



**COMMITTEE OF THE WHOLE AGENDA**  
**Board of Commissioners, St. Louis County, Minnesota**

**September 25, 2012**  
**Immediately following the Board Meeting, which begins at 9:30 A.M.**  
**Historic Miner's Dry, 105 Miner's Lake Landing, Ely, MN**

*Directions: Highway 53 North to Highway 169 into Ely. Turn left at first stop light on to Central Avenue and continue approximately 1.2 miles (Central Avenue becomes Pioneer Road). Turn right on Miner's Lake Landing Road (Grand Ely Lodge will be on your left). There is handicapped parking next to the building, and other parking areas along the road.*

---

**CONSENT AGENDA:**

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

**Minutes of September 11, 2012**

**Environment & Natural Resources Committee – Commissioner Dahlberg, Chair**

1. Repurchase of State Tax Forfeited Land – Dick and Heim [12-362]
2. Special Sale to Arrowhead Township [12-363]

**Central Management & Inter-Governmental Committee – Commissioner Jewell, Chair**

3. Advertising for Applicants to the Arrowhead Library System Board [12-364]

**Public Safety & Corrections Committee – Commissioner Sweeney, Chair**

4. Authorization to Expend the 2009 Port Security Grant for Sonar and Positioning Equipment [12-365]
5. Authorization to Purchase AIS Server for ARMER Transition [12-366]

**ESTABLISHMENT OF PUBLIC HEARINGS:**

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

6. Establish Public Hearing to Consider Allegations of Liquor Law Violation – Bayview Lodge (Greenwood Township) October 23, 2012, 9:40 a.m., City Hall, Virginia, MN [12-367]
7. Establish Public Hearing to Consider Imposing Remainder of Penalties from Liquor Law Violation – Bayview Lodge (Greenwood Township) October 23, 2012, 9:45 a.m., City Hall, Virginia, MN [12-368]

---

**REGULAR AGENDA:**

*For items on the Regular Agenda, citizens will be allowed to address the Board at the time a motion is on the floor.*

**Central Management & Inter-Governmental Committee – Commissioner Jewell, Chair**

1. **Resolution in Opposition to Proposed “Recognition of Marriage” Constitutional Amendment [12-369]**  
Commissioners Jewell and Raukar have requested that the County Board consider a resolution to oppose amending the Minnesota Constitution.

---

**COMMISSIONER DISCUSSION ITEMS AND REPORTS:**

*At this time, Commissioners may introduce items for discussion or report on past and future activities.*

**ADJOURNED:**

**NEXT COMMITTEE OF THE WHOLE MEETING DATES:**

**October 2, 2012**      **Commissioners' Conference Room, Courthouse, Duluth, MN**

**October 9, 2012**      **Commissioners' Conference Room, Courthouse, Duluth, MN**

**October 23, 2012**      **City Hall, 327 First Street South, Virginia, MN**

**BARRIER FREE:** *All St. Louis County Board meetings are accessible to the handicapped. Attempts will be made to accommodate any other individual needs for special services. Please contact St. Louis County Property Management (218-725-5085) early so necessary arrangements can be made.*

**COMMITTEE OF THE WHOLE  
ST. LOUIS COUNTY BOARD OF COMMISSIONERS**

**Tuesday, September 11, 2012**

**Location:** County Board Conference Room, Duluth Courthouse

**Present:** Commissioners Jewell, Dahlberg, Sweeney, Forsman, O’Neil, Raukar and Chair Nelson

**Absent:** None

**Convened:** Chair Nelson called the meeting to order at 12:08 p.m.

**CONSENT AGENDA**

Sweeney/Jewell moved to approve the consent agenda. (6-0) - Dahlberg temporarily absent.  
Commissioner Dahlberg rejoined meeting at 12:10 p.m.

- Minutes of September 4, 2012
- Withdrawal of state Tax Forfeited Land from Memorial Forest Status
- State Tax Forfeited Land Use Lease – Friends of Sax-Zim Bog
- Adjoining Owner Sale (Lavell Township)
- Amendment to Federal Railroad Administration Grant Contract between MnDOT and St. Louis County – Rail Alliance Environmental Study (NLX Project)
- Abatement List for Board Approval
- Lawful Gambling Application (Gnesen Township)
- Establish Public Hearing to Consider Allegations of Liquor Law Violation – The Other Place Bar and Grill (Rice Lake Township) October 9, 2012, 9:40 a.m., St. Louis County Courthouse, Duluth, MN
- Establish Public Hearing to Consider Allegations of Liquor Law Violation – Silver Fox (Gnesen Township) October 9, 2012, 9:45 a.m., St. Louis County Courthouse, Duluth, MN

---

**Finance & Budget Committee**

Raukar/O’Neil moved to approve a resolution authorizing a contract with Perkins & Will of Minneapolis, MN, in partnership with Krech-Ojard & Associates of Duluth, MN, for design development services for Phase II of the Government Services Center Duluth remodel. Chair Nelson asked that the plan include the half floor development for the Arrowhead Regional Corrections employees. Chair Nelson then asked for a ten-year retrospect on rent paid by St. Louis County. Commissioner Forsman said that it was important that the Board not forget the small buildings serving other cities. The motion passed. (7-0)

Raukar/Nelson moved to approve reduced tort liability insurance requirements for St. Louis County timber sale and aggregate contracts. Administrator Gray indicated that there is broad industry support for these limits. Ray Higgins, representative from the Minnesota Timber Producers Association, said that loggers are operating on thin margins and urged Board support of the reduced limits. The motion passed. (7-0)

At 12:30 p.m., Chair Nelson called for recess until 1:45 p.m.

### **Environment & Natural Resources Committee**

The Board reconvened at 1:47 p.m. at which time roll was taken. Commissioners Jewell, Dahlberg, Forsman, O’Neil, Raukar, and Chair Nelson were present; Commissioner Sweeney was absent.

Commissioner Dahlberg introduced Land Commissioner Robert Krepps and Mark Weber from the St. Louis County Land and Minerals Department. Land Commissioner Krepps and Mr. Weber made a presentation to the Board about the future expectations of mining tailings basins located on St. Louis County tax forfeited property. Mr. Weber explained that mining would begin in September 2012 and that mining the first basin would last an estimated ten years. Land Commissioner Krepps explained that there has been considerable knowledge gained over the past year from this project and that communications between the county and the Minnesota Department of Natural Resources (DNR) must continue to improve for the success of future projects. Land Commissioner Krepps stated that revenues from this project would benefit the county, townships, and school districts. Chair Nelson praised Land Commissioner Krepps and the Land & Minerals Department for all of their hard work and reminded the Board that a portion of the revenues raised from this mining project would benefit children statewide through the state school trust. Land Commissioner Krepps explained that future projects would require research to determine the county’s ownership rights in any new basins that may forfeit. Land Commissioner Krepps also stated that their GIS department was working on creating a minerals “layer” so that mineral locations could be visible on the St. Louis County GIS Land Portal. Joe Scipioni, COO of Polymet, advised the Board on his recommendations for the mining project as well as updated the Board on the status of Polymet mining coming to Duluth.

### **Commissioner Discussion Items and Reports**

Chair Nelson presented the Board with a newsletter from the Iron Range Youth in Action group in which they talked about their trip to the Gulf Coast to aid Habitat for Humanity in rebuilding homes. Chair Nelson said that it was an educational and great experience for everyone involved. Chair Nelson also re-iterated that the future of the County is mining.

Commissioner O’Neil said that there would be a chili cook-off at the DECC on Thursday, September 13, 2012, from 5 to 7 p.m.

Commissioner Raukar said that history of impeded waterways and illness dictates that future mining be done responsibly and must balance economic gain against its environmental effects.

At 3:16 p.m., O’Neil/Raukar moved to adjourn. (6-0) – Sweeney absent.

---

Keith Nelson, Chair of the County Board

---

Brandon Larson, Clerk of County Board

# BOARD LETTER NO. 12 - 362

## ENVIRONMENT & NATURAL RESOURCES COMMITTEE CONSENT NO. 1

BOARD AGENDA NO.

**DATE:** September 25, 2012                      **RE:** Repurchase of State Tax  
Forfeited Land – Dick and Heim

**FROM:** Kevin Z. Gray  
County Administrator  
  
Robert Krepps, Land Commissioner  
Land and Minerals

**RELATED DEPARTMENT GOAL:**  
Financial return to the county and taxing districts.

**ACTION REQUESTED:**  
The St. Louis County Board is requested to approve the application to repurchase state tax forfeited land.

**BACKGROUND:**  
Minn. Stat. § 282.241 provides for state tax forfeited land to be repurchased by the previous owner subject to payment equivalent to the delinquent taxes and assessments, with penalties, costs, and interest. The property to be repurchased forfeited to the State of Minnesota on November 30, 2011. The repurchase deadline for this non-homestead property is November 29, 2012. Daniel Dick of Brooklyn Park, MN, and Donald Heim of Orr, MN, have made application to repurchase this property and are eligible to repurchase the property.

**RECOMMENDATION:**  
It is recommended that the St. Louis County Board approve the repurchase request of Daniel Dick of Brooklyn Park, MN, and Donald Heim of Orr, MN. The repurchase fees listed below are to be deposited into Fund 240 (Forfeited Tax Fund).

**Daniel Dick, Brooklyn Park, MN and Donald Heim, Orr, MN**

Parcel Code	305-0010-00685
Taxes and Assessments	\$566.56
Service Fees	\$114.00
Deed Tax	\$1.87
Deed Fee	\$25.00
Recording Fee	\$46.00
Total Consideration	\$753.43

**Repurchase of State Tax Forfeited Land – Dick and Heim**

BY COMMISSIONER: \_\_\_\_\_

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, Daniel Dick of Brooklyn Park, MN, and Donald Heim of Orr, MN, have applied to repurchase state tax forfeited land legally described as:

TOWN OF COTTON  
THAT PART OF SE 1/4 OF SE 1/4 LYING NORTH AND EAST OF RY  
SEC 4 TWP 54 RGE 16  
305-0010-00685

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.

NOW, THEREFORE, BE IT RESOLVED, that the St Louis County Board approves the repurchase application by Daniel Dick of Brooklyn Park, MN, and Donald Heim of Orr, MN, on file in County Board File No. \_\_\_\_\_, subject to payments including total taxes and assessments of \$556.56, service fee of \$114, deed tax of \$1.87, deed fee of \$25, and recording fee of \$46; for a total of \$753.43, to be deposited into Fund 240 (Forfeited Tax Fund).

APPLICATION FOR REPURCHASE OF TAX FORFEITED LANDS

Pursuant to Minnesota Statutes 1986, Section 282.241, as amended by Chapter 268, Laws of 1987.

TO THE COUNTY BOARD AND COUNTY AUDITOR OF ST. LOUIS COUNTY, MINNESOTA:

The undersigned, Donald Heim & Daniel Dick, hereby makes application to repurchase from the State of Minnesota the following described land, pursuant to Minnesota Statutes 1987, Section 282.241, as amended; said land is situated in St. Louis County, Minnesota, and more particularly described as follows:

TOWN OF COTTON, THAT PART OF SE 1/4 OF SE 1/4 LYING NORTH AND EAST OF RY, Sec 4 Twp 54 Rge 16

Applicant states and shows that at the time of the forfeiture to the State, he/she was (please check one)

- the owner
- heir(s) of the owner
- the representative of the owner
- the person to whom the right to pay taxes is given by statute, to wit:
- designating under what claim of right, whether mortgage or otherwise the right is exercised

That such taxes became delinquent in 2005 and remained delinquent and unpaid for the subsequent years of: 2006

That pursuant to Minnesota Statutes, the total cost of repurchase \$750.66 which is the greater value of all delinquent taxes and assessments computed under Section 282.241, together with all accrued interest and penalties, including fees. Please contact our office at 218-726-2606 for the current amount due which increases monthly.

That a hardship would result to the petitioner unless said repurchase is allowed, for the reason that: applicant to state reasons why taxes were not paid.

oversight

Please check the appropriate box below:

- There are one or more wells on this property (See enclosed well disclosure information sheet)
- No change since last well certificate  Well disclosure completed - \$50.00 enclosed
- No change since last well certificate

NO WELL

APPLICANT REQUESTS THAT REPURCHASE BE MADE IN THE NAME OF:

Name (s): JEFFREY TENNEYCK, REMOVING DONALD J. HEIM

Are you currently in active military service? NO

If you have been discharged within the last 6 months, provide discharge date \_\_\_\_\_ and documentation.

Applicant offers to pay upon such repurchase, by check or money order, as directed by the St. Louis County Board, the full price of repurchase as stated above, the terms of which will be stated by the contract and required by law.

Dated: SEPT 3 2012

By: [Signature] (Signature)

Address: 6254 CRANE LAKE ROAD  
City: BUOYCK State: MN Zip: 55771  
Phone: 218-993-2254



# St. Louis County Land Department Tax Forfeited Land Sales

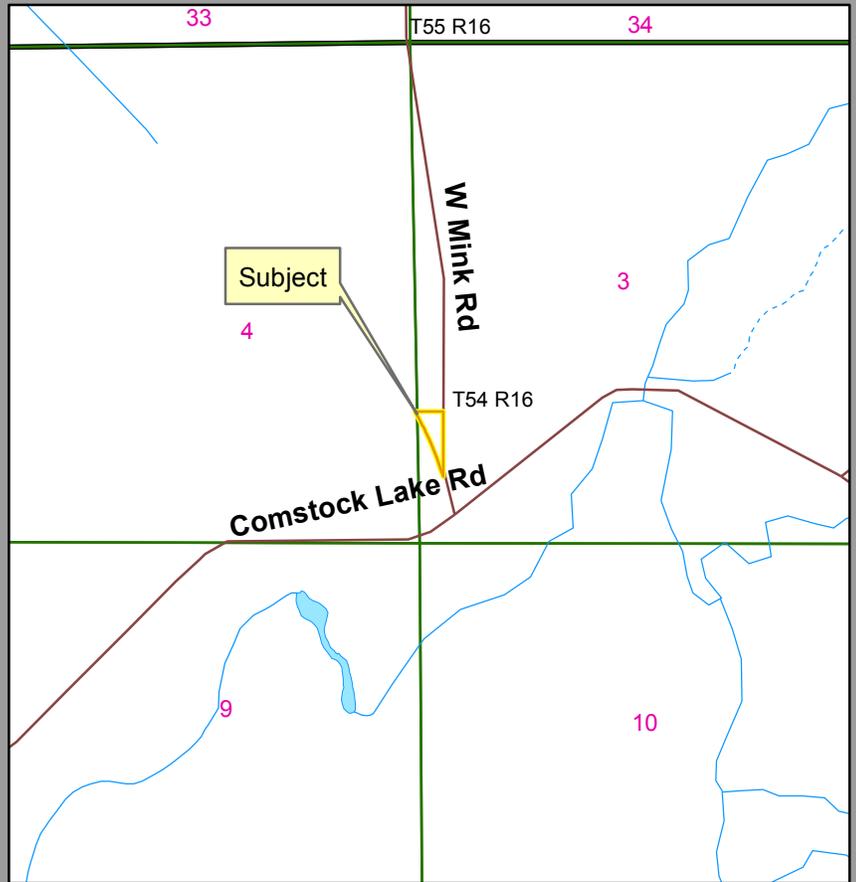
## Repurchase of Property

Legal : TOWN OF COTTON  
THAT PART OF SE 1/4 OF SE 1/4 LYING  
NORTH AND EAST OF RY,  
Sec 4 Twp 54 Rge 16

Parcel Code : 305-0010-00685

Acres: 1.05

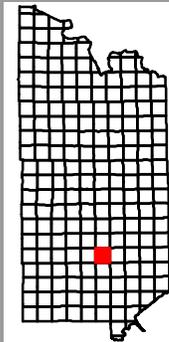
LDKEY : 71685



Town of Cotton      Sec: 4 Twp: 54 Rng: 16

### Commissioner District # 6

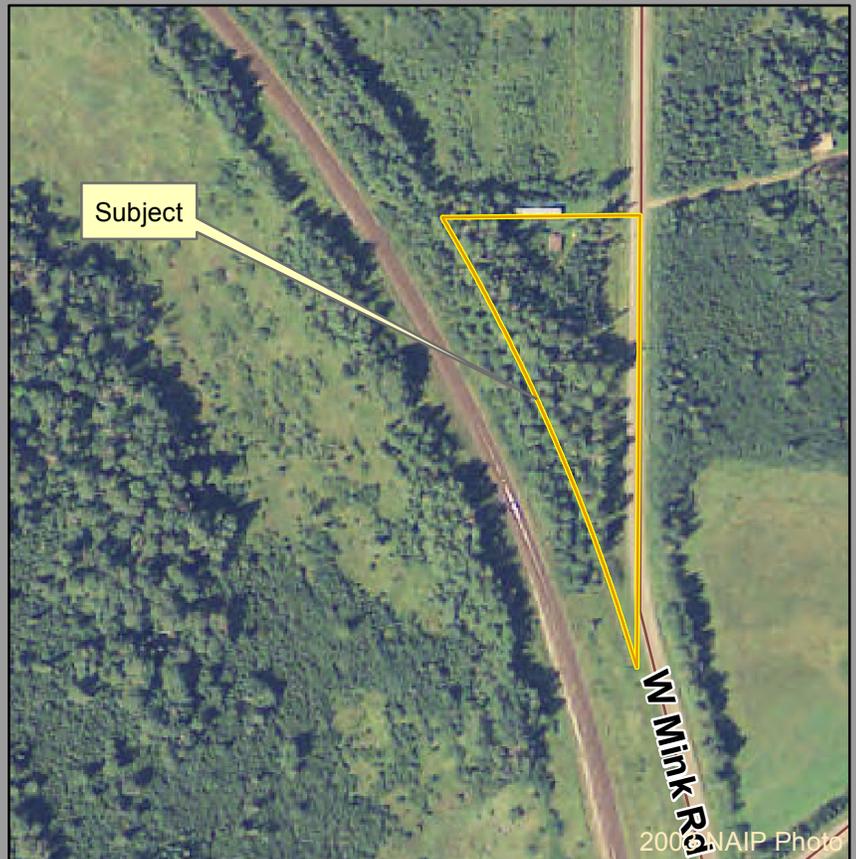
- State Tax Forfeited Land
- Water
- Road
- Area of Interest
- Tract



St. Louis County, Minnesota

This drawing is neither a legally recorded map nor a survey and is not intended to be used as such. This drawing is a compilation of recorded information and data located in various city, county, state and federal offices. St. Louis County is not responsible for any incorrectness herein.

**St. Louis County  
Land Department**  
*September 2012*



2008 NAIP Photo



## Special Sale to Arrowhead Township

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

WHEREAS, Arrowhead Township has requested to purchase the following described state tax forfeited land for the appraised value of \$5,000, plus fees, for use as a public park:

Legal: ELY 375 FT OF GOVT LOT 1 LYING S OF RY RT OF WAY  
Sec 27, Twp 51 N Rng 19W  
Township: Arrowhead  
Parcel Code: 225-0070-00017  
Acres: 4.18  
LDKEY: 70916

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 been classified as non-conservation land pursuant to Minn. Stat. § 282.01; and

WHEREAS, this 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.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the sale of state tax forfeited land, as described, to Arrowhead Township for the price of \$5,000, plus the following fees: 3% assurance fee of \$150, deed fee of \$25, deed tax of \$16.50, recording fee of \$46, and appraisal fee of \$500; for a total of \$5,737.50, 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 township of Arrowhead does not purchase the land by December 31, 2012.



JOHN M. GASSERT\*†  
FRANK YETKA  
DAVID C. PRITCHETT\*\*  
WILLIAM T. HELWIG††\*\*\*  
SARAH B. HELWIG

FLOYD D. RUDY, *Retired*  
LAWRENCE R. YETKA, *Retired*

**Rudy, Gassert, Yetka,  
Pritchett & Helwig, P.A.**

**A T T O R N E Y S • A T • L A W**

July 13, 2011

Mark Weber  
Resource Management Supervisor  
St. Louis County Land and Minerals Department  
Government Services Center  
320 West 2<sup>nd</sup> Street, Room 607  
Duluth, MN 55802-1495

**RE: Arrowhead Township Acquisition  
of Land in 3-50-17  
Parcel No. 225-0070-00017**

Dear Mark:

As per our recent conversations, this letter is sent to inform you that my client, Arrowhead Township, is interested in purchasing a parcel of tax forfeited property managed by St. Louis County and carrying St. Louis County Tax Parcel Number 225-70-017 and to that end would ask that you please consider this letter a request on behalf of the Township for your office to do an appraisal of the property so that they can proceed with a purchase of the same. I believe that the property in question is located within the Southwest Quarter of the Northeast Quarter of Section 3, Township 50, Range 17.

Thank you for your assistance and if should need anything further, or if you should have any questions, kindly let me know.

Very truly yours,

John M. Gassert

JMG/kaj

cc: Randy Willeck

RECEIVED

JUL 16 2012

LAND COMMISSIONER

U:\USERS\JOHN\WPFILES\Arrowhead Township\weber ltr.wpd

JOHN M. GASSERT†  
FRANK YETKA  
DAVID C. PRITCHETT\*\*  
WILLIAM T. HELWIG†\*\*\*  
SARAH B. HELWIG

FLOYD D. RUDY, *Retired*  
LAWRENCE R. YETKA, *Retired*



**Rudy, Gassert, Yetka,  
Pritchett & Helwig, P.A.**  
A T T O R N E Y S • A T • L A W

September 12, 2012

Karen Zeisler  
Tax Forfeited Land Coordinator  
St. Louis County Land and Minerals Department  
Government Services Center  
320 West 2<sup>nd</sup> Street, Room 607  
Duluth, MN 55802-1495

**RE: Arrowhead Township Acquisition  
of Land in 3-50-17  
Parcel No. 225-0070-00017**

Dear Karen:

As per your recent request, Arrowhead Township wishes to acquire the above described property for purposes of establishing a park. The Township has authority to do this pursuant to subdivision 8 of § 365.10 of the Minnesota Statutes.

It is my understanding that you have recently received an appraisal for the above noted property. As soon as the information contained in that appraisal is available, I would very much appreciate it if you could supply the Township with a copy of the same.

Very truly yours,

John M. Gassert

JMG/kaj

cc: Randy Willeck

RECEIVED

SEP 13 2012

LAND COMMISSIONER

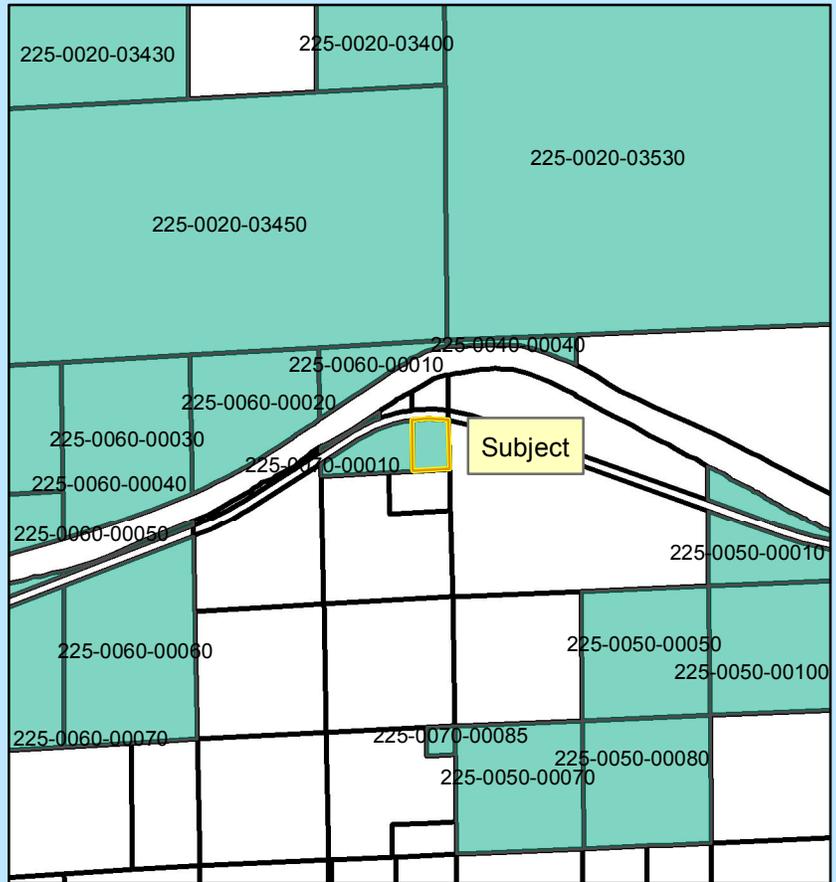
U:\USERS\JOHN\WPFILES\Arrowhead Township\zeisler ltr.wpd



**St. Louis County Land Department  
Tax Forfeited Land Sales**

**Special Sale parcel to  
Arrowhead Township**

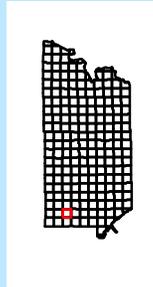
Legal: ELY 375 FT OF GOVT LOT 1  
LYING S OF RY RT OF  
WAY  
Township: Arrowhead  
Sec 27, Twp 51 N Rng 19W  
Parcel Code: 225-70-17  
4.18 Acres  
LDKEY: 70916



Town of Arrowhead Twp 51N Rng 19 Sec 27

**Commissioner District #7**

-  State Tax Forfeited Land
-  Water
-  Road
-  Area of Interest
-  Tract

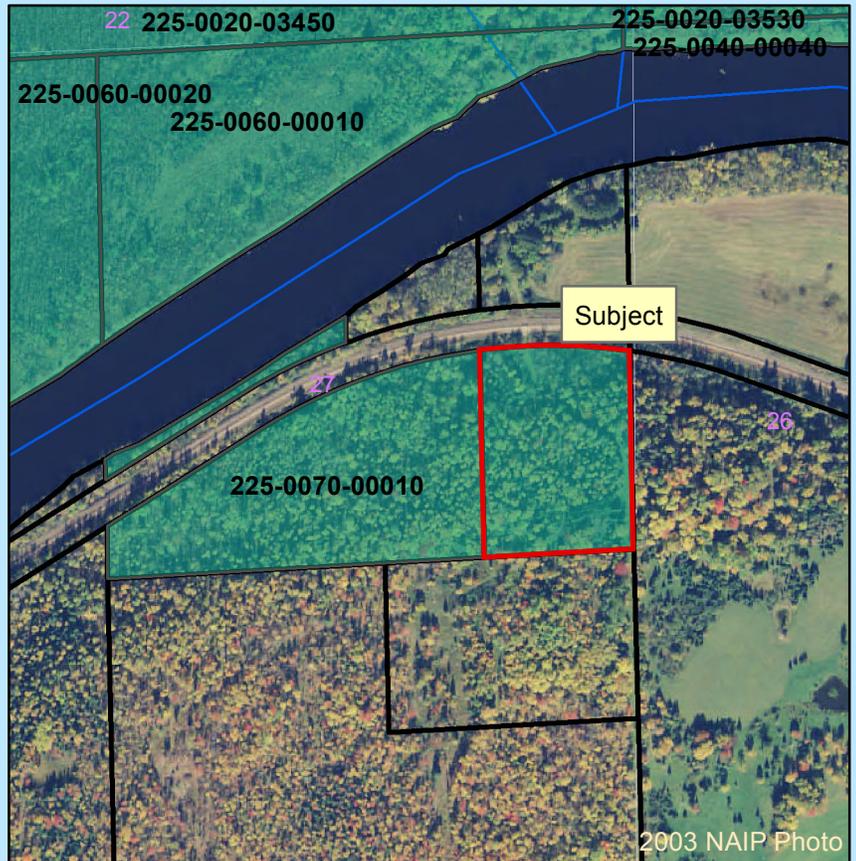


*St. Louis County, Minnesota*

This drawing is neither a legally recorded map nor a survey and is not intended to be used as such. This drawing is a compilation of recorded information and data located in various city, county, state and federal offices. St. Louis County is not responsible for any incorrectness herein.

**St. Louis County  
Land Department**

**September 25, 2012**



# BOARD LETTER NO. 12 - 364

## CENTRAL MANAGEMENT & INTERGOVERNMENTAL COMMITTEE CONSENT NO. 3

### BOARD AGENDA NO.

**DATE:** September 25, 2012                      **RE:** Advertising for Applicants to  
the Arrowhead Library System  
Board

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

**RELATED DEPARTMENT GOAL:**

To provide effective and efficient government.

**ACTION REQUESTED:**

The St. Louis County Board is requested to advertise for an appointee to fill an opening on the newly constituted Arrowhead Library System (ALS) Board of Directors.

**BACKGROUND:**

On June 5, 2012, Jim Weikum, Executive Director of the Arrowhead Library System appeared before the County Board's Committee of the Whole to explain the recent merger of ALS and the North Country Library Cooperative, and asked the County Board to approve a new contract agreement. Mr. Weikum detailed the proposal for the new 13 member ALS Board and the representation requirements of each member. St. Louis County was asked to fill three positions with terms expiring on December 31, 2012, December 31, 2013, and December 31, 2014. Current county appointees are Teresa Dawson (Duluth), Patrick Layman (Aurora), and Marjorie McPeak (Ely).

With the expiration of Teresa Dawson's term on December 31, 2012, the County Board must appoint a replacement. The new appointee will serve a three year term from January 1, 2013 through December 31, 2015. ALS bylaws stipulate that the seat held by Ms. Dawson must be filled with a Duluth resident, and Mr. Weikum has requested notification of the county's appointee no later than November 15, 2012.

**RECOMMENDATION:**

It is recommended that the St. Louis County Board authorize the County Auditor to advertise for applications seeking a Duluth resident to be appointed to the Arrowhead Library System Board of Directors from January 1, 2013 through December 31, 2015

**Advertising for Applicants for Appointment to the  
Arrowhead Library System Board of Directors**

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

WHEREAS, the recent merger of the Arrowhead Library System and the North Country Library Cooperative, has resulted in a new contract agreement with participating counties; and

WHEREAS, under the new operating agreement, as a participating member county, St. Louis County is required to appoint three (3) members to the ALS Board of Directors; and

WHEREAS, the position currently held by Ms. Teresa Dawson of Duluth will expire on December 31, 2012, and Ms. Dawson has reached the maximum number of terms allowed by state statute.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners authorizes the County Auditor to advertise for applications seeking a Duluth resident to be appointed to the Arrowhead Library System Board of Directors from January 1, 2013 through December 31, 2015.



# Arrowhead Library System

5528 Emerald Ave. • Mt. Iron, MN 55768-2069 • 218-741-3840 • [www.arrowhead.lib.mn.us](http://www.arrowhead.lib.mn.us)

## THE GOVERNING BOARD

**Terry Anderson**  
Cloquet

**Steve Bean**  
Grand Rapids

**Teresa Dawson**  
Duluth

**Robert Ecklund**  
International Falls

**Tom Hanson**  
Baudette

**Amanda Houle**  
Two Harbors

**Dennis Jerome**  
Grand Rapids

**Lenore Johnson**  
Two Harbors

**Patrick Layman**  
Aurora

**Marjorie McPeak**  
Tower

**Michele Monson**  
Two Harbors

**Audrey Stattelman**  
Hovland

**Christopher Welter**  
Hibbing

September 7, 2012

Gary Eckenberg, Deputy County Administrator  
St. Louis County Courthouse  
100 N. 5th Ave. West, Rm 213  
Duluth, MN 55802

Dear Mr. Eckenberg:

This is to notify you that the current term of Teresa Dawson, who represents St. Louis County on the Arrowhead Library System Governing Board, will expire December 31, 2012. Please send me at your earliest convenience, but no later than November 15, 2012, the name of your appointee for the January 1, 2013 to December 31, 2015 term. The ALS Board's Bylaws stipulate that the seat Mrs. Dawson has on the ALS Board should be filled with a Duluth resident. Mrs. Dawson is not able to serve another three year term as she will have reached the maximum number of terms allowed by statute.

Sincerely,

Jim Weikum  
Executive Director

JW:cc

pc: Lenore Johnson, Teresa Dawson

RECEIVED

SEP 11 2012

SLC ADMIN

# BOARD LETTER NO. 12 – 365

PUBLIC SAFETY & CORRECTIONS COMMITTEE

CONSENT NO. 4

BOARD AGENDA NO.

**DATE:** September 25, 2012      **RE:** Authorization to Expend the  
2009 Port Security Grant for  
Sonar and Positioning  
Equipment

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

Ross Litman  
Sheriff

**RELATED DEPARTMENT GOAL:**

To enhance public safety.

**ACTION REQUESTED:**

The St. Louis County Board is requested to authorize the expenditure from the 2009 Port Security Grant for purchase of stationary scanning sonar and positioning equipment.

**BACKGROUND:**

On May 4, 2012, St. Louis County received a 2009 Port Security Grant from the Department of Homeland Security, Office of Grants and Training for the Fiscal Year 2009 Infrastructure Protection Program: Port Security. The State of Minnesota, through its Department of Public Safety, is the fiscal agent on behalf of Port area partners for purposes of this grant. On March 27, 2012, the St. Louis County Board authorized application and acceptance of this grant by Resolution No. 12-178.

The St. Louis County Sheriff's Office and Rescue Squad are known regionally for expertise in underwater search and recovery technologies and have had success in deployment of underwater robotics and sonar systems. After much research, the equipment requested is the best fit and integrates well with existing search equipment. Tritech Hammerhead Sonar is a device that is placed on the seafloor and can "map" to scale, targets of interest for underwater robotics or divers to investigate further. This is particularly useful in situations where a person or machine has gone through the ice. Additionally, the Tritech Scanning Sonar, from Subsea Technologies, Inc., of Katy, Texas, also can integrate Tritech's MicroNav system, which is an underwater acoustic method to track and map robotics or divers in real time, thus adding precision to searches and safety for divers.

**RECOMMENDATION:**

It is recommended that the St. Louis County Board authorize expenditure of the 2009 Port Security Grant in the amount of \$54,150 (\$50,666 plus \$3,484 Minnesota tax) for purchase of the Trittech Hammerhead Sonar, MicroNav System, and accessories from SubSea Technologies of Katy, Texas, to be accounted for in Fund 100, Agency 129999, Grant 12938, Year 2012; and a 25% match in the amount of \$18,050 (\$16,889 plus \$1,161 Minnesota tax) to be accounted for in Fund 100, Agency 129003, Object 643200.

**Authorization to Expend the 2009 Port Security Grant  
for Sonar and Positioning Equipment**

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

WHEREAS, the Department of Homeland Security has made funding available to the Port of Duluth/Superior under the FY 2009 Port Security Grant Program; and

WHEREAS, the Trittech Hammerhead Scanning Sonar from Subsea Technologies of Katy, Texas, is a precision search tool that will integrate existing technologies currently employed by the Sheriff's Office.

NOW THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the expenditure of \$54,150 (\$50,666 plus \$3,484 Minnesota tax) for the purchase of stationary scanning sonar and positioning equipment from Subsea Technologies, Inc., of Katy, Texas, to be accounted for in Fund 100, Agency 129999, Grant 12938, Year 2012 and the required match of \$18,050 (\$16,889 plus \$1,161 Minnesota tax), to be accounted for in Fund 100, Agency 129003, Object 643200; and

RESOLVED FURTHER, that the St. Louis County Board authorizes the appropriate county officials to sign any associated contract documents.

# BOARD LETTER NO. 12 – 366

PUBLIC SAFETY & CORRECTIONS COMMITTEE

CONSENT NO. 5

BOARD AGENDA NO.

**DATE:** September 25, 2012

**RE:** Authorization to Purchase AIS  
Server for ARMER Transition

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

Ross Litman  
Sheriff

**RELATED DEPARTMENT GOAL:**

To enhance public safety.

**ACTION REQUESTED:**

The St. Louis County Board is requested to authorize the purchase of an Archiving Interface Server (AIS) from Motorola, Inc. for the Allied Radio Matrix for Emergency Response (ARMER) System.

**BACKGROUND:**

The St. Louis County Board authorized the Sheriff's Office to transition to the ARMER radio system due to the Federal Communications Commission mandate that communications systems must meet new standards for narrowband compliance by 2013.

The Archiving Interface Server from Motorola is part of the anticipated ARMER conversion and is essentially a gateway into the ARMER System. The AIS Server allows the recording of radio transmissions on ARMER talk groups, and paves the way for creating a Regional Recorder Solution, allowing partnerships with several counties throughout Northeast Minnesota. Sharing a Regional Recorder, commonly referred to as a Call Logger, will decrease the financial burden to the county for the initial upgrade of its current Call Logger and the ongoing costs of maintenance.

**RECOMMENDATION:**

It is recommended that the St. Louis County Board authorize the purchase of the Archiving Interface Server from Motorola, Inc., not to exceed \$68,000, to be funded for by Enhanced 911 Fund 179, Agency 179001, Object 665900.

## Authorization to Purchase AIS Server for ARMER Transition

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

WHEREAS, the Federal Communications Commission has mandated that public safety communications systems must meet new standards for narrowband compliance by 2013; and

WHEREAS, on November 9, 2010, by Resolution No. 10-531, the St. Louis County Board authorized the Sheriff's Office to transition county radio systems to the state-wide Allied Radio Matrix for Emergency Response (ARMER); and

WHEREAS, the infrastructure and equipment is available from Motorola Solutions, Inc. on the State of Minnesota contract.

NOW THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the purchase of the Archive Interface Server from Motorola, Inc., not to exceed \$68,000, to be funded in Enhanced 911 Fund 179, Agency 179001, Object 665900.

# BOARD LETTER NO. 12 - 367

FINANCE & BUDGET COMMITTEE CONSENT NO. 6

BOARD AGENDA NO.

**DATE:** September 25, 2012      **RE:** Establish Public Hearing to  
Consider Allegations of Liquor  
Law Violation – Bayview Lodge  
(Greenwood Township)

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

Donald Dicklich  
County Auditor

Mark Rubin  
County Attorney

**RELATED DEPARTMENT GOAL:**

Provide mandated and discretionary licensing services in a timely manner.

**ACTION REQUESTED:**

The St. Louis County Board is requested to establish a public hearing to consider penalties and/or suspension of the liquor licenses issued to Vermilion Ventures, LLC d/b/a Bayveiw Lodge, Greenwood Township, for alleged liquor law violation, sale to minor, on April 12, 2012.

**BACKGROUND:**

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

**RECOMMENDATION:**

It is recommended that a public hearing on the matter be scheduled for October 23, 2012, at 9:40 a.m., City Hall, Virginia, Minnesota.

**Establish Public Hearing to Consider Allegations of Liquor Law Violation -  
Bayview Lodge (Greenwood Township)**

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

RESOLVED, that a public hearing will be held at 9:40 a.m. on Tuesday, October 23, 2012, City Hall, Virginia, Minnesota, for the consideration of liquor law violation allegations, sale to minor, on April 12, 2012, and, if proven, the suspension or revocation of the liquor licenses issued to Vermilion Ventures, LLC d/b/a Bayview Lodge, Greenwood Township, and/or the imposition of civil penalties for the violation.

# BOARD LETTER NO. 12 - 368

FINANCE & BUDGET COMMITTEE CONSENT NO. 7

BOARD AGENDA NO.

**DATE:** September 25, 2012

**RE:** Establish Public Hearing to Consider Imposing the Remainder of Penalties for Liquor Law Violation – Bayview Lodge (Greenwood Township)

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

Donald Dicklich  
County Auditor

Mark Rubin  
County Attorney

**RELATED DEPARTMENT GOAL:**

Provide mandated and discretionary licensing services in a timely manner.

**ACTION REQUESTED:**

The St. Louis County Board is requested to establish a public hearing to consider whether to impose the remaining stayed penalties and/or suspension days for liquor law violation, sale to minor, on October 15, 2011, at Vermilion Ventures, LLC d/b/a Bayview Lodge, Greenwood Township, because of a new alleged liquor law violation, sale to a minor, on April 12, 2012.

**BACKGROUND:**

At a public hearing held on January 10, 2012, pursuant to St. Louis County Ordinance No. 28, Section 13.01, Vermilion Ventures, LLC d/b/a Bayview Lodge, was found to have violated Ordinance No. 28 by serving alcohol to a minor and being open after hours. A ten (10) day suspension and \$1,000 civil penalty was assessed against the licensee. Seven (7) days of the suspension and \$700 of the civil penalty were suspended on the condition that the licensee has no same or similar violations within one year of the public hearing date. The Board now has the authority to determine whether an incident on April 12, 2012, constitutes a same or similar violation and, if so, to determine whether to impose some or all of the remaining penalties.

**RECOMMENDATION:**

It is recommended that a public hearing on the matter be scheduled for October 23, 2012, at 9:45 a.m., City Hall, Virginia, Minnesota.

**Establish Public Hearing to Consider Imposing the Remainder of Penalties  
for Liquor Law Violation – Bayview Lodge (Greenwood Township)**

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

RESOLVED, that a public hearing will be held at 9:45 a.m. on Tuesday, October 23, 2012, City Hall, Virginia, Minnesota, for the consideration of imposition of the remaining suspension and civil penalties for liquor law violation allegations, predicated on the violation of the no same or similar condition due to sale to a minor on April 12, 2012, and, if proven, the imposition of the remaining seven (7) day suspension and \$700.00 civil penalty previously ordered against Vermilion Ventures, LLC d/b/a Bayview Lodge, Greenwood Township.

# BOARD LETTER NO. 12-369

## CENTRAL MANAGEMENT & INTERGOVERNMENTAL COMMITTEE NO. 1

### BOARD AGENDA NO.

**DATE:** September 25, 2012                      **RE:** Resolution in Opposition to  
Proposed "Recognition of  
Marriage" Constitutional  
Amendment

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

#### **ACTION REQUESTED:**

The St. Louis County Board is requested to consider a resolution in opposition to the proposed "Recognition of Marriage" amendment to the Minnesota Constitution.

#### **BACKGROUND:**

Commissioners Jewell and Raukar have requested that the County Board be provided an opportunity to consider a resolution in opposition to a proposed amendment to the state constitution. The 2011 Minnesota State Legislature voted to include the following question on the election ballot in November 2012: "Shall the Minnesota Constitution be amended to provide that only a union of one man and one woman shall be valid or recognized as a marriage in Minnesota?"

The proposed amendment would add a new Section 13 to the Minnesota Constitution stating: "Only a union of one man and one woman shall be valid or recognized as a marriage in Minnesota." Currently, Minn. Stat. 517.03, Subd. 1(a) prohibits marriage between persons of the same sex and does not recognize a marriage of same sex persons that may be recognized in another state or foreign jurisdiction.

#### **RECOMMENDATION:**

Commissioners Raukar and Jewell have asked the County Board to go on record in opposition to the proposed amendment. Should the County Board wish to oppose amending the Minnesota Constitution to define marriage as the union of one man and one woman, a resolution to accomplish this is attached.

**Resolution in Opposition to Proposed "Recognition of Marriage"  
Constitutional Amendment**

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

WHEREAS, in 2011 the Minnesota State Legislature voted to include the following question on the election ballot in November 2012: "Shall the Minnesota Constitution be amended to provide that only a union of one man and one woman shall be valid or recognized as a marriage in Minnesota?"; and

WHEREAS, the proposed amendment would add a new Section 13 to the Minnesota Constitution stating: "Only a union of one man and one woman shall be valid or recognized as a marriage in Minnesota;" and

WHEREAS, constitutions historically have been designed and interpreted to protect minorities from the arbitrary imposition of unjust barriers by the majority; and

WHEREAS, the proposed amendment would be contrary to the purpose of the Minnesota Constitution to protect the rights, privileges and freedom of conscience of all citizens by withholding from some individuals and families important legal rights and obligations; and

WHEREAS, the St. Louis County Board acknowledges and is committed to the importance of equality for all residents and citizens.

NOW THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners in principle, hereby goes on record in opposition to the proposed constitutional amendment entitled "Recognition of Marriage Solely Between One Man and One Woman."

# Minnesota Session Laws

Search

Key: (1) ~~language to be deleted~~ (2) new language

## 2011, Regular Session

### CHAPTER 88--S.F.No. 1308

An act

proposing an amendment to the Minnesota Constitution; adding a section to article XIII; recognizing marriage as only a union between one man and one woman.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

#### Section 1. CONSTITUTIONAL AMENDMENT PROPOSED.

An amendment to the Minnesota Constitution is proposed to the people. If the amendment is adopted, a section shall be added to article XIII, to read:

Sec. 13. Only a union of one man and one woman shall be valid or recognized as a marriage in Minnesota.

#### Sec. 2. SUBMISSION TO VOTERS.

(a) The proposed amendment must be submitted to the people at the 2012 general election. The question submitted must be:

"Shall the Minnesota Constitution be amended to provide that only a union of one man and one woman shall be valid or recognized as a marriage in Minnesota?"

Yes

.....

No..... "

(b) The title required under Minnesota Statutes, section 204D.15, subdivision 1, for the question submitted to the people under paragraph (a) shall be "Recognition of Marriage Solely Between One Man and One Woman."

Filed with the Secretary of State May 25, 2011

**Mark Rubin - MN Defense of Marriage**

---

**From:** Thomas Stanley  
**To:** Rubin, Mark  
**Date:** 9/19/2012 2:02 PM  
**Subject:** MN Defense of Marriage

---

**517.03 PROHIBITED MARRIAGES.****Subdivision 1. General.**

(a) The following marriages are prohibited:

(1) a marriage entered into before the dissolution of an earlier marriage of one of the parties becomes final, as provided in section 518.145 or by the law of the jurisdiction where the dissolution was granted;

(2) a marriage between an ancestor and a descendant, or between a brother and a sister, whether the relationship is by the half or the whole blood or by adoption;

(3) a marriage between an uncle and a niece, between an aunt and a nephew, or between first cousins, whether the relationship is by the half or the whole blood, except as to marriages permitted by the established customs of aboriginal cultures; and

**(4) a marriage between persons of the same sex.**

**(b) A marriage entered into by persons of the same sex, either under common law or statute, that is recognized by another state or foreign jurisdiction is void in this state and contractual rights granted by virtue of the marriage or its termination are unenforceable in this state.**