, to consider recommending action to be taken by the County Board as a result of an alleged liquor law violation, sale to minor on June 18, 2013, against Wilbert, Inc. d/b/a Wilbert Café & El Toro Lounge, Cotton Township; and

WHEREAS, The Liquor Licensing Committee recommended a ten (10) day suspension and \$1,000.00 civil penalty, with nine (9) days of the suspension and \$1,000.00 of the civil penalty stayed, for one year with no same or similar violations during that year; and

WHEREAS, After hearing testimony on the matter at a public hearing conducted on August 13, 2013, at 9:45 a.m. in the St. Louis County Courthouse, Duluth, MN, the St. Louis County Board determined the recommendation of the St. Louis County Liquor Licensing Committee to be an appropriate penalty for the liquor law violation;

THEREFORE, BE IT RESOLVED, That the Combination On/Off-Sale Intoxicating Liquor License No. CMB1485 and Sunday On-Sale Intoxicating Liquor License No. SUN1485, issued to Wilbert, Inc. d/b/a Wilbert Café & El Toro Lounge, Cotton Township, are hereby suspended for one (1) day and a \$1,000.00 civil penalty is due, with nine (9) days of the suspension and \$1,000.00 of the civil penalty stayed for one (1) year, with no same or similar violations during that period;

RESOLVED FURTHER, That the date of suspension of the liquor licenses will be September 9, 2013;

RESOLVED FURTHER, That a new violation within the next year (ending August 13, 2014), will result in the imposition of the remainder of the suspension and civil penalty, and may also be cause for additional action against the liquor licenses of the licensee pursuant to St. Louis County Ordinance Number 28, Section 13.

Unanimously adopted August 13, 2013. No. 13-529

BY COMMISSIONER FORSMAN:

RESOLVED, That the St. Louis County Board determines that if there is to be an appointment to fill the Second District Commissioner vacancy, it will not occur until September 10, 2013, except that those individuals who stated at the August 13, 2013 public hearing that they would not run in the Special Election, may be considered for appointment prior to September 10.

Unanimously adopted August 13, 2013. No. 13-530

Upon motion by Commissioner Raukar, supported by Commissioner Nelson, resolutions numbered 13-531 through 13-545, as submitted to this Board on a second consent agenda, were unanimously adopted as follows:

BY COMMISSIONER RAUKAR:

WHEREAS, St. Louis County desires to offer for sale certain parcels of tax forfeited land; and

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

WHEREAS, The parcels of land cannot be improved because they are 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

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

371

property owners will encourage the return of the lands to the tax rolls; and
WHEREAS, The parcels of land have been classified as non-conservation land pursuant to Minn. Stat. § 282.01;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves the sale of the parcels described in County Board File No. 59614, and the County Auditor is authorized to offer the parcels at private sale to the adjacent property owners to encourage return of the parcels to the tax rolls. Funds from the sales are to be deposited into Fund 240 (Forfeited Tax Fund);

RESOLVED FURTHER, That the Land and Minerals Director shall give at least 30 days' notice of its sales to all adjoining owners.

Adopted August 13, 2013. No. 13-531

WHEREAS, The Aurora Housing and Redevelopment Authority (HRA) has requested to purchase the following described state tax forfeited land for the market value of \$8,150, plus fees, for the purpose of economic development:

Legal: City of Aurora

LOTS 6, 7 AND 8

SUBJECT TO INCREMENT FINANCING

AURORA 1ST DIVISION

Parcel Code: 100-0020-00220

Acres: 0.22

LDKey: 117287

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

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

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves the sale of state tax forfeited land, as described, to the Aurora HRA for the market value of \$8,150 plus the following fees: 3% assurance fee of \$244.50, deed fee of \$25, deed tax of \$26.90, and recording fee of \$46; for a total of \$8,492.40, 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 the Aurora HRA does not purchase the land by September 30, 2013.

Adopted August 13, 2013. No. 13-532

RESOLVED, St. Louis County Board Resolution No. 13-313, dated May 28, 2013, authorizing the granting of a utility easement across state tax forfeited land to the City of Duluth is amended to change the legal description to the following:

A permanent easement for drainage purposes over, under and across the northerly 100.00 feet of Lot 1, Block 110, LONDON ADDITION TO DULUTH, City of Duluth, St. Louis County, MN.

Adopted August 13, 2013. No. 13-533

WHEREAS, Under the provisions of Minn. Stat. § 282.341, Subd. 1, a contract for deed to repurchase state tax forfeited land previously canceled may be reinstated by the previous contract holder subject to payment of installments, taxes, assessments, penalties, costs, and interest; and

WHEREAS, Less than 50 percent of the basic sale price was paid prior to cancellation; therefore, County Board approval is required for reinstatement; and

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

372

WHEREAS, Larry Anderson of Cloquet, MN, has requested to reinstate Contract C22120016, having been canceled on April 2, 2013, under new Contract C22130084 for property described as:

TOWN OF SOLWAY
SW 1/4 OF SE 1/4, EX E 1/2
SECTION 27, TOWNSHIP 50 NORTH, RANGE 16 WEST
Parcel Code: 530-0010-05190

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves the reinstatement of Contract C22130084 by Larry Anderson of Cloquet, MN, in the amount of \$34,845.01, to be deposited into Fund 240 (Forfeited Tax Fund).

Adopted August 13, 2013. No. 13-534

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

WHEREAS, The applicant, the Estate of Elayne M. Carlson of Duluth, MN, has applied to repurchase state tax forfeited land legally described as:

TOWN OF SOLWAY
A PARCEL OF LAND IN THE NW1/4 OF NW1/4 OF SW1/4 OF SECTION 23,
TOWNSHIP 50 WEST, RANGE 16 WEST STARTING AT THE INTERSECTION
OF SLY LINE OF D M / N RY RT OF W AND THE ELY LINE OF THE
MUNGER SHAW ROAD THENCE ELY 595 FT THENCE SLY 30 FT THENCE
WLY 395 FT THENCE SLY 50 FT THENCE WLY 200 FT TO THE MUNGER
SHAW ROAD THENCE NLY 80 FT TO PLACE OF BEG
APPROX 64/100 AC
SECTION 23, TOWNSHIP 50 NORTH, RANGE 16 WEST
PARCEL: 530-0010-04305

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

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

THEREFORE, BE IT RESOLVED, That the St Louis County Board approves the repurchase application by the Estate of Elayne M. Carlson of Duluth, MN, on file in County Board File No. 59601, subject to payments including total taxes and assessments of \$6,204.03, service fee of \$114, deed tax of \$20.47, deed fee of \$25, and recording fee of \$46; for a total of \$6,409.50, to be deposited into Fund 240 (Forfeited Tax Fund).

Adopted August 13, 2013. No. 13-535

WHEREAS, St. Louis County has applied to the Minnesota Commissioner of Transportation for a grant from the Minnesota State Transportation Fund for culvert repairs on project SP 69-613-037 on County-State Aid Highway (CSAH) 13/Midway Road in Hermantown, MN; and

WHEREAS, The Commissioner of Transportation has given notice that funding for this project is available in the amount of \$68,711.00;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board agrees to the terms and conditions of the grant consistent with Minn. Stat. § 174.50, Subd. 5(3), and will pay any additional amount by which the cost exceeds the estimate, and will return to the Minnesota State Transportation Fund any amount appropriated for the culvert repairs but not required;

RESOLVED FURTHER, That the appropriate county officials are authorized to execute a grant agreement with the Minnesota Commissioner of Transportation concerning the above-referenced grant.

Acct 266 Flood Bond Funds:	\$68,711.00 Construction
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Adopted August 13, 2013. No. 13-536

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

373

WHEREAS, St. Louis County has applied to the Minnesota Commissioner of Transportation for a grant from the Minnesota State Transportation Fund for Bridge 69A10 on project SAP 69-598-047 on County Road (CR) 981 in Cotton Township; and WHEREAS, The Commissioner of Transportation has given notice that funding for this project is available in the amount of \$934,946.84 for Construction and \$143,271.00 for Engineering for a total of \$1,078,217.84;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board agrees to the terms and conditions of the grant consistent with Minn. Stat. § 174.50, Subd. 5(3), and will pay any additional amount by which the cost exceeds the estimate, and will return to the Minnesota State Transportation Fund any amount appropriated for the culvert repairs but not required;

RESOLVED FURTHER, That the appropriate county officials are authorized to execute a grant agreement with the Minnesota Commissioner of Transportation concerning the above-referenced grant.

Acct 266 Flood Bond Funds	\$ 934,946.84 Construction
	\$ 143,271.00 Engineering
Total Bond:	\$1,078,217.84

Adopted August 13, 2013. No. 13-537

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. 59577.

Adopted August 13, 2013. No. 13-538

WHEREAS, St. Louis County has received a request from the Cook Hospital Administrator asking that Mr. Don Potter be reappointed to the Cook-Orr Healthcare District Board of Directors to represent unorganized townships in the Cook Hospital Healthcare District; and

WHEREAS, The St. Louis County Board acts as the Township Board for all unorganized townships;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board reappoints Mr. Don Potter to the Cook-Orr Healthcare District Board of Directors to represent unorganized townships in the Cook Hospital Healthcare District for a three (3) year term beginning January 1, 2014, and ending December 31, 2016.

Adopted August 13, 2013. No. 13-539

WHEREAS, The duties of the St. Louis County Sheriff's Office include enforcement of All-Terrain Vehicle activities within the county; and

WHEREAS, The State of Minnesota, Department of Natural Resources, offers Off-Highway Vehicle Safety Enforcement grants to enhance enforcement and public education activities for off-highway vehicle use;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the application and acceptance of the 2013 Off-Highway Vehicle Enforcement Grant in the amount of \$89,040, to be accounted for in Fund 100, Agency 129999, Grant 12927, Year 2013.

Adopted August 13, 2013. No. 13-540

RESOLVED, That a public hearing will be held at 9:50 A.M. on September 3, 2013, in the St. Louis County Courthouse, Duluth, Minnesota, for the purpose of considering the granting of an Off-Sale Intoxicating Liquor License to Shane Clemens d/b/a Alborn Rail Station, Alborn Township.

Adopted August 13, 2013. No. 13-541

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

374

RESOLVED, That a public hearing will be held at 9:55 a.m. on Tuesday, September 3, 2013, in the St. Louis County Courthouse, Duluth, Minnesota, for the consideration of liquor law violation allegations, and, if proven, the suspension or revocation of the liquor license issued to Bois Forte Reservation Tribal Council d/b/a Ledge Liquor Store, Vermilion Lake Township, and/or the imposition of civil penalties for the violation.
Adopted August 13, 2013. No. 13-542

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF
ST. LOUIS COUNTY, MINNESOTA, CALLING FOR PUBLIC HEARINGS
ON AN AMENDMENT TO THE CAPITAL IMPROVEMENT PLAN
AND ON THE INTENT TO ISSUE CAPITAL IMPROVEMENT BONDS
UNDER MINNESOTA STATUTES, SECTION 373.40**

BE IT RESOLVED, by the Board of County Commissioners (the "Board") of St. Louis County, Minnesota (the "County"), as follows:

Section 1. Under and pursuant to Minnesota Statutes, Section 373.40, the Board has previously approved a Capital Improvement Plan with annual amendments, including the years 2013 through 2017 (the "Plan").

Section 2. The Board has proposed an additional amendment to the Plan for the years 2013 through 2017 (the "Amendment").

Section 3. Further, the Board is considering the issuance of capital improvement bonds under Minnesota Statutes, Section 373.40 and Chapter 475 in an amount not to exceed \$6,500,000 (the "Bonds") for the purpose of providing funds for the following capital improvements under the Plan, as amended by the Amendment:

■ Correctional Facility Improvements – Improvements to Northeast Regional Corrections Center, including improvements and upgrades to the main facility (the "Project").

Section 4. The Board shall hold public hearings at 9:45 a.m. on Tuesday, October 1, 2013, at the Duluth Courthouse, Duluth, Minnesota, to provide an opportunity for residents to express their views on the Amendment and on the issuance of the Bonds for the Project.

Section 5. The County Auditor shall publish a notice of public hearings on the capital improvement plan and on the intent to issue the Bonds in substantially the form attached hereto as Exhibit A on a date which is not less than 14 days nor more than 28 days before the hearing in the official newspaper of the County.

EXHIBIT A

**NOTICE OF PUBLIC HEARINGS ON AN AMENDMENT TO THE
CAPITAL IMPROVEMENT PLAN, AS AMENDED, AND ON THE INTENT TO
ISSUE
CAPITAL IMPROVEMENT BONDS BY ST. LOUIS COUNTY, MINNESOTA,
UNDER MINNESOTA STATUTES, SECTION 373.40**

Notice is hereby given that the Board of County Commissioners of St. Louis County, Minnesota, will conduct public hearings on Tuesday, October 1, 2013, at 9:45 a.m. in the Duluth Courthouse, located in Duluth, Minnesota, to provide an opportunity for the public to express their views concerning (i) an amendment to the County's Capital Improvement Plan for the years 2013 through 2017; and (ii) the County's intent to issue general obligation bonds in an amount not to exceed \$6,500,000 (the "Bonds"), pursuant to the Capital Improvement Plan as amended and approved by the Board of County

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

375

Commissioners.

The proceeds of the Bonds shall be used by the County to construct the following improvements, and to pay costs of issuance of and capitalized interest, if any, on the Bonds:

■ Correctional Facility Improvements – Improvements to the Northeast Regional Corrections Center, including improvements and upgrades to the main facility.

The Bonds and the interest thereon shall constitute general obligations of the County secured by the full faith and credit of the County. All persons interested may appear and be heard at the time and place set forth above.

BY ORDER OF THE BOARD OF
COMMISSIONERS OF ST. LOUIS
COUNTY, MINNESOTA

Donald Dicklich, County Auditor

Adopted August 13, 2013. No. 13-543

WHEREAS, St. Louis County is a member county of the Arrowhead Regional Corrections (ARC) Board, a Joint Power Board created for the efficient and economic delivery of regional corrections services pursuant to Minn. Stat. §471.59 (Joint Exercise of Powers) and Minn. Stat. Ch. 401 (Community Corrections Act); and

WHEREAS, A number of critical capital improvements are necessary for the preservation of the Northeast Regional Corrections Center, an ARC facility; and

WHEREAS, Each member county is requested to inform the ARC Board of its participation in the capital improvement project costs through issuing debt or paying its share of the costs up front; and

WHEREAS, St. Louis County's proportional share of the investment is 87.55% of the not-to-exceed \$6.5 million in capital improvement projects;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board commits to its portion of the expenses and/or debt incurred to complete the proposed capital improvements to the Northeast Regional Corrections Center;

RESOLVED FURTHER, That the St. Louis County Board declares its intent to issue debt for its share of the cost.

Adopted August 13, 2013. No. 13-544

WHEREAS, Pursuant to Minn. § Chapter 273, St. Louis County, through the County Assessor, is generally charged with assessing all real property in the county for real estate tax purposes, except as otherwise provided; and

WHEREAS, The County Assessor has recently entered into agreements to provide real property assessment services in ten (10) additional St. Louis County townships (Alborn, Bassett, Biwabik, Cotton, Elmer, Floodwood, Great Scott, Industrial, New Independence, Solway) and the cities of Eveleth, Floodwood and Gilbert; and

WHEREAS, To meet the expanded workload to fulfill these contracts, two (2) additional Real Estate Appraiser I positions are required for approximately 3.5 months in 2013; and

WHEREAS, County Fiscal Policy specifies that an increase in the current year full time equivalent (FTE) staff complement must be approved by the County Board; and

WHEREAS, Sufficient funding is available in the County Assessor's 2013 personnel budget to fund the addition of two (2) FTE Real Estate Appraiser I positions;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes an increase to the 2013 Assessor's staff complement by adding two (2) FTE Real Estate Appraiser I positions (Civil Service Basic Unit Pay Plan B1, Pay Grade B17) at an

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

376

estimated cost of \$24,760, payable from Fund 100, Agency 118001.
Adopted August 13, 2013. No. 13-545

At 1:42 p.m., August 13, 2013, Commissioner Nelson, supported by Commissioner Forsman, moved to adjourn the meeting. The motion passed; six yeas, zero nays.

Chris Dahlberg, 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)